

RESOLUTION 2011-~~N/A~~

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF TAYLOR COUNTY, FLORIDA, ENACTING A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUSINESS LICENSE TAX PERMITS; BUILDING PERMITS; OR ANY OTHER LICENSE OR PERMIT FOR SWEEPSTAKES CENTERS, INTERNET CAFES, AND ADULT ARCADES AS DEFINED.

WHEREAS, Taylor County possesses the home rule authority granted in the Florida Constitution and Florida Statutes to exercise the broad powers of self-government; and

WHEREAS, the Taylor County Board of County Commissioners has found and determined that legitimate health, safety, and general welfare concerns exist regarding the placement of sweepstakes centers, internet cafes, and adult cafes in the unincorporated areas of Taylor County, Florida, and

WHEREAS, based upon actions taken by other political subdivisions in recent weeks regarding the regulation of these facilities, Taylor County, Florida would like the opportunity to study all of the recently enacted legislation and determine whether it is appropriate for the County and its residents to allow further unregulated proliferation of these types of business; and

WHEREAS, to give the Board of County Commissioners, the Planning Board, and the County Staff sufficient time to conduct the necessary research to make a thoughtful decision regarding the proliferation of these cafes, the Board considers it appropriate to adopt at least a three (3) Month Moratorium on the issuance of all applications for zoning permits, occupancy permits, building permits, business license, or the like for these facilities; and

WHEREAS, the Taylor County Board of County Commissioners finds that any such use of property within the unincorporated area of Taylor County, Florida during the pendency of the above would have the potential to cause irrevocable harm to the public health, safety and general welfare

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TAYLOR COUNTY THAT:

Section 1. That there is hereby imposed a three (3) Month Moratorium on the creation, permitting, licensing, and/or development of sweepstakes centers, internet cafes, adult arcades anywhere within the

unincorporated area of the County, said Moratorium to extend to the submission, consideration or approval of all applications for zoning permits, occupancy permits, building permits, business tax license or the like.

Section 2. This Moratorium shall become effective immediately upon the date of passage by the Taylor County Board of County Commissioner, and shall remain in effect for at least three (3) Months following the date upon which it passes unless extended upon a majority vote of the Board for a period of no more than Six (6) additional months if the Board of County Commissioners finds such continuance is required to allow additional time for the County to complete its study and make a determination as to what action, if any, the County should take to safeguard the public health and safety through the provision of adequate planning, land-use, or other regulatory controls that are specifically applicable to sweepstake centers, internet cafes, and/or adult arcades.

Section 3. This Moratorium suspends and tolls any time periods prescribed by law within which the Planning Board or any other official or official body of the County is required to take action upon an application for a building permit, site plan approval, business license, or the like, for the development/use of land anywhere in the unincorporated area of the County for sweepstakes centers, internet cafes, and/or adult arcades; and that no such application shall be deemed to be approved by the failure of the Planning Board, or any other official or official body to approve or deny said application during the time when this Moratorium shall be in effect.

Section 4. This Resolution shall not have an effect on the County's right to pass land use provisions or other legislation to regulate sweepstake centers, internet cafes, and/or adult arcades that may exist in the unincorporated areas of Taylor County, Florida at the time of such passage.

Section 5. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of Competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 6. It is found and determined that all formal actions of the Taylor County Board of County Commissioners concerning and relating to the adoption of this Resolution were taken in an open meeting of the Taylor County Board of County Commissioners and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 286 Florida Statutes, commonly referred to as the Sunshine Law.

Section 7. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the residents of Taylor County, Florida, the immediate emergency being the necessity to impose a temporary moratorium on issuing any and all permits to operate sweepstakes centers, internet cafes, and/or adult arcades within the unincorporated areas of the County; therefore, this Resolution shall be full force and effect immediately upon its passage and approval by the Taylor County Board of County Commissioners.

Upon adoption, the Clerk of the Court as Ex-Officio Clerk will maintain the official copy of the Resolution.

THIS RESOLUTION ADOPTED THIS 7th DAY OF March, 2011.



Taylor County Board of
County Commissioners

Lonnie A. Houck Jr.
Lonnie A. Houck Jr., Chair

Attest: *Annie Mae Murphy*
Annie Mae Murphy, Clerk