

## **RESOLUTION 25-09**

### **A RESOLUTION CREATING A MORATORIUM ON THE OPENING OF CERTAIN BUSINESSES**

**WHEREAS**, the City of Dalton is charged with protecting the health, safety, and welfare of the residents of the City; and

**WHEREAS**, the Georgia Constitution and general laws of the State of Georgia vest the City of Dalton with substantial powers to adopt such ordinances and regulations which may be necessary to maintain the health, morals, safety, security, peace, and general welfare of the City; and

**WHEREAS**, the City of Dalton is presently analyzing certain code sections in order to revise and implement ordinances related to businesses that engage primarily in the retail sale of low THC oil, tobacco products, tobacco related objects, products containing cannabidiol (“CBD”), alternative nicotine products, and vapor products (collectively “Vape Shops”); adult entertainment establishments; event centers; extended stay hotels; stores that operate coin operated amusement machines (“COAM”); and massage parlors (all such businesses are hereinafter referenced the “Regulated Businesses”); and

**WHEREAS**, the Regulated Businesses offer products and services that pose a danger to the health, safety, and welfare of the community without sufficient regulation; and

**WHEREAS**, the location and operation of the Regulated Businesses must be consistent with the City of Dalton Joint Comprehensive Plan; and

**WHEREAS**, the City needs sufficient time to conduct its review and to determine where and under what terms and conditions it is most appropriate for the Regulated Businesses to operate in order to ensure the health, safety, and welfare of the community and to analyze consistency with the City of Dalton Joint Comprehensive Plan; and

**WHEREAS**, Georgia law provides that a municipality may impose moratoria on a temporary basis under certain circumstances, which circumstances the Mayor and Council of the City of Dalton have determined exist with respect to Regulated Businesses in the City; and

**WHEREAS**, the Mayor and Council have determined that there is a substantial likelihood of inconsistent or insufficient regulation and a danger to the public if a moratorium is not enacted to preserve the status quo and temporarily halt the opening of new Regulated Businesses while the City is undergoing a comprehensive review of its code pertaining to the Regulated Businesses; and

**WHEREAS**, the City has determined that it is in the best interests of the residents of the City to enact a temporary moratorium of six months on the Regulated Businesses to ensure uniformity of regulation and that all new regulations are in the best interest of the health, safety and welfare of residents of the City and consistent with the City of Dalton Joint Comprehensive Plan;

**NOW, THEREFORE, BE IT RESOLVED**, the City hereby enacts an emergency temporary moratorium on approval of new Regulated Businesses to continue for 180 days from the date of adoption of this resolution unless said moratorium is repealed or extended; and

**BE IT FURTHER RESOLVED**, that during the moratorium neither the City nor any department or staff member shall accept applications for any new Regulated Businesses or issue licenses, permits, occupational tax certificates, or other approvals of any kind for the opening of any Regulated Businesses; and

**BE IT FURTHER RESOLVED**, that currently existing and approved Regulated Businesses shall not be prevented from operation or renewal as a result of this resolution, provided that such businesses do not otherwise become suspended or revoked during this moratorium; and

**BE IT FURTHER RESOLVED**, the above-recitals are incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that all resolutions or parts thereof of the City of Dalton in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed; and

**BE IT FURTHER RESOLVED**, that these Resolutions shall take effect immediately upon their adoption.

**SO RESOLVED**, this \_\_\_\_ day of \_\_\_\_\_, 2025.

**CITY OF DALTON, GEORGIA**

\_\_\_\_\_  
Mayor/Mayor Pro Tempore

ATTESTED TO:

\_\_\_\_\_  
City Clerk