

Fountain County Board of Commissioners
Ordinance 2024-_____

**An Ordinance Adopting Text Amendment
to the Fountain County Zoning Ordinance**

Whereas, the Fountain County Board of Commissioners duly passed Ordinance 2021-____, amending the Fountain County Zoning Ordinance, specifically Article 9 Solar Energy Systems and Facilities; and

Whereas, since the passage of Article 9 Solar Energy Systems and Facilities of the Zoning Ordinance, the Board of Commissioners have received additional public input regarding Commercial Solar Energy Collection Systems; and

Whereas, the Board of Commissioners believe that a moratorium on the filing and acceptance of any new applications for a permit under Article 9 Solar Energy Systems and Facilities by any person, firm, or entity seeking to place or install a Commercial Solar Energy Collection System on any property within the jurisdiction of the Plan Commission in Fountain County, Indiana will provide the Plan Commission with the opportunity to consider changes to the Solar Energy Collection Systems Overlay District Ordinance; and

Whereas, on May 14, 2024, the Fountain County Advisory Plan Commission conducted a public hearing on a proposal to amend the text of the Zoning Ordinance to impose a moratorium; and

Whereas, the Commissioners have received a certification, dated 14 May 2024, from the Fountain County Advisory Plan Commission which contains a _____ recommendation regarding the adoption of the Amendment to the Zoning Ordinance; and

Whereas, the Commissioners must either adopt, reject, or amend the proposed amendment or decide to further consider the proposal; and

Whereas, the Commissioners having considered the recommendation of the Plan Commission, public comments, and written correspondence from citizens regarding the proposed amendments to the Zoning Ordinance now find as follows:

1. The Commission conducted a public hearing on May 14, 2024 on a proposal to amend the Zoning Ordinance; and
2. The Commission voted to _____ recommend to the Commissioners the proposed amendment to the text of the Zoning Ordinance; and
3. The Commissioners _____ the recommendation of the Commission

decide to adopt the proposed amendment to the Zoning Ordinance.

IT IS THEREFORE ORDAINED by the Fountain County Board of Commissioners of Fountain County, Indiana, that the proposed text amendment to the Zoning Ordinance, is hereby adopted.

IT IS FURTHER ORDAINED that a moratorium shall be imposed on the filing and acceptance of any new applications for a permit under Article 9 Solar Energy Systems and Facilities by any person, firm, or entity seeking to place or install a Commercial Solar Energy Collection System on any property within the jurisdiction of the Plan Commission in Fountain County, Indiana.

IT IS FURTHER ORDAINED that this moratorium shall remain in place June 3, 2025.

IT IS FURTHER ORDAINED that the Auditor will record this Ordinance in the Office of the Fountain County Recorder.

IT IS FURTHER ORDAINED that any other provision of the County Code that is not specifically amended by this ordinance shall remain in full force and effect.

IT IS FURTHER ORDAINED that this Ordinance shall be effective 14 days after its adoption.

Adopted this 20th day of May 2024.

**Board of Commissioners,
Fountain County, Indiana**

Brenda Hardy, President

Andrew Hall, Vice-President

Tim Shumaker, Member

Attest:

Colleen Chambers, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. /s/ J. Kent Minnette

J. Kent Minnette, Indiana Attorney No. 21362-45, Taylor, Minnette, Schneider & Clutter, P.C., 2522 West U.S. Highway 136, Covington, Indiana, 47932, Telephone: (765) 814-2001, prepared this ordinance.