

**AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF MADISON COUNTY, GEORGIA.**

For the purpose of promoting the health, safety, and general welfare of the present and future inhabitants of Madison County and to further the purposes of the Madison County Zoning Ordinance as set forth therein, the Board of Commissioners of Madison County does hereby ordain and enact into law the following changes to the Zoning Ordinance.

ITEM ONE.

A Section 4.6 is added to Article IV to read as follows:

"Section 4.6 Interpretation of Uses.

Some degree of interpretation will occasionally be required. It is not possible to list each and every variation or name of a given use. In addition to other generally accepted references and resources, the North American Industrial Classification System (NAICS), published by the U.S. Department of Commerce (current available edition), may be referred to in order to interpret the definition of uses listed in Article VII to identify similar uses that may be allowed along with each listed use.

The NAICS assigns classification numbers to businesses and industries based on the primary business activity in which the company is engaged. While business activity usually corresponds to land use type, and therefore can be easily assigned to appropriate zoning districts, there are exceptions. Some businesses may be primarily engaged in a certain industry—such as telecommunications, for instance—but individual locations host notably different activities. For a company like AT&T, for instance, different facilities may include retail stores for telephones, offices for administrative functions, satellite and exchange switching stations, and repair and installation staging lots where heavy equipment vehicles, telephone poles, wire spools and materials are stored. As a result, interpretation is occasionally needed for an individual use, regardless of the business activity in which the parent company is engaged.

In all cases of uncertainty, the determination of whether or not a particular use is allowed in a particular zoning district shall reflect the purpose of the zoning district as stated in Article VII, both the common and dictionary definitions of the use, and the array of listed uses that are allowed in the district as to their character and intensity.

ITEM TWO.

Should any sentence, section, subsection or provision of this Resolution or application thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Zoning Ordinance of Madison County, as amended, as a whole nor any part thereof that is not specifically declared to be invalid or unconstitutional.

ITEM THREE.

This amendment of the Zoning Ordinance of Madison County, Georgia, shall take effect and shall be enforced from and after the date of its adoption, the public welfare demanding it.

Approved by the Madison County Board of Commissioners on the 10th day of July, 2017.

BOARD OF COMMISSIONERS, MADISON COUNTY, GEORGIA

By: John D. Scarborough
John D. Scarborough, Chairman

ATTEST:
Rhonda S. Wooten
Rhonda S. Wooten, County Clerk