

ROCKDALE COUNTY

STATE OF GEORGIA

RESOLUTION NO. 2025-31

A RESOLUTION OF ROCKDALE COUNTY, GEORGIA IMPOSING A NINETY (90) DAY MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR CERTAIN RESIDENTIAL CARE FACILITIES; PROVIDING FINDINGS OF FACT; STATING PURPOSE AND INTENT; PROVIDING AN EFFECTIVE PERIOD; AND FOR OTHER PURPOSES.

WHEREAS, Rockdale County has experienced an increase in applications for residential care facilities, including personal care homes, group homes, halfway houses and similar residential living arrangements; and

WHEREAS, the County has received reports and observed evidence of unlicensed or substandard residential care facilities operating within the County and surrounding jurisdictions, creating potential risks to residents, neighbors, and emergency responders; and

WHEREAS, the County seeks to ensure that zoning and licensing standards for such facilities are consistent, clearly defined, and compliant with applicable federal and state law (including the Fair Housing Act (42 U.S.C. § 3601 et seq.), the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), and the Rehabilitation Act (29 U.S.C. § 794)); and

WHEREAS, the County recognizes the importance of providing fair and adequate housing opportunities for all persons, including persons with disabilities and persons recovering from substance use, and does not intend through this resolution to discriminate against or otherwise limit housing opportunities for any protected class; and

WHEREAS, in order to review its Unified Development Ordinance (UDO), zoning definitions, special-use permit standards, spacing requirements, and licensing policies applicable to residential care facilities, the County finds it necessary to temporarily suspend the acceptance and processing of new applications for such uses; and

WHEREAS, this temporary moratorium is intended to be a reasonable and limited measure, designed to protect the health, safety and welfare of the residents of Rockdale County and to ensure that future regulations are equitable and legally sound.

NOW, THEREFORE, BE IT RESOLVED, and authorized by the Board of Commissioners of Rockdale County as follows:

SECTION 1. FINDINGS OF FACT

The Board of Commissioners of Rockdale County hereby makes the following findings of fact:

- a) There has been a noticeable increase in the number of personal care homes, group homes, and similar residential care facilities seeking to locate or currently operating within Rockdale County.
- b) Several unlicensed or unregulated residential care facilities have been identified within Rockdale County and nearby jurisdictions, operating without appropriate state oversight or county review.
- c) Reports from the Georgia Department of Community Health (DCH) and local enforcement agencies have revealed instances of unsafe, overcrowded, or substandard living conditions within some residential care facilities.
- d) Certain facilities have been found to lack proper building, fire safety, and sanitation compliance, creating potential hazards for residents and first responders.
- e) Residents of these facilities are often elderly, disabled, or otherwise vulnerable individuals who rely on operators for essential daily care and safety, heightening the need for regulatory oversight.
- f) The County's current Unified Development Ordinance (UDO) and related inspection and licensing processes may not adequately address spacing, oversight, or operational standards for residential care facilities.
- g) The rapid increase and inconsistent regulation of such facilities create a need for coordinated review between Rockdale County departments and state agencies to ensure lawful and safe operations.

SECTION 2. PURPOSE AND INTENT

The purpose of this ordinance is to temporarily pause the acceptance, processing and approval of new applications for residential care facilities in the unincorporated areas of Rockdale County while the County undertakes a comprehensive review of applicable zoning provisions, licensing standards and definitions related to such uses. This moratorium is not intended to regulate or restrict occupancy by persons based on disability, familial status or other protected characteristics, but rather to allow time for objective planning and legal analysis.

SECTION 3. DEFINITIONS

For purposes of this ordinance, a "Residential Care Facility" shall include, but not be limited to:

- a) personal care homes;
- b) group homes;
- c) halfway houses;
- d) sober-living residences;
- e) assisted living facilities; and
- f) any other residential use providing housing and care services for unrelated individuals in a group or congregate living setting.

SECTION 4. TEMPORARY MORATORIUM

A. The County hereby imposes a temporary moratorium on the acceptance, processing and approval of any new applications, permits, rezonings, business licenses or special use permits for

Residential Care Facilities, as defined herein, in the unincorporated area of Rockdale County.

B. This moratorium shall not apply to:

1. Existing licensed or approved facilities lawfully operating as of the effective date of this ordinance;
2. Renewals of existing licenses or approvals for such facilities; or
3. Applications previously deemed complete before the effective date of this ordinance.

C. No department, board or agency of the County shall accept, review or act upon any new application covered by this moratorium during its effective period.

D. This moratorium shall remain in effect for a period of ninety (90) days from the date of adoption of this resolution and shall automatically renew for one additional ninety (90)-day period, unless earlier repealed, amended, or extended by the Board of Commissioners.

E. During the moratorium period, County staff shall:

1. Review the current zoning, special-use permit, licensing and spacing criteria applicable to residential care facilities;
2. Consult legal counsel to ensure compliance with the Fair Housing Act, ADA, Rehabilitation Act and relevant Georgia law;
3. Draft proposed amendments and recommendations for consideration by the County's Planning Commission and Board of Commissioners.

SECTION 6. SEVERABILITY

If any section or provision of this resolution is found by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity shall not affect the remaining portions of this resolution.

SECTION 7. EFFECTIVE DATE

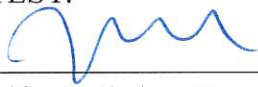
This resolution shall become effective immediately upon adoption by the Board of Commissioners of Rockdale County.

SO RESOLVED, this 9th day of December, 2026.

ROCKDALE COUNTY

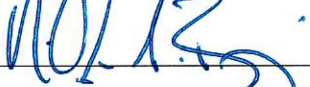
STATE OF GEORGIA

ATTEST:



Jennifer Rutledge, County Clerk

APPROVED AS TO FORM:

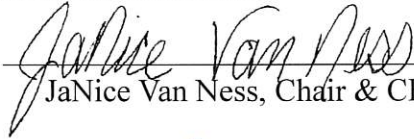


M. Qader A. Baig, County Attorney

ROCKDALE COUNTY, GEORGIA

Board of Commissioners

By:



JaNice Van Ness, Chair & CEO

By:



Tuwanya Smith, Commissioner Post 1

By:



Dr. Doreen Williams, Commissioner Post 2