

**ORDINANCE # 2023-05**  
**AN ORDINANCE AMENDING THE**  
**WHITLEY COUNTY ZONING CODE**

**WHEREAS**, the Board of Commissioners duly passed Ordinance #2022-17, amending the Whitley County Zoning Code and establishing the Solar Energy Collection Overlay District on October 3, 2022; and

**WHEREAS**, since the passage of the Solar Energy Collection Overlay District Ordinance, the Board of Commissioners have received additional public input regarding Commercial Solar Energy Collection Systems; and

**WHEREAS**, the Board of Commissioners, on February 21, 2023, also adopted a motion to have the Whitley County Advisory Plan Commission (the “Plan Commission”) study potential amendments to the Solar Energy Collection Overlay District Ordinance; and

**WHEREAS**, the Board of Commissioners believe that a moratorium on the issuance of permits to any person, firm, or entity seeking to place or install a Commercial Solar Energy Collection System on any property in within the jurisdiction of the Plan Commission in Whitley County, Indiana will provide the Plan Commission with the opportunity to consider changes to the Solar Energy Collection Systems Overlay District Ordinance; and

**WHEREAS**, the Board of Commissioners believe that a moratorium on the filing and acceptance of any new applications for rezoning to the Solar Energy Collection Systems Overlay District will provide the Plan Commission with the opportunity to consider changes to the Solar Energy Collection Systems Overlay District Ordinance.



**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF WHITLEY COUNTY, INDIANA, THAT:**

1. A moratorium shall be imposed upon the County commencing on March 20, 2023, for the issuance of permits to any person, firm, or entity seeking to place or install a Commercial Solar Energy Collection System on any property within the jurisdiction of the Whitley County Advisory Plan Commission in Whitley County, Indiana.
2. A moratorium shall be imposed on the filing and acceptance of any new applications for rezoning to the Solar Energy Collection Systems Overlay District, commencing March 20, 2023.
3. Said moratorium shall remain in place until March 19, 2024.


**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF WHITLEY COUNTY INDIANA, ON THIS 20 DAY OF March, 2023.**

  
Chad Banks

ATTEST:

  
Tiffany Deakins, Auditor

  
Theresa Baysinger

  
Robert Schuman