

## **TOWN OF MOUNT MORRIS, NEW YORK**

### **Local Law No. 2 of the year 2026**

#### **A Local Law Enacting a Temporary Moratorium on Commercial Data Centers.**

**Be it enacted by the Town Board of the Town of Mount Morris as follows:**

#### **Section 1: Short Title**

This local law shall be cited as Local Law No.2 of 2026 of the Town of Mount Morris and is entitled “A Local Law Enacting a Temporary Moratorium on Commercial Data Centers.”

#### **Section 2: Legislative Findings**

The Town of Mount Morris notes that institutional and technological trends, such as the growing computing demands of Artificial Intelligence and the increasing digitization of the economy, have resulted in an exponential increase in the demand for Commercial Data Centers to support this growth. Many of these facilities have been constructed in rural communities due to the comparatively low cost of construction and ease of access to electrical grid capacity.

While the Town appreciates the need for Commercial Data Centers and their potential to positively contribute to the local economy, Commercial Data Centers are not a use which was contemplated within the Town’s Comprehensive Plan or Zoning Ordinance at the time of their adoption, and such a use will need to be thoroughly evaluated and studied for its potential impacts to the Town before appropriate zoning for such a use can be developed. Commercial Data Centers are a new type of use and have the potential for significant negative impacts such as increased energy usage, environmental impacts, visual impacts, and community impacts as weighed against the benefits to local communities. These complex issues must be evaluated for proper zoning to be implemented to regulate the use.

To address these concerns, the Town Board believes that the Town Comprehensive Plan and Zoning Ordinance should be evaluated as they pertain to these facilities to ensure that Commercial Data Centers are responsibly developed in our rural community, and placed and sited in harmony with surrounding uses and in appropriate areas of the Town to protect and promote the public health, welfare and safety. A moratorium is necessary to temporarily prohibit the establishment of Commercial Data Centers in the Town to preserve the status quo while affording the Town Board sufficient time to evaluate and to amend the Town Zoning Ordinance, or to adopt new laws relating to Commercial Data Centers.

#### **Section 3: Authority**

This moratorium is enacted by the Town Board of the Town of Mount Morris pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

#### **Section 4: Moratorium**

For a period of twelve (12) months from the effective date of this Local Law, there is hereby enacted a moratorium on the acceptance by the Town of Mount Morris of applications for the establishment, location, and operation of Commercial Data Centers, or the construction of same.

*Commercial Data Center* shall be broadly defined as a facility whose primary purpose is to house computing, storage, and networking equipment for commercial gain, including for cryptocurrency mining operations, server farms, and the provision of IT infrastructure and services to external customers.

### **Section 5: Variances**

The Town Board shall have the power, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purpose and intent of this Local Law. Any request for a variance shall be in writing and filed with the Town Clerk. All such applications shall promptly be referred to the Town Board, which shall conduct a Public Hearing on the application on not less than five (5) days public notice and shall make its decision within thirty (30) days after the close of the Public Hearing.

### **Section 6: Severability**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts.

### **Section 7: Repeal Of Other Laws**

All local laws in conflict with provisions of this Local Law are hereby superseded and suspended for the duration of this moratorium and for any additional period that this Local Law is extended. This Local Law also supersedes, amends and takes precedence over any inconsistent provisions of New York State Town Law, the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law Sections 10 and 22. The Town Law provisions intended to be superseded include all of the Article 16 of the Town Law, Sections 261-285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent and to apply such intent in the event the Town has failed to specify any provisions of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

### **Section 8: Effective Date**

This Local Law shall take effect immediately, as provided by law, upon filing with the New York State Secretary of State.