

**VILLAGE OF MATTAWAN
VAN BUREN COUNTY, MI
ORDINANCE NO. 2026-0824**

ORDINANCE ESTABLISHING DATA CENTER MORATORIUM

An ordinance to enact a temporary moratorium for a period of two years on the permitting, consideration, approval, location, construction, and/or installation of any Data Center facilities.

WHEREAS, due to concerns identified by the public and Village officials about appropriate regulations for Data Centers, among other issues associated with Data Centers; and

WHEREAS, Data Center means a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

WHEREAS, the typical physical characteristics of Data Centers include, but are not limited to, the following: (1) power systems; (2) cooling systems; (3) battery energy storage systems; (4) use of equipment to cool the hardware and operating space; and/or (5) power generators.

WHEREAS, the Village has a legitimate purpose in addressing the proper design, size, location, and operation of a Data Center in the Village; and

WHEREAS, the amount of water and energy consumed by, and noise produced by, Data Centers raises concerns that necessary regulations may be required to protect the public health, safety, and general welfare; and

WHEREAS, the Village is reasonably concerned future Data Centers, without proper regulations, would be established in inappropriate or inadvisable locations within the Village; and

WHEREAS, it is appropriate to forestall such issues for the Village and to enact a temporary moratorium on such Data Centers for two years or until any necessary regulations can be enacted; and

WHEREAS, the Village determines that the adoption of this ordinance, which is necessary to preserve the public peace, health, and safety by preventing the inappropriate location and establishment of Data Centers in the Village during the time needed to study and review, due to conditions within the Village.

NOW, THEREFORE, The Village of Mattawan, Van Buren County, Michigan,
Ordains:

Section 1. Title: This Ordinance shall be known and cited as the Village of Mattawan Data Center Moratorium.

Section 2. Definition: Data Center means a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center.

Section 3. Moratorium: The Village enacts a temporary moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of all Data Centers in the Village for the earlier of three years, or the Village's implementation of regulations governing Data Centers. For the purposes of this ordinance, Data Center encompasses all like operations, whether or not referenced in the Village Zoning Ordinance. The Village shall be the sole judge of whether an operation shall be defined as a Data Center.

Section 4. Severability: The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 5. Repeal: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 6. Effective Date: This Ordinance shall take effect immediately after publication.

YEAS: Begeman, Daniel, Gurley, McLean, Monroe, Streeter, Stuut

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

Jolie Storm-Artis

Jolie Storm-Artis, Village Clerk

CERTIFICATION

I hereby certify that:

The above is a true copy of an Ordinance adopted by the Village of Mattawan Board at a duly scheduled and noticed meeting of the Village Board held on August 24, 2026, at 7:00 PM pursuant to the required statutory, charter, and ordinance procedures.

ATTESTED:

Jolie Storm-Artis

Jolie Storm-Artis, Village Clerk