KINROSS CHARTER TOWNSHIP
CHIPPEWA COUNTY, MICHIGAN

ORDINANCE NO 1.143

ADOPTED: 10-19 **, 2026**

EFFECTIVE: EIGHT (8) DAYS AFTER PUBLICATION AFTER ADOPTION

An Ordinance to make findings to protect the public health, safety, and welfare by establishing a temporary moratorium on data centers; to adopt an amendment to the Kinross Charter Township Zoning Ordinance to allow for temporary moratoriums generally; to implement a temporary moratorium on applications for data centers; to provide a term for the temporary data center moratorium; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

KINROSS CHARTER TOWNSHIP
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ORDAINS:

SECTION I
FINDINGS

In accordance with the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, Kinross Charter Township has determined the following:

1. The Township Board of Kinross Charter Township determines that the approval of data centers may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the Township.

2. The Township Board is aware of significant public health, safety, and welfare concerns being raised by the public about the impacts of data centers.

3. The Township has a legitimate public purpose in assessing the regulation of the establishment and use of data centers within the Township to ensure that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public health, and safety.

4. The Township Board finds that adopting a temporary moratorium is reasonable and necessary for, among other reasons, the following:

   A. Michigan courts have recognized that a moratorium is a common and legitimate tool to preserve the status quo while formulating a development strategy.

   B. The adoption of a temporary moratorium would allow the Township Board and Planning Commission adequate time to study the public health, safety and welfare concerns regarding data centers and allow for any needed Zoning Ordinance amendment and implementation process to occur, including attention to and consideration of citizen input and involvement, public debate, and full consideration of all issues and points of view.

5. The Township Board accordingly determines that it is desirable and in the public interest for the reasons set forth above that the Board adopt a temporary moratorium for data centers.

SECTION II
ZONING ORDINANCE TEXT AMENDMENT
ARTICLE XVIII – AUTHORITY TO IMPOSE A TEMPORARY MORATORIUM OF ZONING ORDINANCE PROVISIONS

Article XVIII, "Administration and Enforcement", is hereby amended by amending Section 18.10 to be titled "Temporary Moratorium", which section shall read as follows:

1. The Township Planning Commission has the authority to recommend the establishment of a temporary moratorium as to the application provisions of the Township Ordinance to the Township Board, by majority vote of the Planning Commission. Said recommendation shall contain findings supporting the need for a temporary moratorium.

SECTION VI
EFFECTIVE DATE/REPEAL

This Ordinance shall take effect eight (8) days after publication of adoption. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

KINROSS CHARTER TOWNSHIP

_____, Clerk

2. Upon such Planning Commission recommendation, the Township Board may impose a temporary moratorium as to the application of the provisions of the Township Zoning Ordinance by ordinance or resolution of the Township Board. The Township Board moratorium shall contain findings supporting the need for a temporary moratorium. The Township will post notice of the moratorium resolution on the Township website.

3. Such temporary moratorium shall be for a set amount of time but may be extended by resolution of the Township Board to allow additional time for Township review and consideration of the application, revision, review or repeal/replacement of zoning ordinance provisions. If an extension is adopted, the Township will post notice of the extension on the Township website.

SECTION III
DATA CENTER MORATORIUM

A temporary moratorium is imposed upon the acceptance and/or processing of any applications for data centers.

SECTION IV
TERM OF DATA CENTER MORATIUM

The data center moratorium imposed by this Ordinance will remain in effect for One (1) Year, or until amendments to the Zoning Ordinance regarding data centers become effective, whichever occurs first. Before this moratorium expires, the Township Board, on recommendation of the Planning Commission, may extend the moratorium by resolution as appropriate to allow additional time for Township review and consideration of the application, revision, review or repeal/replacement of zoning ordinance provisions. If an extension is adopted, the Township will post notice of the extension on the Township website.

SECTION V
SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.