

**PINCONNING TOWNSHIP
BAY COUNTY, MICHIGAN
ORDINANCE NO. 2026-01**

**AN ORDINANCE TO ESTABLISH A TEMPORARY MORATORIUM ON THE
ISSUANCE OF PERMITS, LICENSES OR APPROVALS FOR, OR ANY CON-
STRUCTION OF, DATA CENTERS.**

At a meeting of the Township Board of Pinconning Township, Bay County, Michigan (“Township”) held at the Pinconning Township Hall, on the 12th of January 2026 at 4:30 pm, Beck moved to adopt the following Ordinance, which motion was seconded by Buchalski,

An ordinance to enact a temporary moratorium until July 31, 2026, or an earlier time in which the Township adopts new regulations governing Data Centers and rescinds this Ordinance, on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Data Center projects.

WHEREAS, the Pinconning Township Zoning Ordinance does not address data centers; and

WHEREAS, on January 12, 2026, the Township Board passed a motion to establish a moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Data Centers until the Township could draft new regulations to adequately regulate the land uses; and

WHEREAS the Township is reasonably concerned that a data center could be established in inappropriate or inadvisable locations within the Township; and

WHEREAS it is appropriate to forestall such issues for the Township and to enact a temporary moratorium on Data Centers until any necessary revised regulations can be enacted; and

WHEREAS, the Township 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 Township during the time needed to fully explore, analyze, research, and develop any proposed regulations.

NOW, THEREFORE Pinconning Township, Bay County, Michigan, Ordains:

Section 1. Title: This Ordinance shall be known and cited as the Pinconning Township Data Center Moratorium.

Section 2. Moratorium: The Township enacts a temporary moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of data centers in the Township until July 31, 2026, or earlier time in which the Township adopts new regulations governing Data Centers and rescinds this Ordinance. However, the Township Board may pass by resolution an extension of this moratorium to a date following July 31, 2026, should the Township need additional time to promulgate appropriate regulations governing Data Centers.

Section 3. 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 4. Repeal: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Effective Date: This Ordinance shall take effect immediately after publication.

YEAS: Beck, Buchalski, Faith, Whitney, Pomaville

NAYS: None (0)

ABSENT/ABSTAIN: None (0)

ORDINANCE DECLARED ADOPTED.

Paul Pomaville, Pinconning Township Supervisor