

**CITY OF SHEBOYGAN
ORDINANCE 1-26-27**

BY ALDERPERSONS BOORSE, CLOSE, GRAWIEN, AND PERRELLA.

MAY 4, 2026.

AN ORDINANCE creating Section 105-8 of the Municipal Code establishing a temporary moratorium on the issuance of zoning and building permit approvals for data centers with greater than 10,000 square feet of floor area.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: **ADOPTION** “Sec 105-8 Temporary Data Center Development Moratorium” of the Sheboygan Municipal Code is hereby *added* as follows:

ADOPTION

Sec 105-8 Temporary Data Center Development Moratorium(*Added*)

- (a) Purpose and authority. The purpose of this moratorium is to provide the city with adequate time to create reasonable regulations and to respond by regulation amendments reflecting anticipated changes to state law for the development of data centers. The moratorium is necessary to protect the health, safety, and general welfare of the city and is made pursuant to the authority granted by Wis. Stat. § 62.23(7)(am) and other applicable laws.
- (b) Declaration. A temporary zoning moratorium is hereby declared with respect to the issuance of permits and approvals for data centers as a principal and primary use, when such data centers contain at least 10,000 square feet of floor area within a single building or collection of buildings on a single parcel.
 - (1) Exceptions. This temporary moratorium shall not apply to data centers serving another principal use allowed on a parcel; to data centers already existing or to those with property entitlement applications filed prior to the effective date of this ordinance; to routine maintenance or repairs of existing data centers that do not increase operational capacity; or to public safety or emergency facilities operated by a government entity.
- (c) Duration. This moratorium shall be in effect until 11:59 p.m. on the 365th day following its effective date or until data center zoning regulations are adopted by the city and take effect, whichever is later.
- (d) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Data center means a facility used for the storage, management, processing, and distribution of digital data, which may include the housing of computer and/or network equipment, systems, servers, appliances, and other associated equipment related to digital data operations. Supporting equipment may include back-up batteries and power generators, air handlers, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

(e) Direction to develop data centers ordinance. The city attorney's office and the department of planning and development are authorized to draft an ordinance providing appropriate regulations of data centers to protect the public health, safety, and general welfare of the city and to present such ordinance to the common council for discussion and action and to present amendments thereafter in response to changes in state law governing data centers.

(f) Severability. If any portion of this ordinance is determined to be invalid or unlawful by court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan