

**BOROUGH OF TINTON FALLS
MONMOUTH COUNTY
NEW JERSEY**

ORDINANCE NO. 2026-1553

**AN ORDINANCE AMENDING SECTIONS 40-3 AND 40-32 OF THE BOROUGH CODE
TO ADD “DATA CENTERS” AS A PROHIBITED USE IN ALL ZONING DISTRICTS IN
THE BOROUGH**

WHEREAS, data centers supporting artificial intelligence are being built across the State of New Jersey at an alarming rate, and;

WHEREAS, the Borough is conscious of the impact on the environmental and natural resources posed by the scope, depth and pervasiveness of large-scale commercial data center operations; and

WHEREAS, data centers, by their nature, pose significant challenges to municipalities relating to electricity consumption, noise, air quality, water use, and community character; and

WHEREAS, the Borough has determined that it is in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business here, to amend its Ordinances to include data centers as a prohibited use within the geographic boundaries of the Borough and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls, as follows:

SECTION 1. Section 40-3 of the Borough Code, entitled “Definitions,” is hereby amended and supplemented as follows (underlined to be added):

§ 40-3 DEFINITIONS

DATA CENTER

Shall mean and include any facility used primarily for the storage, management, and processing of digital or electronic data, which houses computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems, systems for monitoring and managing infrastructure performance, internet-related equipment and services, data communications connections, environmental controls, fire protection systems, and security systems and services.

Typical accessory components of a data center may include transformers, electrical substations, environmental controls, fire suppression, generators, redundant power supplies and security facilities.

SECTION 2. Section 40-32 of the Borough Code, entitled “Prohibited Uses” is hereby amended to add the following subsection to the Section:

§ 40-32. PROHIBITED USES.

* * *

J. Data centers shall be prohibited in all zoning districts.

SECTION 3. Repealer.

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 4. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.