

ORDINANCE NO. 26--001

TOWNSHIP OF CHESANING

SAGINAW COUNTY, MICHIGAN

ADOPTED: May 7, 2026

PUBLICATION DATE: May 17, 2026

EFFECTIVE: May 18, 2026

An ordinance of the Township of CHESANING, Saginaw County, Michigan, to enact a 12-month moratorium on Data Centers/Facilities in the Township of CHESANING; to protect the health, safety and general welfare of CHESANING Township’s residents and property owners through this Ordinance; to provide a name for this Ordinance; to provide definitions; to provide for a purpose and findings; to provide a moratorium; to provide direction to the CHESANING Township Planning Commission; to provide that pending proceedings are not affected; to provide for severability, to repeal all Ordinances or parts of Ordinances in conflict herewith; to provide for an Effective Date and to direct the publication of this Ordinance or a legally-permissible summary.

**THE TOWNSHIP OF CHESANING
SAGINAW COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
NAME**

This Ordinance shall be known and may be cited as the “Chesaning Township Data Centers/Facilities Moratorium Ordinance.”

**SECTION II
DEFINITIONS**

A. Any undefined word(s) or term(s) used in this Ordinance shall be given its/their plain and ordinary meaning. A dictionary may be consulted in the interpretation of an undefined word or term used in this Ordinance.

B. The following words/terms used in this Ordinance shall have the following specific definitions:

1. “Data Centers/Facilities” means any building, dedicated space within a building, or group of buildings a primary purpose of which is to house computer systems and/or associated components such as telecommunications, digital data, or storage systems.

2. "This Ordinance" means the Chesaning Township Data Centers/Facilities Moratorium Ordinance.
3. "Person" means an individual(s), corporation, company, partnership, or entity.
4. "Planning Commission" means the Chesaning Township Planning Commission.
5. "Township" means the Township of Chesaning.
6. "Township Board" means the Chesaning Township Board of Trustees.

SECTION III **PURPOSE AND FINDINGS**

A. The purpose of this moratorium is to provide sufficient time for the Chesaning Township Planning Commission to fully explore, analyze, research, and make recommendations to the Chesaning Township Board regarding potential zoning regulations applicable to Data Centers/Facilities and related appurtenances and infrastructure. In support of this Ordinance, the Chesaning Township Board has determined the following:

1. The Township has become aware of an increase of Data Centers/Facilities in the region, which is a more-recent and emerging land use. It is clear that interest in these Data Centers/Facilities is increasing across the state, and that applications for the construction and location of Data Centers/Facilities within the Township may be imminent.
2. The integration of these Data Centers/Facilities within the Township's existing land uses requires suitable regulations and controls for the protection of the health, safety and welfare of all of the Township's residents and property owners and proprietors.
3. Pursuant to the Michigan Zoning Enabling Act (Act 110 of 2006, MCL 125.3101 *et seq.*) the Township has adopted a Zoning Ordinance, which is a comprehensive land-use plan.
4. The Township wishes to consider whether amendments to its Zoning Ordinance to regulate the establishment and use of Data Centers/Facilities is necessary in order to better protect the public health, safety, and welfare of Township's residents and property owners.
5. Imposing a moratorium on the siting, establishing, installation, construction, and/or maintenance of a Data Center(s)/facilities, on a limited temporary basis, is reasonable and necessary to allow the Township Planning Commission time to fully explore, analyze, research and develop proposed zoning amendments and make recommendations to the Chesaning Township Board regarding potential amendments to the Township's Zoning Ordinance applicable to Data Centers/Facilities.

6. A moratorium should and shall be imposed upon the issuance of any and all siting, establishing, installing, constructing, or maintaining of a Data Center(s)/facility/facilities, as well as any and all permits, licenses, and/or approvals for any property subject to or under the jurisdiction of the Township's Zoning Ordinance for the establishment and/or use of Data Center(s)/facility/facilities for 12 months from the effective date of this Ordinance or until this Ordinance is repealed, whichever occurs first.

SECTION IV **MORATORIUM**

A moratorium is hereby imposed on any and all siting, establishing, installing, constructing, or maintaining of Data Center(s)/Facility/Facilities, as well as on the issuance of any and all permits, licenses, and/or approvals for any property subject to or under the jurisdiction of the Township's Zoning Ordinance for the establishment and/or use of Data Center(s)/Facility/Facilities for 12 months from the effective date of this Ordinance or until this Ordinance is repealed, whichever occurs first. Before this moratorium expires, the Township may by Ordinance extend the moratorium for up to six (6) additional months to allow sufficient time to complete amendments to its Zoning Ordinance, if necessary.

SECTION V **DIRECTION TO TOWNSHIP PLANNING COMMISSION**

The Chesaning Township Planning Commission is hereby directed to research and consider regulations relating to Data Center(s)/Facility/Facilities and, if appropriate, develop proposed amendments to the Chesaning Township Zoning Ordinance which address, among other things, the design, location, setbacks, land degradation, seasonal sun aperture, and other matters deemed appropriate to regulate the siting, installation, construction, maintenance, operation, decommissioning and dismantlement of Data Center(s)/Facility/Facilities in Chesaning Township.

SECTION VI **PENDING PROCEEDINGS NOT AFFECTED.**

Nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION VII
SEVERABILITY

Should any section, clause, or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid. The Chesaning Township Board of Trustees hereby declares that it would have enacted this Ordinance even without whatever provision may be declared invalid by a court of competent jurisdiction.

SECTION VIII
REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION IX
EFFECTIVE DATE

This Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect the day following publication as required by law following adoption by the Township Board.

SECTION X
TOWNSHIP PUBLICATION

The Township Clerk is hereby ordered and directed to cause this Ordinance to be published, either in full or in the form of a legally-permitted summary, in a newspaper of general circulation within Chesaning Township.

This Ordinance is hereby declared to have been adopted by the Chesaning Township Board of Trustees, County of Saginaw, State of Michigan, at a regular meeting held on the 7th day of May, 2026 and ordered to be given publication in the manner prescribed by law.

Joseph Ruthig, Supervisor

Daniel Himstedt, Clerk

Date of Publication: May 17, 2026

Newspaper: Tri-County Citizen

CERTIFICATION

ADOPTED

YEAS: Tomac, Krish, Carlton, Himstedt, Ruthig

NAYS: None

State of Michigan, County of Saginaw,

I the undersigned Township Clerk for the Township of Chesaning, Saginaw County, Michigan, certify that the above Ordinance No. 26-001 adopted by the Township Board of Trustees of the Township on the 7th day of May, 2026, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date. It was signed by the Supervisor and Clerk of the Township.

Dated: May 7, 2026.

Daniel Himstedt, Clerk