HOWELL TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

DATA CENTER MORATORIUM - EXTENSION

Ordinance No. 298

At a regular meeting of the Township Board of Howell Township, Livingston County, Michigan, held at 3525 Byron Rd., Howell, Michigan 48855 on the 11th day of May, 2026, at 6:30 p.m., the following Ordinance was offered by Township Board Member Wilson and supported by Township Board Member Fulton,

> *An Ordinance Extending a Temporary Moratorium for an additional six (6) months on the establishing, permitting, consideration, approval, location, construction, and/or installation of any data centers in Howell Township.*

WHEREAS, the Township enacted a moratorium on data centers on November 20, 2025 for a period of six (6) months; and

WHEREAS, the Township Planning Commission has been diligently working on crafting a data center ordinance; and

WHEREAS, the Township Board still desires to study and review whether data centers require additional local regulation within Howell Township, and whether absent such additional local regulation, data centers may interfere with other land uses, and may have substantial impacts on the environment, public health, and safety, depending on the proposed size being sited by an applicant; and

WHEREAS, the Township has a legitimate public purpose in assessing the regulation of the establishment and use of data centers within the Township; and

WHEREAS, the Township Board is desirous of assessing its regulations to implement an appropriate regulatory approach for addressing potential impacts of data centers while ensuring the productive and healthy development of data centers within the Township, which may include designated areas where data centers may be located within the Township; and

WHEREAS, the Township Board wishes to consider and assess amendments to its current regulations regarding the use of data centers that are consistent with all applicable state and federal laws, including any controlling precedent from the United States Supreme Court; and

WHEREAS, the additional time is needed to complete the regulations of data centers; and

WHEREAS, the Township is legitimately invested in ensuring that data centers do not interfere with other land uses, or have substantial negative impacts on the environment, public health, and safety; and

WHEREAS, it is a routine and an appropriate method to enact a reasonable and temporary moratorium to consider enactment of any amendment; and

WHEREAS, the Township Board finds that it is necessary and reasonable to extend the temporary moratorium on the establishment and use of data centers within the Township for an additional six (6) months or until the Township has enacted a regulatory ordinance setting forth the regulations for the establishment and use of data centers within the Township.

THEREFORE, IT IS RESOLVED by the Township Board as follows:

THE TOWNSHIP OF HOWELL, LIVINGSTON COUNTY, MICHIGAN ORDAINS:

Section 1: Moratorium. The Township hereby extends the temporary blanket prohibition on the establishment and use of data centers, including without limitation, approval of such use within the Township, pending further study and enactment of Township regulation addressing the same.

Section 2: Term; Renewal. This Ordinance shall terminate and be of no further effect six (6) months from the effective date of this Ordinance or upon the effective date of an Ordinance regulating data centers, whichever is less, unless the Township Board adopts a resolution extending the moratorium.

Section 3: Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 4: Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5: Publication. This Ordinance or a summary thereof shall be promptly published in a newspaper of general circulation within the Township, as provided by law, and on the Township's website.

Section 6: Waiver. A waiver of the moratorium may be granted upon the request of an applicant if the Township Board finds that a waiver would not impact the health and safety of the Township and is deemed reasonable by the Township Board in exercising its legislative authority over land use regulation to remain consistent with the Township Zoning Ordinance.

Section 7: Effective Date. This Ordinance shall take effect immediately after its publication as required by law.

ROLL CALL VOTE:

YEAS: Boal, Counts, Wilson, Daus, Fulton, Hohenstein, Spaulding

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED

_____

Howell Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of the said Ordinance, adopted by the Township Board at a duly scheduled and noticed meeting of that Township Board held on May 11, 2026, pursuant to the required statutory procedures.

2. The complete text of the Ordinance was posted at the Township Clerk's office and on the Township's website, https://www.howelltownshipmi.org/, on May 13, 2026.

3. A summary of this Ordinance was duly published in Livingston Daily, a newspaper that circulates within the Township, on _____, 2026 (within seven (7) days after adoption).

4. Within one (1) week after publication, I recorded the Ordinance in a book of ordinances, including the date of adoption, the names of the Township Board Members voting, and how each Board Member voted.

5. I filed a copy of the Ordinance with the Livingston County Clerk on _____, 2026.

ATTESTED:

_____

Sue Daus, Howell Township Clerk