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**Ordinance No. \_\_\_\_\_**

**AN ORDINANCE DECLARING A MORATORIUM UNTIL DECEMBER 31, 2026 ON THE ACCEPTANCE OF APPLICATIONS FOR THE PROCESSING AND ISSUANCE OF REZONING REQUESTS AND BUILDING PERMITS THAT WOULD ALLOW CONSTRUCTION ON, EXPANSION OF, OR USE OF PROPERTY FOR PURPOSES OF LOCATING OR OPERATING A DATA CENTER WITHIN THE CITY OF EDMOND; DEFINING DATA CENTER; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR EFFECTIVE AND EXPIRATION DATES; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.**

WHEREAS, Title 22 of the City of Edmond Municipal Code (the “Zoning Ordinance”) does not currently contain regulations applicable to data centers as defined herein and the City’s comprehensive plan (the “Edmond Plan”) does not contemplate the existence of data centers; and

WHEREAS, the impacts of potential data centers relative to water usage, electrical usage, noise pollution, light pollution, infrastructure adequacy, water and air quality, and various other potential issues are yet to be determined; and

WHEREAS, an interim control measure is necessary and critical to allow for the proper, holistic study on the impacts of data centers, the consultation of subject matter experts, and the holding of public hearings in order to appropriately inform potential regulations applicable to data centers; and

WHEREAS, the City Council previously engaged Freese and Nichols, Inc. to assist in updating the City’s development code, which is comprised of the Zoning Ordinance, as well as Title 21 (Subdivisions) and Title 23 (Stormwater Drainage) of the City of Edmond Municipal Code; and

WHEREAS, the updated development code is anticipated to contain regulations aimed at addressing the aforementioned concerns posed by data centers; and

WHEREAS, the declaration of a moratorium for this purpose is consistent with the intent of the Edmond Plan and the Zoning Ordinance, which seek to promote the health, safety, and general welfare of the residents of the City of Edmond.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

- Section 1.** MORATORIUM. There is hereby a moratorium declared on the acceptance of applications for the processing and issuance of rezoning requests and building permits that would allow construction on, expansion of, or use of, real property located in the City of Edmond for purposes of locating or operating a data center, as defined in Section 2. No application for a rezoning request or application for a building permit which would allow for construction of a building or structure for such use shall be accepted or processed by the City of Edmond, and no building permit shall be issued for the same, during the term provided for in Section 3.
- Section 2.** DEFINITION. For purposes of this ordinance, “data center” shall mean facilities whose primary function is artificial-intelligence computing facilities that contract with an electric supplier to add seventy-five (75) megawatts or greater electric load per facility or in aggregate behind a single point of interconnection to an electric supplier's load. It does not include residential, commercial, agricultural, or industrial ratepayers, or those entities that build generation for behind-the-meter projects.
- Section 3.** DURATION. This moratorium shall be effective immediately upon adoption of this ordinance and shall remain in full force and effect until December 31, 2026, or the effective date of an duly adopted regulations applicable to data centers, after which it shall automatically expire and be null and void; provided that the expiration date may be modified by the enactment of a subsequent ordinance by the Mayor and Council of the City of Edmond.
- Section 4.** APPEALS. During the term of this moratorium, the City Council shall hear appeals from the owner of affected real property and may grant an exemption from the provisions of this moratorium for good cause shown, provided the intent of this ordinance is met.
- Section 5.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.
- Section 6.** SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.
- Section 7.** EMERGENCY. Whereas it being necessary for the preservation of peace, health, and public welfare of the City of Edmond and the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, an emergency is hereby declared to exist and by reason whereof this ordinance shall take effect and be in full force from and after approval of this Emergency Clause by an affirmative vote of at least three-fourths (3/4) of the entire membership of the governing body.

PASSED AND APPROVED in an open meeting of the City Council by an affirmative majority vote of the governing body on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Attest:

\_\_\_\_\_  
Mark A. Nash  
Mayor

\_\_\_\_\_  
Kory Atcuson-Coley  
City Clerk

Approved as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Madeline Sawyer  
City Attorney