



**INTERIM ORDINANCE ESTABLISHING A
MORATORIUM ON THE PERMITTING OF
DATA CENTERS WITHIN BIG STONE
COUNTY**

26-02

Adopted by the Big Stone County Board of Commissioners

August 18, 2026

**AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON THE
PERMITTING OF DATA CENTERS WITHIN BIG STONE COUNTY**

WHEREAS, the County Board finds that Data Centers are an emerging land use with significant impacts related to energy demand, water consumption, noise, heat generation, stormwater management, and land use compatibility; and

WHEREAS, the County's existing zoning ordinances do not adequately address these impacts; and

WHEREAS, Pursuant to Minnesota Statutes, Chapter 394.34, the Big Stone County Board of Commissioners may vote to adopt an interim ordinance placing a moratorium on the establishment, construction, and permitting of new and pending data centers for a period of one year to provide adequate time to evaluate and implement any necessary amendments to the Big Stone County Zoning Ordinance; and

WHEREAS, a temporary moratorium is necessary to allow the County sufficient time to study, draft, and adopt appropriate regulations; and

WHEREAS, a temporary moratorium is necessary to protect public health, safety, and general welfare until public hearings and further study may be conducted to consider amendments to official controls; and

WHEREAS, the Big Stone County Board of Commissioners finds:

1. A temporary interim moratorium prohibiting the establishment of data centers is necessary in order to hold discussions and hearings at the Planning Commission to determine whether the Zoning Ordinance shall be amended to protect the public health, safety, and welfare of the residents of Big Stone County.
2. The Big Stone County Zoning Ordinance does not afford the protection needed to ensure that the residents of Big Stone County are not adversely affected by data centers.
3. Any amendments to the Big Stone County Zoning Ordinance will need to be reviewed by the Big Stone County Planning Commission with a recommendation to the Big Stone County Board of Commissioners.
4. The temporary twelve (12) month moratorium is necessary to conduct research, hold hearings, draft amendments, and adopt appropriate regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE BIG STONE COUNTY BOARD OF COMMISSIONERS:

SECTION 1. Definition. For purposes of this Ordinance, the term “data center” means a building or other facility used principally for the storage, management, processing, and/or transmission of digital data, which houses computer or network equipment, systems, services, appliances, and/or other associated components related to digital data operations. A data center may also include accessory and appurtenant facilities, such as offices, air handlers, power generators, water cooling systems and water storage facilities, utility substations, and other associated infrastructure necessary to support sustained digital data operations. The term “data center” shall not include computing facilities which are not the principal use of a building or other facility in extent or area, but which may perform similar functions in a manner that is merely accessory to a separate and lawful principal use.

SECTION 2. Moratorium

- A. No new Data Center may be established, constructed, or permitted within Big Stone County for the duration of this Interim Ordinance.
- B. No land use or zoning permit (including interim or conditional use permits) applications related to a Data Center shall be accepted, processed, or approved during the moratorium.

SECTION 3. Enforcement. Big Stone County may enforce any provision of this Ordinance by any and all means authorized by Big Stone County Ordinances and State Statutes.

SECTION 4. Effective Date. This Ordinance shall take effect on the date of its passage and shall be in effect for a period of one year from the date hereof, unless earlier terminated by the Big Stone County Board of Commissioners.

SECTION 5. Severability. Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

Date: August 18, 2026

Chad Zimmer, Chairman Big
Stone County Board of
Commissioners

ATTEST:

Pam Rud, County Coordinator
Clerk to the County Board

