

**TOWN OF SCIPIO
LOCAL LAW NO. 3 OF 2026**

**A LOCAL LAW IMPOSING A TWELVE (12) MONTH MORATORIUM ON THE
DEVELOPMENT OR CONSTRUCTION OF DATA CENTERS, ACCESSORY DATA
CENTERS, AND CRYPTOCURRENCY DATA MINES WITHIN THE TOWN OF
SCIPIO**

Be it enacted by the Town Board of the Town of Scipio, as follows:

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. INTENT.

It is the intent of the Town Board of the Town of Scipio to impose a twelve (12) month moratorium on the development or construction of Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines within the Town of Scipio.

SECTION 3. LEGISLATIVE PURPOSE.

The Town Board of the Town of Scipio finds that it is in the best interest of the Town of Scipio to enact a moratorium on any new Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines, which consist of buildings containing numerous servers and which have high demand for energy, cooling, and water mechanisms, and can result in disturbing noise generation. The Town Board recognizes the potential impact of Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines on the Town's infrastructure, environment, public health and safety, and welfare of its residents. Accordingly, it is the purpose of this temporary moratorium to provide the Town Board with sufficient time to study and address any concerns, including, but not limited to, zoning, environmental impacts, public safety, and economic implications resulting from Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines.

SECTION 4. DEFINITIONS.

ACCESSORY DATA CENTER – A building, or structure, or partial use of a building or structure, used to store, manage, process, or transmit digital data for business uses, including computers, network equipment, systems, servers, and other associated components related to the digital data storage and operations that is secondary, subordinate and customarily incidental to and located on the same lot as the principal use of a property. Such a use cannot operate as an independent principal use.

CRYPTOCURRENCY – Digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

CRYPTOCURRENCY DATA MINE – A specific type of data center using a facility or use of land, buildings, or structures where computing equipment is used to solve complex mathematical algorithms in connection with verifying and adding transactions to a blockchain or other distributed ledger, commonly known as cryptocurrency mining. For purposes of this law, a cryptocurrency data mining operation shall be considered a distinct land use, different from a data center as defined in this section.

COMMERCIAL CRYPTOCURRENCY MINING – The commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, though the use of server farms employing data processing equipment. For the avoidance of doubt, any equipment requiring a High Density Load Service, or any Server Farm, will constitute a Commercial Cryptocurrency Mining operation.

DATA CENTER – An industrial use facility that is primarily used for the storage, management, processing, and transmission of digital data, and which houses computer or network equipment, systems, servers, appliances, and other associated components related to the digital data storage and processing as a principal land use on a parcel. Equipment and accessories customary to data centers including but not limited to air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure shall also be considered part of a data center.

HIGH DENSITY LOAD SERVICE – The provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts, or an average power density in excess of 250 kilowatt-hours per year per square foot of the leased or owned boundaries of floor space devoted to operating the data processing equipment, and excludes space used for offices, storage, and other non-electronic processing uses.

SERVER FARM – Three (3) or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

SECTION 5. MORATORIUM.

A. The Town Board hereby enacts a moratorium which shall prohibit the development or construction of any Data Center, Accessory Data Denter, or Cryptocurrency Data Mine in the Town of Scipio.

B. This moratorium shall be in effect for a period of twelve (12) months from the effective date of this Local Law and shall expire on the earlier of: (i) the date twelve (12) months from said effective date of this Local Law, unless renewed; or (ii) the enactment by Town Board of a resolution indicating the Town Board is satisfied that the need for the moratorium no longer exists.

C. This moratorium shall apply to all real property within the Town of Scipio.

D. Special Use Permits which have been previously granted for the development or construction of a Data Center, Accessory Data Center, or Cryptocurrency Data Mine shall be expressly excluded from this moratorium.

SECTION 6. RELIEF FROM PROVISIONS OF THIS LOCAL LAW.

A. The Town reserves to itself the power to vary or adapt the strict application of the requirements of this Local Law in the case of unusual hardship which would deprive the owner of all reasonable use of the lands involved.

B. Application for relief shall be filed in triplicate with the Town Clerk together with a filing fee of \$250.00. The application shall specifically identify the property involved, recite the circumstances pursuant to which the relief is sought and the reasons for which the relief is claimed. Any costs, including expert consulting fees or attorneys' fees, incurred by the Town, shall be reimbursed to the Town by the Applicant. The Town Board shall apply Use Variance criteria as set forth in the New York State Town Law, Section 267-b(2) in reviewing any application for relief.

C. The Town Board may refer any applications for relief herein to the Town Planning Board for its advice and recommendations, but all decisions on granting or denying such relief shall be made solely by the Town Board after determining whether the requested relief is compatible with any contemplated amendments to the Zoning Law. Unless completely satisfied that the proposed relief is compatible, the Town Board shall deny the application.

D. The Town Board shall conduct a public hearing on any request for relief within forty-five (45) days of receipt by the Town Clerk and shall issue its final decision on requests for relief within thirty (30) days from the date of the public hearing.

SECTION 7. PENALTIES.

Any person, firm, entity or corporation who shall develop or construct a Data Center, Accessory Data Center, and Cryptocurrency Data Mine within the Town of Scipio, in violation of the provisions of this Local Law, shall be subject to:

A. A fine not to exceed One Thousand and 00/100 Dollars (\$1,000.00) or imprisonment for a term not to exceed fifteen (15) days, or both. Each day a violation continues shall be considered a new violation.

B. A civil action inclusive of injunctive relief in favor of the Town to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any constructions, improvements, or related items or byproducts which may have taken place in violation of this Local Law.

SECTION 8. ENFORCEMENT.

This Local Law shall be enforced by the Town of Scipio Code Enforcement Officer or such other zoning enforcement individual(s) as designated by the Town Board. It shall be the duty of the enforcement individual(s) to advise the Town Board of all matters pertaining to the enforcement of this local law.

SECTION 9. VALIDITY AND SEVERABILITY.

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or affect any other section of this Local Law.

SECTION 10. EFFECTIVE DATE.

This Local Law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect for a period of nine (9) months from the date of passage.