

LOCAL LAW NO. 03 OF 2026

A LOCAL LAW TO ESTABLISH A TEMPORARY MORATORIUM ON THE INSTALLATION OF DATA CENTERS

***BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF MOHAWK AS
FOLLOWS:***

SECTION 1. Subject and Authority

The Town of Mohawk hereby enacts a temporary six (6) month moratorium on the permitting and installation of any data centers within the Town. This Local Law is adopted in accordance with Municipal Home Rule Law §10 and shall be as follows:

SECTION 2. Purpose

The emergence of new data centers raises concerns about the siting of proposed data centers and their impacts on the local community and environment. The Town of Mohawk does not have adequate regulations in place regarding data centers and its Zoning Law needs to be updated to respond to emerging problems with the siting of potential data centers. The Town Board believes it is necessary to establish a Local Law enacting a temporary six (6) month moratorium on installation of any data centers in order to protect public health, safety and welfare. Recognizing this need, the Town believes that such six (6) month moratorium is necessary to allow the Town Board time to study these issues in order to establish appropriate, updated regulations for new data centers. This moratorium applies to all new proposed data centers. It does not apply to any applications for data centers that have been accepted as complete for review by the Town Planning Board as of the effective date of this Local Law. After the effective date of this Local Law establishing the moratorium, applications that have not been accepted as complete shall not be reviewed by the Planning Board while the moratorium is in effect.

SECTION 3. Moratorium

The Town of Mohawk hereby imposes a moratorium on the installation of data centers located in the Town until February 13, 2027 or any earlier date that the Town Board adopts regulations relating to the installation of data centers. This moratorium applies to all data centers. Data centers shall mean all facilities or combination of facilities under common ownership or control at the same site that: receive electric, gas or water service from an electric corporation, gas corporation water-works corporation or municipality, have applied or requested to receive such service, or have otherwise cause an electric corporation, gas corporation, water-works corporation, or municipality to incur an expense in relation to the provision of service pursuant to public service law; and use (or plan to use) the electric, gas or water service for computing infrastructure (not including manufacturing), data processing services, web hosting services, streaming support services, or any other related services and functions as defined by the public service commission. The moratorium does not apply to any applications for data centers that have been accepted as complete for review by the Town Planning Board as of the effective date of this Local Law. After the effective date of this Local Law establishing the moratorium applications that have not been accepted as complete shall not be reviewed by the Planning Board while the moratorium is in effect. No permit, certificate, site plan approval or other form of approval shall be issued by the Town or any of its officers or boards prior to the expiration of the moratorium.

SECTION 4. Extensions

This moratorium may be extended by resolution of the Town Board for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Mohawk.

SECTION 5. Termination

This moratorium shall be terminated earlier than February 13, 2027 upon enactment of any local legislation which adopts regulations relating to data centers.

SECTION 6. Effective Period

This Local Law shall take effect immediately upon filing in the Office of the New York Secretary of State as provided in Municipal Home Rule Law § 27 or as otherwise provided by law.