

**CITY OF LUNA PIER  
COUNTY OF MONROE, MICHIGAN  
LIMITED MORATORIUM ON THE DEVELOPMENT OF DATA CENTERS  
ORDINANCE  
ORDINANCE NO. 251**

An Ordinance enacted pursuant to The Home Rule City Act, Act 279 of the Public Acts of 1909, as amended, and Chapter 3 of the Luna Pier City Charter, to provide for the public health, safety, and general welfare of the persons and property of the City of Luna Pier by the imposition of a limited moratorium on the development of data centers within the City of Luna Pier, Monroe County, Michigan.

THE CITY COUNCIL OF THE CITY OF LUNA PIER, COUNTY OF MONROE, STATE OF MICHIGAN, ORDAINS:

SHORT TITLE.

Sec. 1. This Ordinance shall be known and referred to as the “City of Luna Pier Limited Moratorium on the Development of Data Centers Ordinance”.

DEFINITION(S).

Sec. 2. For purposes of this Ordinance, the term “Data Center” shall be defined as: A facility, regardless of building square footage, lot coverage, or lot size, primarily used for housing computer systems, servers, data storage equipment, networking equipment, and related infrastructure used to process, store, and transmit digital data, including associated cooling and power infrastructure.

FINDINGS.

Sec. 3.

A. The City of Luna Pier Council has recognized that the City of Luna Pier Zoning Ordinance lacks provisions dealing with data centers and related land uses and lacks specific standards regarding said land uses.

B. The City of Luna Pier Council has recognized that data centers being proposed in neighboring communities typically involve substantial energy consumption, water usage, infrastructure demand, continuous operation, and limited long-term employment relative to the proposed data center’s physical and environmental footprint.

C. The City of Luna Pier Council finds that it is in the best interest of the City of Luna Pier that the City of Luna Pier Planning Commission and the City of Luna Pier Council

have sufficient time to study zoning and other regulations regarding and applicable to data centers, and to review and adopt Zoning Ordinance amendments, general code ordinances, and/or regulations to adequately protect the public health, safety, and general welfare of the persons and property of the City of Luna Pier.

D. The City of Luna Pier Council has concluded that during the pendency of its study and consideration of Zoning Ordinance amendments regarding data centers and related land uses that it is desirable and in the public interest for the reasons set forth herein that there be an immediate moratorium on the acceptance and/or processing of any applications for data centers, and that such moratorium run (1) a period one year from the effective date of this Ordinance, or (2) until the effective date of a City of Luna Pier Zoning Ordinance amendment addressing data centers, whichever date occurs first.

#### MORATORIUM.

Sec. 4. There is hereby imposed a moratorium upon the City of Luna Pier's acceptance and/or processing of any applications, special land use or conditional land use applications for approval of and/or development of data centers, including, but not limited to building permits, land use permits, special land use permits, conditional land use permits, site plan approval, certificates of occupancy, and zoning permits for data centers. More specifically, there shall be no consideration or action taken by the City of Luna Pier Council, Planning Commission, or other City entity, official, or agent, on applications for data centers under the Zoning Ordinance or any other applicable section of the City of Luna Pier general code ordinances.

No new data centers shall be accepted for review, considered, approved, or otherwise allowed during the moratorium period.

The City Planning Commission, along with the City planners, City engineers, City officials, and City attorney, shall proceed with efforts to study the relevant state of the law, and shall present to the City of Luna Pier Council and Planning Commission a proposed plan for amending the Zoning Ordinance, or general ordinances, or any combination thereof, with respect to applicants for data centers, as deemed appropriate.

#### TERM OF MORATORIUM AND PROHIBITION.

Sec. 5. This moratorium imposed hereunder shall expire upon (1) one year from the effective date of this Ordinance, or (2) the effective date of a City of Luna Pier Zoning Ordinance amendment addressing and regulating the land use known as data centers, whichever date occurs first.

SEVERABILITY.

Sec. 6. This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases, and clauses hereof are hereby declared to be severable and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

EFFECTIVE DATE.

Sec. 7. This Moratorium Ordinance shall become effective ten (10) days following the date of publication of the Ordinance in a newspaper of general circulation in the City of Luna Pier, pursuant to the Luna Pier City Charter, Chapter 6, Section 6.3(a).

THE CITY OF LUNA PIER COUNCIL,  
CITY OF LUNA PIER,  
COUNTY OF MONROE,  
STATE OF MICHIGAN:

By: \_\_\_\_\_  
Charles Boyce,  
City of Luna Pier Clerk

AUTHENTICATED:

\_\_\_\_\_  
James Gardner,  
City of Luna Pier Mayor

I, Charles Boyce, do hereby certify that I am the duly appointed and acting City Clerk of the City of Luna Pier, and I do hereby certify that this Ordinance was adopted by the City Council of the City of Luna Pier, Monroe, County, Michigan at a meeting of the City Council held on the 26 day of March, 2026.

The vote on said Ordinance, seven members being present and no members absent, was as follows:

Voting in Favor:      Duy Hoang                              Joy Perry  
                                 Shawn Boslooper                      Amanda Neiding  
                                 Diana Szkatulski  
                                 Mayor James Gardner

Voting Against:                      \_\_\_\_\_

Abstained:

Absent:              Neil Wakeman                      \_\_\_\_\_

THE CITY OF LUNA PIER COUNCIL,  
CITY OF LUNA PIER,  
COUNTY OF MONROE,  
STATE OF MICHIGAN:

By: \_\_\_\_\_  
Charles Boyce,  
City of Luna Pier Clerk

AUTHENTICATED:

\_\_\_\_\_  
James Gardner,  
City of Luna Pier Mayor

I, Charles Boyce, do hereby certify that I am the duly appointed and acting City Clerk of the City of Luna Pier, and I do hereby certify that a Notice of Adoption of Ordinance No. 251, was published on the 1 day of April, 2026 in the Monroe News, Monroe County, Michigan, a newspaper of general circulation in the City of Luna Pier, within thirty (30) days after adoption.

By: \_\_\_\_\_  
Charles Boyce,  
City of Luna Pier Clerk

AUTHENTICATED:

\_\_\_\_\_  
James Gardner,  
City of Luna Pier Mayor

Dated: March 27, 2026

ADOPTED: March 26, 2026

PUBLISHED: April 1, 2026

EFFECTIVE: April 11, 2026