



# *Town of Morgan*

**TOWN OF MORGAN  
OCONTO COUNTY  
STATE OF WISCONSIN**

**Ordinance No 2026-01**

## **TOWN OF MORGAN ORDINANCE REGULATING AND RESTRICTING THE DEVELOPMENT AND OPERATION OF LARGE-SCALE DATA CENTERS WITHIN THE TOWN OF MORGAN, WISCONSIN**

### **SECTION 1. PURPOSE AND INTENT**

The Town Board of the Town of Morgan finds that large-scale data centers may create substantial impacts on local infrastructure, groundwater resources, electrical systems, land use patterns, noise levels, environmental quality, and the rural character of the community.

The purpose of this Ordinance is to protect the public health, safety, and welfare of Town residents by regulating the siting, construction, expansion, and operation of large-scale commercial facilities used for the purposes defined herein within the Town limits. The Town further finds that such facilities may impose disproportionate burdens upon small municipalities while providing limited direct benefit to local residents, and materially and substantially alter the Town's desired agricultural and rural identity.

The Town relies on private wells for potable water and must therefore take measures to protect the residents' access to a reliable and safe source of water necessitates restrictions on large scale facilities that threaten that reliable access.

This Ordinance is adopted pursuant to the Town's authority under Chapters 60, 61, 62, and 66 of the Wisconsin Statutes, including its police powers and zoning authority.

### **SECTION 2. DEFINITIONS**

#### **A. "Data Center"**

A "Data Center" means any facility, building, or group of buildings primarily used to house computer systems, servers, networking equipment, cloud computing infrastructure, cryptocurrency mining operations, artificial intelligence processing systems, or associated electronic data storage and processing equipment.

#### **B. "Large-Scale Data Center"**

A "Large-Scale Data Center" means any Data Center that:

1. Occupies more than 2500 square feet of floor area, whether as a single building or structure or in the aggregate, including the combined floor area of all buildings, structures, or portions thereof that are part of an Integrated Facility;
2. Requires more than 1 megawatt (MW) of electrical capacity;
3. Uses industrial-scale cooling systems; or

C. "Integrated Facility"

Requires dedicated substations or major utility infrastructure upgrades.

For purposes of determining whether the 2,500-square-foot threshold is exceeded, separate buildings, structures, phases, parcels, lots, or operations shall be treated as a single integrated facility when they are under common or coordinated ownership, control, operation, management, development, financing, leasing, utility service, site planning, or otherwise function together as part of a coordinated data processing, storage, computing, cryptocurrency mining, artificial intelligence processing, or server operation.

D. "Cryptocurrency Mining"

The use of computing equipment for validating blockchain transactions or generating digital currency.

SECTION 3. PROHIBITION

A. General Prohibition

Data Centers shall not constitute a permitted use, conditional use, or special exception use in any zoning district. No person, corporation, partnership, limited liability company, trust, or other entity shall construct, establish, expand, or operate a Large-Scale Data Center within the Town of Morgan.

No applicant, owner, operator, developer, tenant, or affiliated entity may avoid or attempt to avoid this prohibition by dividing, segmenting, phasing, leasing, separately permitting, or otherwise allocating a Data Center or related Data Center operations among multiple buildings, parcels, lots, phases, leases, entities, utility accounts, or permits. For purposes of this subsection, the combined floor area of all components of an Integrated Facility shall be aggregated in determining whether the 10,000-square-foot threshold is exceeded.

B. Prohibited Uses

The following uses are expressly prohibited in all zoning districts within the Town:

1. Large-scale data centers;
2. Cryptocurrency mining facilities;
3. Artificial intelligence training campuses exceeding the thresholds established herein;
4. Server farms exceeding 2,500 square feet;

5. Any data processing facility requiring dedicated high-voltage transmission infrastructure.

#### SECTION 4. SEVERABILITY

If any provision of this Ordinance is found invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions.

#### SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon adoption and publication as required by Wisconsin law. This Ordinance is consistent with the Town Comprehensive Plan, including preservation of agricultural land, rural character, environmental resources, and sustainable growth.

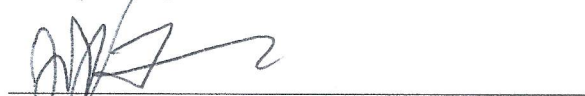
Ayes 3 Noes 0 Absent 0

Submitted this 13<sup>th</sup>, day of July, 2026

By: The Morgan Town Board



Chairperson, Lori Witthuhn



Supervisor, Jeff Folts



Supervisor, Joe Brusky

Posted:



Clerk, Erin Mooers