TOWN OF WARREN
CODES AND PLANNING DEPARTMENT

167 Western Rd
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TOWN OF WARREN, MAINE

MORATORIUM ORDINANCE ON DATA CENTER AND DATA CENTER ACCESSORY DEVELOPMENT

Adopted: July 8, 2026

Effective Date: July 8, 2026

Approved by The Town of Warren

Certified by: _____
Corinne E. R. Michaud, Town Clerk

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PREAMBLE

WHEREAS, the Town of Warren is a community of approximately 4,000 residents in Knox County, Maine, with a rural and agricultural character that the Town seeks to preserve and protect; and

WHEREAS, data centers are large-scale commercial and industrial facilities that house computing networks for processing, transferring, and storing digital information, including for artificial intelligence applications, cryptocurrency mining, blockchain transaction processing, and related uses; and

WHEREAS, data centers can consume enormous quantities of electricity and water, generate significant noise and light pollution, and place substantial demands on local infrastructure and public services; and

WHEREAS, data center development has become a topic of significant statewide concern in Maine, with proposals in Wiscasset, Lewiston, Limestone, Sanford, and other communities raising questions about impacts on electric ratepayers, grid reliability, water resources, and community character; and

WHEREAS, the Town of Warren's existing Land Use Ordinance, Comprehensive Plan, and other applicable regulations do not specifically define, regulate, or establish adequate standards for data center development, including but not limited to standards for energy consumption, water usage, noise levels, visual impact, setbacks from residential areas, and impacts on public utilities and infrastructure; and

WHEREAS, in the absence of specific land use regulations governing data centers, such a facility could be proposed in Warren at any time, and the Town would lack the regulatory framework necessary to evaluate the proposal's impacts on the community's health, safety, welfare, natural resources, and rural character; and

WHEREAS, the experience of other Maine municipalities, including Wiscasset and Lewiston, demonstrates that the absence of adequate regulatory frameworks for data center development can result in inadequate public notice and participation, rushed decision-making, and potential harm to community interests; and

WHEREAS, the application of existing comprehensive plans, land use ordinances, and other applicable laws is inadequate to prevent serious public harm from data center development within the Town of Warren, satisfying the requirements of 30-A M.R.S.A. §4356(1)(B); and

WHEREAS, the Town requires a reasonable period of time to study the potential impacts of data center development and to develop and adopt appropriate land use regulations that will protect the public health, safety, and welfare of Warren's residents;

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NOW, THEREFORE, the Town of Warren hereby ordains the following:

Section 1. Title. This Moratorium Ordinance shall be known and may be cited as the "Town of Warren Moratorium on Data Center and Data Center Accessory Development."

Section 2. Purpose. The purpose of this Ordinance is to:

A. Preserve the status quo while the Town studies the potential impacts of data center development on Warren's infrastructure, natural resources, community character, and municipal services;

B. Provide the Town with adequate time to develop comprehensive land use regulations that establish appropriate definitions, performance standards, siting criteria, and review procedures for data center facilities;

C. Allow the Town to study and incorporate guidance from the Maine Legislature, other Maine municipalities, and any available nationwide best practices resources;

D. Protect the Town's groundwater resources, surface waters, aquifers, and the Georges River watershed from potential contamination or depletion associated with large-scale water-intensive industrial uses;

E. Protect the Town's electrical infrastructure and prevent adverse impacts on electric rates for Warren residents and businesses;

F. Prevent serious public harm that could result from data center development in the absence of adequate land use regulations, as authorized by 30-A M.R.S.A. §4356.

Section 3. Definitions. For purposes of this Ordinance, the following definitions shall apply:

"Data Center" means a building or group of buildings primarily occupied by computers, servers, and/or telecommunications-related equipment where digital information is processed, transferred, and/or stored, primarily to and from offsite locations. This definition includes, but is not limited to, facilities used for artificial intelligence computing, cryptocurrency mining, blockchain transaction processing, and server farms. This definition does not include computers or telecommunications equipment that are secondary and customarily incidental to an otherwise permitted use on the property, such as servers associated with an office building, agricultural operation, or retail establishment.

"Data Center Accessory Use" means any use or structure that is secondary and incidental to a Data Center, including but not limited to: electrical substations; generators; cooling towers; water storage, treatment, or pumping facilities; wastewater treatment facilities; battery energy storage systems; on-site power generation facilities; security structures; and administrative buildings associated with data center operations.

Section 4. Moratorium Imposed.

Notwithstanding any other provision of the Town of Warren's Land Use Ordinance, Subdivision Ordinance, or any other ordinance or regulation, (i) the uses of Data Center and Data Center Accessory

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Use are hereby prohibited: and, (ii) no officer, official, employee, board, agency, or agent of the Town of Warren shall accept, process, approve, or issue any permit, license, or approval for the construction, establishment, operation, or expansion of any Data Center or Data Center Accessory Use within the Town of Warren for a period of one hundred eighty (180) days from the effective date of this Ordinance.

During the effective period of this Moratorium, no person or entity shall commence or continue site work, construction, or any activity intended to establish, construct, or expand a Data Center or Data Center Accessory Use in the Town of Warren.

This Moratorium shall apply to all applications and proposals, whether pending or new, for any Data Center or Data Center Accessory Use.

Section 5. Applicability and Exemptions.

This Ordinance shall apply to all properties and all zoning districts within the Town of Warren. The following are exempt from this Moratorium:

A. Any lawfully existing use as of the effective date of this Ordinance, provided that such use shall not be expanded, enlarged, or intensified during the moratorium period;

B. Computers, servers, and telecommunications equipment that are secondary and customarily incidental to an otherwise permitted principal use on the property, including but not limited to business offices, agricultural operations, retail establishments, and home occupations;

C. Telecommunications facilities regulated under the Town's existing Land Use Ordinance or under state or federal law.

Section 6. Term and Extension.

This Moratorium shall be effective for a period of one hundred eighty (180) days from its date of enactment. In accordance with 30-A M.R.S.A. §4356(2) and (3), the Select Board may extend this Moratorium for additional periods of up to one hundred eighty (180) days each, after notice and public hearing, upon finding that:

1. The problem giving rise to the need for the moratorium still exists; and
2. Reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

Section 7. Tasks to be Accomplished During the Moratorium Period.

During the period of this Moratorium, the Town of Warren, through its Planning Board, Select Board, and/or such committee as may be designated, shall undertake the following:

3. Study the land use, environmental, infrastructure, and community impacts of data center development, including but not limited to impacts on water resources, electrical grid capacity and rates, noise, light pollution, traffic, property values, visual character, and public services;

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4. Review data center ordinances, moratoriums, and regulatory frameworks adopted or under consideration in other Maine municipalities and in other states;
5. Monitor and incorporate, as appropriate, recommendations and guidance from the Maine Legislature, the proposed Maine AI Data Center Coordination Council, the Maine Department of Energy Resources, and other state agencies;
6. Consult with Central Maine Power, the Maine Public Utilities Commission, and relevant water and wastewater utilities regarding local grid capacity and water resource availability;
7. Engage in public outreach and community engagement to gather input from Warren residents regarding data center development;
8. Draft and recommend for adoption a comprehensive Data Center Ordinance establishing appropriate definitions, performance standards, siting criteria, application requirements, and review procedures for data center development in the Town of Warren.

Section 8. Penalties. Any person or entity who violates this Moratorium shall be subject to the enforcement provisions and penalties set forth in the Town of Warren's Land Use Ordinance and/or 30-A M.R.S.A. §4452, including fines of not less than $100 and not more than $2,500 per day for each day the violation continues. The Town may also seek injunctive relief in Superior Court.

Section 9. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 10. Effective Date. This Ordinance shall take effect immediately upon adoption by the voters of the Town of Warren at Special Town Meeting.

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ENACTED and ADOPTED by the Town of Warren on this 8th day of July, 2026.

Nikos DeMaria, Chairman

Roger L. Peabody, Vice Chair

Wayne G. Luce

Jan M. Macdonald

Justin M. Humes

Selectmen for the Town of Warren

Attest:
Corinne E. R. Michaud, Town Clerk 7/8/26