NOTICE

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, August 24, 2026:

Present: President Jason Carlock, Vice President Theresa Mungioli, Members David Blair, Bradley Limberg, Diana Mannino, Marvie Neubauer and Mark Skelcy.

QUORUM PRESENT

MOTION BY Mungioli, seconded by Blair, **Resolved that Ordinance No. 203**, an Ordinance to amend Article 5- Schedule of Regulations, Chapter 3.-Temporary Moratorium, Section 138-5.301 Temporary Moratorium for Data Centers, to extend the Moratorium suspending the City's processing and acceptance of applications and plans for development, and improvement of Data Centers, to Chapter 138-Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to prescribe a penalty for violations, and to repeal inconsistent or conflicting ordinances

BE AND IS HEREBY ADOPTED and shall become effective on Monday, August 31, 2026, following its publication in the Oakland Press.

Ayes: Blair, Carlock, Limberg, Mannino, Mungioli, Neubauer and Skelcy

Nays: None

Absent: None

MOTION CARRIED

ORDINANCE NO. 203

AN ORDINANCE TO AMEND ARTICLE 5- SCHEDULE OF REGULATIONS, CHAPTER 3.-TEMPORARY MORATORIUM, SECTION 138-5.301 TEMPORARY MORATORIUM FOR DATA CENTERS, TO EXTEND THE MORATORIUM SUSPENDING THE CITY'S PROCESSING AND ACCEPTANCE OF APPLICATIONS AND PLANS FOR DEVELOPMENT, AND IMPROVEMENT OF DATA CENTERS, TO CHAPTER 138- ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO PRESCRIBE A PENALTY FOR VIOLATIONS, AND TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Chapter 3.-Temporary Moratorium, Section 138-5.301, Temporary Moratorium for Data Centers, to Chapter 138-Zoning, of the Code of Ordinances, Article 5-Schedule of Regulations, shall be amended as follows:

Chapter 3, TEMPORARY MORATORIUM

Sec. 138-5.301. Temporary Moratorium for Data Centers.

(a) ***Purpose***.

1. The City has identified concerns relating to the potential location and regulation of Data Centers due to the speed of and significantly evolving nature of Data Centers and their potential impacts, including, but not limited to, building height, size, density of development, noise, vibration, light pollution, water requirements, electricity demands, and their compatibility with residential and other zoning districts and what regulations should be required to protect other existing uses within the City and appropriately regulate size, location, and conditions of operation for Data Centers.

2. In order to maintain the status quo while the City studies and reevaluates Data Centers and evaluates appropriate zoning locations and regulations for such uses, the City Council determines it is in the City's best interest to adopt a moratorium temporarily suspending the City's processing or acceptance of applications, plans, or permits for the development, improvement, or alteration of land for Data Centers.

(b) ***Moratorium.*** A temporary moratorium is established suspending the processing and acceptance of any applications, plans, or permits for the development, improvement, or alteration of any land parcel, lot, or premises for Data Centers within the City. This moratorium does not apply to any Data Center development or building that received, or has submitted complete plans to the City for, site plan approval on or before February 23, 2026.

This moratorium shall remain in effect until repealed by the City Council or until the expiration of 180 calendar days, whichever occurs sooner. The City Council also reserves the right, at the end of the 180 day period to extend the moratorium upon a showing that work and review of existing and proposed ordinances has been ongoing and that additional time is necessary to complete such work. The time of such extension shall be determined at that time and shall be the least amount of time necessary to appropriately complete such work. The City has been actively researching best practices related to locating and operations, and impacts of Data Center development. The City is reviewing ordinances proposed and adopted in neighboring communities and throughout the state and country along with potential state and federal regulations, consulted with sound experts, and has been actively working on development of potential regulations regarding Data Center development. Due to the need for continued study and additional evaluation of community impacts associated with Data Center development, City Council is extending the existing temporary moratorium for an additional 180-days extension to the existing temporary moratorium, currently scheduled to expire on September 5, 2026.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word, and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefor shall be punishable by a civil fine of not more than $500.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on Monday, August 31, 2026, following its publication in the *Oakland Press* on Sunday, August 30, 2026.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on Monday, August 24, 2026.

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Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON MONDAY, AUGUST 24, 2026.

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Leanne Scott, City Clerk
City of Rochester Hills

Accepted for First Reading: 8/10/2026
cw: 8/24/2026