TOWN OF GLOCESTER

Part 1. Administrative Legislation
Chapter 1
General Provisions
Article IV
EMERGENCY ORDINANCES
[Adopted as indicated in section histories]

§1-32. ESTABLISHING A TEMPORARY MORATORIUM ON DATA CENTERS

[Adopted 11-09-2026, Effective 11-09-2026]

Section 1. Declaration of emergency. The Town Council declares that an emergency exists affecting the public peace, health, safety, comfort and welfare of the inhabitants of the Town and the protection of persons and property. The nature of the emergency is as follows:

(a) Data centers can draw large amounts of groundwater and electricity. Most residents rely on private wells and on-site wastewater systems, and much of the Town lies in the Scituate Reservoir watershed, the drinking water supply for more than 60% of Rhode Island residents.

(b) Chapter 350, Zoning, does not define data centers. Although uses not listed are prohibited, an applicant may claim that a data center falls within a listed use or may seek a use variance.

(c) In 2026 a data center application was filed in the adjoining Town of Smithfield one day before that town voted to prohibit the use, and the application is now the subject of litigation over whether it is protected by prior zoning. The Towns of Smithfield, Charlestown, Lincoln, Cumberland and Hopkinton have since prohibited data centers, and the Town of Westerly has adopted a moratorium.

(d) The Council will introduce an Ordinance to regulate data centers. Adoption requires notice and a public hearing that will take at least six weeks. An application filed during that period could claim the right to review under the current ordinance and threaten the Town's water resources and its ability to regulate the use.

Section 2. Definition. "Data center" means a building, structure or facility, or any part of one, whose primary use is to house computer servers, data storage, networking equipment and related power and cooling equipment used to store, process or transmit data for users located off site, including colocation, hyperscale and cloud computing facilities, artificial intelligence facilities and cryptocurrency mining operations. It does not include (1) computer equipment accessory to a permitted principal use on the same lot that occupies no more than [2,500] square feet; (2) equipment used by the Town, the State, a public school or a public safety agency for its own operations; or (3) wireless communications facilities regulated under § 350-56.

Section 3. Moratorium. While this emergency ordinance is in effect:

(a) No data center shall be established, built, expanded or converted from another use in the Town.

(b) The Town shall not accept, process, certify as complete, hear or approve any application that would allow a data center, including any building permit, zoning certificate or determination, special use permit, use or dimensional variance, development plan review, land development project, subdivision or change of use.

(c) No official or board shall determine that a data center falls within any use listed in Chapter 350.

Section 4. Prior applications. This emergency ordinance does not apply to an application that was substantially complete and filed with the Town before its passage, to the extent state law gives that application the right to be reviewed under the regulations then in effect.

Section 5. Duration. This emergency ordinance is temporary and lasts only for the period of the emergency. It expires on the earliest point of:

(a) The effective date of an Ordinance regulating data centers;

(b) The date the Town Council fails to adopt an Ordinance regulating data centers after its public hearing; or

(c) Ninety (90) days after passage.

Section 6. Severability. If any part of this emergency ordinance is held invalid, the rest remains in effect.

Section 7. Effective date. Having been adopted by the affirmative vote of at least three members on the day of its introduction, this emergency ordinance shall take effect upon its passage, as provided in Charter § C4-10(5). It shall be published as required by Charter § C4-10(3) and (7).