

TOWN OF BLACK WOLF
WINNEBAGO COUNTY, WISCONSIN

ORDINANCE AMENDING ZONING ORDINANCE

The Town Board of the Town of Black Wolf, quorum present and upon proper notice, having conducted a public hearing and received a recommendation of the Planning and Zoning Committee, hereby ordains the following amendments to the Town of Black Wolf Zoning Ordinance:

Section 1. Section 2.14 is created to read:

Temporary Data Center Development Moratorium

(a) Purpose and authority. The purpose of this moratorium is to provide the Town with adequate time to create reasonable regulations for the development of data centers and to respond by regulation amendments reflecting anticipated changes to state law. The moratorium is necessary to protect the health, safety, and general welfare of the Town and is made pursuant to the authority granted by Wis. Stat. § 62.23(7)(am), as made applicable to the Town through Wis. Stat. §§ 60.62(1) and 61.35, and other applicable laws.

(b) Declaration. A temporary zoning moratorium is hereby declared with respect to the issuance of permits and approvals for data centers as a principal and primary use, when such data centers contain at least 10,000 square feet of floor area within a single building or collection of buildings on a single parcel.

(1) Exceptions. This temporary moratorium shall not apply to data centers serving another principal use allowed on a parcel; to data centers already existing or to those with property entitlement applications filed prior to the effective date of this ordinance; to routine maintenance or repairs of existing data centers that do not increase operational capacity; or to public safety or emergency facilities operated by a government entity.

(c) Duration. This moratorium shall be in effect until 11:59 p.m. on the 365th day following its effective date, or until data center zoning regulations are adopted by the Town and take effect, whichever is later.

(d) Definitions. The following word, term, and phrase, when used in this section, shall have the meaning ascribed to it in this section, except where the context clearly indicates a different meaning:

Data center means a facility of at least 10,000 square feet of floor space built to support high-volume data management, processing, networking, storage, and transmission of digital

information and applications. It includes hosting digital data, cloud computing services, artificial intelligence operations, telecommunications infrastructure, or similar technology functions, including but not limited to associated support facilities such as back-up batteries and power generators, air handlers, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

(e) Direction to develop data center ordinance. The Town's attorney and Town Plan Commission are authorized and directed to draft an ordinance providing appropriate regulations of data centers to protect the public health, safety, and general welfare of the Town, and to present such ordinance to the Town Board for discussion and action, and to present amendments thereafter in response to changes in state law governing data centers.

(f) Severability. If any portion of this ordinance is determined to be invalid or unlawful by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

Section 2. Repealer Clause.

All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. County Approval.

This ordinance, as an amendment to the Town Zoning Ordinance adopted under Wis. Stat. § 60.62, may require approval by the Winnebago County Board under Wis. Stat. § 60.62(3) before it may take effect, because Winnebago County has a county zoning ordinance in effect.

Section 4. Effective Date.

This Ordinance shall be in effect from and after its passage and publication according to law.

All other provisions of the Town of Black Wolf Zoning Ordinance remain in full force and effect.

The Town Clerk and Town Attorney are hereby authorized and directed to take all action necessary to incorporate this amendment into the Town's Zoning Ordinance.

Dated this 14th day, September, 2026.

TOWN OF BLACK WOLF


Frank Frassetto, Town Chairman

Attest:


Alex Snyder, Town Clerk