

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 06-01-2026

NEWBERRY CP/GS COURT
JUL 16 '26 AM8:42

AN ORDINANCE AUTHORIZING THE COUNTY OF NEWBERRY, BY NEWBERRY COUNTY COUNCIL TO DECLARE A TEMPORARY MORATORIUM ON DATA CENTERS IN NEWBERRY COUNTY, SOUTH CAROLINA

WHEREAS, Newberry County, much like many counties in the State of South Carolina, has had numerous inquiries regarding the development of Data Centers in the County; and

WHEREAS, the exponential growth of these facilities, particularly large-scale campuses, could potentially create an unprecedented strain on the County's essential public resources, including without limitation, the electric power grid, finite water supply, and local infrastructure, and

WHEREAS, Newberry County also recognizes that the County currently does not have a regulatory framework or zoning ordinance structure that is sufficient to properly manage the scale and impact of this industry, necessitating a comprehensive, independent study to protect the public health, safety and welfare of Newberry's citizens, and

WHEREAS, the County wishes to place a temporary moratorium on the construction or development of Data Centers in Newberry County for no longer than twelve months following the adoption of this Ordinance and the completion of an independent study on concerns as stated herein, and

WHEREAS, a moratorium authorized and implemented in accordance with this Ordinance is a reasonable, time-limited planning measure.

NOW, THEREFORE, BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this ____ day of July, 2026 that:

The Newberry County Council does hereby declare a temporary moratorium on Data Centers for twelve (12) months or less, and shall not accept any application or permit for a Data Center, nor take action on any permit or application for a Data Center which has not received final approval until the County establishes, if any, a regulatory framework or zoning ordinance structure through comprehensive oversight and approval process that is satisfactory to the Newberry County Council. First reading of this Ordinance shall invoke the Pending Ordinance Doctrine.

This prohibition may apply to an application, petition, or submission seeking approval, review or relief for a Data Center including but not limited to:

- a) A zoning map or text amendment specific to a site or user;
- b) Conditional uses, special exceptions, or variances;
- c) Land development plans or subdivision applications;
- d) A building permit or certificate tied to an approval for a Data Center when the permit or certificate requires prior land use or zoning approval.

For purposes of this Ordinance, "Data Center" shall mean a facility, campus of facilities, or array of interconnected facilities which house working servers and that are developed to cool, secure, and connect data associated with applications and servers.

This County Council shall conduct a comprehensive study of the cumulative impacts of Data Center development and shall bring forward a written report of its findings and policy recommendations for discussion by the Council. Such report shall include:

- Findings relating to the effect of Data Centers on energy consumption and grid capacity, environment and water supply, health and community well-being, residential market and housing prices; and
- Recommendations, if any, for zoning ordinances that specifies appropriate criteria for Data Center locations, which may include guidance regarding residential zones, proximity to essential

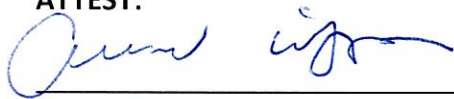
infrastructure, and minimum requirements for environmental mitigation and resource efficiency.

NEWBERRY COUNTY COUNCIL

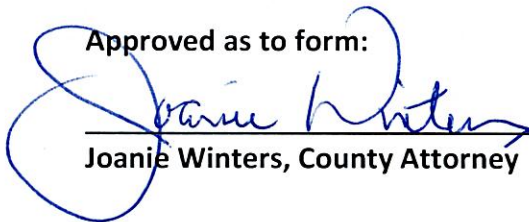
By: 
Robert Shealy, Chairman

(SEAL)

ATTEST:


Andrew Wigger, Clerk to Council

Approved as to form:


Joanie Winters, County Attorney


William Theodore Luckadoo
County Administrator

1 st Reading:	June 3, 2026
2 nd Reading:	June 17, 2026
Public Hearing:	July 15, 2026
3rd Reading:	July 15, 2026