

Data centers, animal handling and nuisance property subjects of new, amended City ordinances

By Randy Bell

The Board of Aldermen has made changes to some of Clinton's city ordinances and has approved a new ordinance dealing with nuisance property.

At its May 2 meeting, the Board voted to amend the zoning ordinance to include data centers and similar facilities which had not been specifically addressed in the ordinance previously. A definition was added which states, "Data Center: any facility used primarily for the storage, management, processing or transmission of digital data and includes, but is not limited to, buildings designed to accommodate computer servers, storage systems, specialized computing hardware and other associated components related to digital data operations."

The amended ordinance further states: "Examples of these facilities and uses include, but are not limited to, crypto processing, commercial crypto mining, artificial intelligence training and/or processing and cloud-computing. The facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations and other associated utility infrastructure to support sustained operations at the Data Center."

The ordinance was also changed to specify that data centers can be allowed only as a conditional use in industrial areas of the city. "All data centers will have to come before this Board and before the Planning Commission for a public hearing prior to it being approved," Director of Community Development Roy Edwards said during the meeting.

A separate ordinance is being drafted to place additional restrictions on data centers and will be presented to the Board for its consideration at a later date.

Another amendment involves Clinton's animal control ordinance, which now includes a requirement that pet owners clean up after their animals.

It will be a civil offense "to fail to promptly remove and dispose of, in a sanitary

manner, feces left by a dog or cat being handled by any person on property, public or private, other than the premises of the owner or handler of such dog or cat. Furthermore, it will be unlawful for any owner or handler not to have in his or her possession a device for the removal and a depository for the transportation of animal feces from such property."

Edwards says a "pooper scooper" would qualify as such a device - or even a plastic bag.

Animal Control officers will enforce the new requirements, and Community Development personnel will also be authorized to write tickets if they witness violations as they travel across the city. The fine for a first offense can be up to \$100, increasing for subsequent violations.

Clinton's enforcement of its nuisance property violations will now fall under a separate ordinance instead of being part of the zoning ordinance. According to Edwards, "This gives us the leverage to go ahead and increase the fines" (for nuisance property violations.)

Edwards told the Board that state law allows a fine of only \$100 for zoning ordinance violations. And while the fine for a first offense under the nuisance property ordinance would be the same, having a separate ordinance would allow the City to impose a \$350 fine for a second offense, increasing to \$500-\$1,000

for a third offense. The fines would apply for each day that the violation occurs after the case has been adjudicated.

Edwards said violators are notified before any fines are levied and given a chance to resolve the issue within a certain length of time.

The ordinance includes a list of nuisance property violations including overgrown yards, fallen trees in the front yard, vehicles parked on the grass in front of a home, houses and fences in need of repair and other violations as determined by the City.

All of the new and amended ordinances will take effect 30 days from passage.

Dog and cat owners/handlers are now required to carry a device for removal and a depository for the transportation of the feces of their animal(s) from any property, public or private, that is not the premises of the owner/handler. Owners/handlers must promptly remove and dispose of such feces left by the dog or cat being handled.

Fines for violations will start at \$100 for a first offense.



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