

**RESOLUTION NO. {{customfields.ResNumber}}**

**A RESOLUTION DECLARING A NEED TO ADDRESS DEVELOPMENTS PROPOSING DATA CENTERS AND CRYPTOCURRENCY MINING CENTERS IN THE CITY OF BRANSON AND THUS A ONE HUNDRED (100) DAY ADMINISTRATIVE DELAY OF APPLICATIONS AND PERMITS PERTAINING TO THE DEVELOPMENT OF DATA CENTERS AND CRYPTOCURRENCY MINING CENTERS LOCATED IN THE CITY OF BRANSON, MISSOURI.**

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**WHEREAS**, in the 1960's and 1970's, the City of Branson, Missouri ("City") adopted the Zoning Ordinance, now existing in Chapter 94, referred to as the Unified Development Code and Utilities Code to promote health, safety, morals and a general welfare of the community, including its aesthetic appearance; lessen congestion in the streets; secure safety from fires, panic and other dangers; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; bring about the gradual conformity of the uses of land and buildings throughout the City; facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements; protect and conserve the value of land throughout the City; and provide a policy to efficiently process permits and other applications by the City; and

**WHEREAS**, the Board of Aldermen of the City is considering amendments to the City Code regarding the regulation of Data Centers and Cryptocurrency Mining Centers; and

**WHEREAS**, careful and prudent analysis of the City's Code, State regulations, the impact of the development of Data Centers and Cryptocurrency Mining Centers may have on the health, safety, and general welfare of the City's citizens, and other pertinent information is required by the Board of Aldermen to reach an informed decision as to the propriety of such changes to the City's Code and to successfully draft an ordinance that amends the City Code as to properly promote the health, safety, and general welfare of the City's citizens if such ordinance is found to be necessary subsequent to the Board of Aldermen's analysis; and

**WHEREAS**, the Board of Aldermen has determined that before further development and use of Data Centers and Cryptocurrency Mining Centers are allowed to occur in the City, it is necessary that the Board of Aldermen further examine zoning issues to more properly plan, approve, regulate and control uses of Data Centers and Cryptocurrency Mining Centers within the City; and

**WHEREAS**, it is important that development within the City be managed to promote public safety and encourage the most appropriate use of the land and protect against unhealthy conditions, decreased visibility, and to ensure substantial justice in the quiet enjoyment of homes, businesses, and premises with a reasonable expectation of public services, roads/sidewalks, and utilities, located within the City; and

**WHEREAS**, comprehensively designed development requires the Board of Aldermen to examine further the construction and operation of the uses of property within the City and the development of utility and zoning regulations; and

**WHEREAS**, a one hundred (100) day administrative delay is necessary to give the Board of Aldermen time to examine the issues, benefits, and consequences of regulation of the use of land

within the City and for regulation of the use of land within the City, and to develop and pass any needed utility, zoning, and development ordinances related thereto, with the caveat that if more time is needed, said administrative delay may need to be further extended.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

- Section 1: From and after the passage and approval of this Resolution, and for a period of one hundred (100) days, on any development of Data Centers and Cryptocurrency Mining Centers located within the City of Branson, the City shall issue an administrative delay pertaining to the acceptance and issuance of applications and permits for development of Data Centers and Cryptocurrency Mining Centers in the city of Branson, Missouri; unless the development had been previously approved by the City, and all other applicable approvals required to be received before Data Centers and Cryptocurrency Mining Centers have been approved, or unless an application has already been received by the City initiating the formal process of securing the approvals necessary to commence such activity at a specific location in the City of Branson.
- Section 2: It shall be unlawful, during the administrative delay, for anyone to accept or issue applications or permits pertaining to development of Data Centers and Cryptocurrency Mining Centers.
- Section 3: From and after the passage and approval of this Resolution, and for a period of one hundred (100) days, on any land located in the City, the City shall not issue any approval of any development/construction involving the development of Data Centers and Cryptocurrency Mining Centers.
- Section 4: Nothing in this Section shall be deemed to prohibit the City from seeking any or all alternative relief provided in law or equity, including specifically the City's ability to seek an injunction to preclude a violation hereof.
- Section 5: The provisions of this Resolution are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Resolution.
- Section 6: This resolution shall be in full force and effect after its passage and approval.

**ADOPTED**, by the Board of Aldermen of the City of Branson, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Larry D. Milton  
Mayor

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
Hillary Briand  
City Clerk

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City Attorney