

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 5 OF THE PERRYVILLE MUNICIPAL CODE BY ADDING CHAPTER 5.47 – DATA CENTERS AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City Of Perryville, Missouri, as follows:

Section 1. Title 5 of the Perryville Municipal Code, is hereby amended by adding the following Chapter 5.47:

“5.47- DATA CENTERS.

5.47.010 – Definitions.

As used in this Chapter:

“Data Center” means a facility that’s primary purpose is data processing or data storage, and is used to house computer systems and associated components, such as central processing units, graphical processing units, neural networks, quantum bits, quantum processors, memory, data routing, data storage, server farm, bitcoin mining, crypto processing, virtual private networks, virtual servers, artificial intelligence training or processing, image processing, cloud computing, email servicing, a telecom hotel, telehouse co-location, or any other term applicable to facilities which are used for such purposes, shall be deemed to be a data center.

Specifically excluded from this definition are data processing areas such as server rooms that are ancillary to a business’s primary function, where the footprint of the data processing area is twenty percent (20%) or less of the total building footprint.

5.47.020 – License Required.

- A. No person firm, partnership, association, corporation, or other business entity shall operate a Data Center as defined in this Chapter without first having obtained a license to do so from the city clerk in accordance with the provisions of this Title and Chapter.
- B. The fee for the license is twenty-five dollars (\$25) per year, or an amount indicated in Section 5.04.040, whichever is greater.

5.47.030 – Standards

- A. Sound Standards. The Data center shall be designed, constructed and operated so that sound levels measured at the property line of the nearest parcel zoned for residential use do not exceed sixty (60) dBA.

The City may inspect such sound levels, and if they exceed the above standard, shall notify the Data Center operator of such violation. The Data Center operator shall prepare and submit a plan to bring the noise levels into compliance within a reasonable period to be determined by the City.

- B. Water Use. The Data Center shall be designed, constructed and operated to use no more than 50,000 gallons of water per day on a thirty-day average. In the event that the data center uses more than the above average limit, the Data Center operator shall enter into an agreement with the city to increase the City's water capacity, or to offset the cost of additional water production from the previously observed average water production.
- C. Structure. No data center may be housed in whole or in part in storage containers, or other temporary or moveable structures.

5.47.040 – Violation and Penalty.

- A. Punishment for violation of this chapter shall be as set forth in Section 1.16.010 of this Code and Section 5.04.110 of this Code.
- B. The City, in its sole discretion, may revoke the business license of any person, entity or agent, who has violated this Chapter on more than one occasion.
- C. The City may seek an injunction preventing a person, entity, or agent, whether a government official or private party who has violated this Chapter on more than one occasion from operating within the city limits of Perryville, Missouri, and the City's reasonable attorney fees in obtaining such an injunction.
- D. The penalties herein may be cumulative and are not exclusive of each other."

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: _____.

SECOND READING: _____.

PASSED AND APPROVED this ____ day of _____, 2026, by a vote of
____ ayes, ____ nays, ____ abstentions and ____ absent.

CITY OF PERRYVILLE, MISSOURI

By: _____
Mayor

(SEAL)

ATTEST:

City Clerk