

July 17, 2024

To Whom It May Concern:

Please be advised that at a Regular Session of the North Tonawanda Common Council held on the 16th day of July, 2024 the following resolution was passed:

#1. Common Council

June 25, 2024

**LOCAL LAW 2024-2 TO ADOPT A TWO-YEAR MORATORIUM ON
CRYPTOCURRENCY MINING AND DATA PROCESSING CENTERS**

Submitted by President DiBernardo & Aldermen Schmigel, Lavey, Loncar & Marranta

MOVED by Alderman Lavey

SECONDED by Alderman Loncar

That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 5:00 PM on July 16th, 2024, approved the Local Law 2024-2 for a Resolution to Adopt a Two-Year Moratorium on Cryptocurrency Mining and Data Processing Center and it reads as follows:

WHEREAS, the goals of the City of North Tonawanda are to enhance safety, wellness, and environmental responsibility, balanced with sustainable economic development and job creation; and

WHEREAS, one of the primary goals of the City of North Tonawanda is to preserve the quality of life for all residents and visitors, recognizing that loud, excessive, continuous, or unnecessary noise disturbances are detrimental to the preservation protection and promotion of public health, comfort, convenience, safety, welfare, prosperity, and the overall quality of life within the City of North Tonawanda; and

WHEREAS, the term “data processing centers” within this resolution shall include, but not be limited to, facilities housing multiple banks of computers within building, modular facilities containing processors in multiple storage-like containers, server clusters commonly known as “server farms,” and other operations related to cryptocurrency mining, blockchain authenticating, Artificial Intelligence (A.I.) processing, general data computing, processing and storage, and other large-scale electronic-based centers of the like; and

WHEREAS, data processing centers require numerous fans or air conditioning systems to cool down the equipment, creating high noise levels and substantial electricity consumption, prompting moratoriums and bans in many communities across the United States; and

WHEREAS, the rapid proliferation of cryptocurrency, A.I., and other technological advances within the 21st century has created an astronomical demand for energy consumption; and

WHEREAS, a recent report by the International Energy Agency (IEA) predicts that the electricity consumption of cryptocurrency will increase by more than 40% by 2026; and

WHEREAS, the A.I. industry is expected to grow exponentially to consume at least ten times its 2023 demand in energy by 2026; and

WHEREAS, New York State is conducting an environmental assessment of cryptocurrency energy use and the outcome of this study may result in the adoption of more permanent, comprehensive regulations for cryptocurrency mining operations; and

WHEREAS, data processing centers are not currently stated as an allowable use in North Tonawanda Zoning Code; and

WHEREAS, a 24-month pause will give the City adequate time to update zoning codes, ordinances, and other requirements to address high noise levels and emissions from cryptocurrency mining operations; and

WHEREAS, the City of North Tonawanda is in the process of considering and potentially adopting changes to its Comprehensive Plan to address new circumstances not addressed by its current laws,

NOW, THEREFORE, LET IT BE RESOLVED, that the North Tonawanda Common Council hereby adopts a 2-year moratorium during which no new data processing center projects will be approved, nor will the expansion of existing data processing centers already approved, relating to, but not limited to, cryptocurrency mining, blockchain authenticating, Artificial Intelligence (A.I.) processing, general data computing, processing and storage, and other large-scale electronic-based centers of the like, within the City of North Tonawanda.

Ayes: Alderman Schmigel, Marranca, Loncar, Lavey, DiBernardo (5)
Nays: None (0)
CARRIED.

Donna L. Braun

City Clerk-Treasurer