

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Rouses Point

FILED
STATE RECORDS

MAY 31 2018

DEPARTMENT OF STATE

Local Law No. 2 of the year 20 18

A local law Enacting a Moratorium on Commercial Cryptocurrency and Blockchain or Similar Data
(Insert Title)
Mining.

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Rouses Point

as follows:

See Attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

LOCAL LAW P- 2__ OF 2018

A local law adding Chapter 58 to the Village Code of the Village of Rouses Point.

Chapter 58

CRYPTOCURRENCY AND DATA MINING

Be it enacted by the Board of Trustees of the Village of Rouses Point as follows:

Moratorium on Commercial Cryptocurrency and Blockchain or Similar Data Mining Operations

The Board of Trustees of the Village of Rouses Point does hereby ordain and enact the Village of Rouses Point moratorium on commercial cryptocurrency and blockchain or similar data mining operations in the Village of Rouses Point. This local law shall impose a moratorium on applications or proceedings, or the issuance of approvals or permits for commercial cryptocurrency and blockchain or similar data mining operations in the Village of Rouses Point.

§58-1. Purpose.

It is the purpose of this Local Law to allow the Village of Rouses Point the opportunity to consider zoning and land use laws and electrical department regulations before commercial cryptocurrency and blockchain or similar data mining operations results in irreversible change to the character and direction of the Village.

Further, it is the purpose of this Local Law to allow the Village of Rouses Point time to address through planning and legislation, the promotion of the protection, order, conduct, safety health and well-being of the residents of the Village which are presented as heightened risks associated with commercial cryptocurrency and blockchain or similar data mining operations.

It is the purpose of this Local Law to facilitate the adoption of land use and zoning and/or electrical department regulations to protect and enhance the Village's natural, historic, cultural and electrical resources.

§58-2. Legislative Authority.

Pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law of the State of New York and the statutory powers vested in the Board of Trustees of the Village of Rouses Point to regulate and control land use and to protect the health, safety and welfare of its residents, the Board of Trustees of the Village of Rouses Point hereby declares a moratorium on all applications or proceedings for applications, for the issuance of approvals or permits for the commercial cryptocurrency and blockchain or similar data mining operations in the Village of Rouses Point. This moratorium will allow time for the zoning code and electrical department regulations to be amended to regulate this potential use.

§58-3. Definitions.

“Cryptocurrency” is defined herein as a digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

“Commercial cryptocurrency mining” is defined herein is the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this definition, any equipment which requires a High Density Load Service, or any Server Farm, will presumably be a commercial cryptocurrency mining operation.

“Data Mining” is defined herein as the process of using multiple computers to store or warehouse data, discover patterns in large data sets involving methods that are applied to extract data patterns, and transform it into an understandable structure for further use. For purposes of this definition, any equipment which requires a High Density Load Service, or any Server Farm, will presumably be a commercial data mining operation.

“Server Farm” is defined herein as three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining, data mining or associated data processing.

“High Density Load Service” is defined herein as the provision of electrical service where the requested load density, in the portion of the premises containing the load consuming equipment exceeds 250 kWh/ft²/year.

§58-4. Restrictions.

A. During the effective period of this local law:

(1). The Village of Rouses Point including the Code Enforcement Officer, Planning Board, or Zoning Board of Appeals shall not accept an application for a Commercial Cryptocurrency Mining or Data Mining operation.

(2). The Village of Rouses Point including the Code Enforcement Officer, Planning Board, or Zoning Board of Appeals shall not grant any permit for a Commercial Cryptocurrency Mining or Data Mining operation.

B. No applications for commercial cryptocurrency and blockchain or similar data mining operations or for approvals for a site plan, special use permit, building permit, or any other permit shall be approved by any board, officer, employee or agent of the Village of Rouses Point while the moratorium imposed by this local law is in effect. Nothing in this local law shall be construed such as to result in any default approval for any application heard or considered during the moratorium imposed by this local law. This moratorium shall apply to all such applications, whether pending or received prior to the effective date of this law.

§58-5. Term.

The moratorium imposed by this local law shall be in effect for a period of twenty-four (24) months from the effective date of this local law. It may be terminated earlier if the Board of Trustees determines by resolution that the purpose of the local law have been fulfilled. During the period of the moratorium, the Board of Trustees shall endeavor to amend the local zoning code and/or electrical department regulations to address and regulate Commercial Cryptocurrency and blockchain or similar data mining operations.

§58-6. Location.

The moratorium imposed by this local law shall apply to the territorial limits of the Village of Rouses Point.

§58-7. Penalties.

Any firm, person, corporation, or other entity that shall establish, place, construct, erect or in any way site or locate a Commercial Cryptocurrency/Data Mining operation described in this local law in the Village of Rouses Point in violation of the provisions of this Local Law shall be subject to, in addition to any penalties prescribed by state or local law, a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. If necessary to remove any construction or property that may have taken place in violation of this local law, then the cost of such removal, including reasonable attorney's fees incurred by the Village, shall constitute a lien and charge against any real property owned or leased by the violator located within the Village and shall be collected in the same manner and at the same time as other Village charges. The civil penalties provided for by this section shall be recoverable in an action instituted in the name of the Village in any court of competent jurisdiction.

§58-8. Validity.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

§58-9. Effective Date.

This local law shall take effect upon affirmative vote by the Rouses Point Board of Trustees and filing with the New York State Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2018 of the (County)(City)(Town)(Village) of Rouses Point was duly passed by the Village Board of Trustees on May 21 2018, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer*)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)


I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 _____ above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: May 21, 2018

(Seal)