STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 856

AN ORDINANCE AUTHORIZING FAIRFIELD COUNTY COUNCIL TO DECLARE A TWELVE MONTH TEMPORARY MORATORIUM ON DATA CENTERS IN FAIRFIELD COUNTY, SOUTH CAROLINA, TO INVOKE THE PENDING ORDINANCE DOCTRINE, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Fairfield County, like many counties in the State of South Carolina, has had inquiries regarding the development of Data Centers in Fairfield County; and

WHEREAS, the exponential growth of these facilities, particularly large-scale campuses, could potentially create an unprecedented strain on Fairfield County's essential public resources, including without limitation, the electric power grid, finite water supply, and local infrastructure; and

WHEREAS, Fairfield County Council also recognizes that Fairfield County currently does not have a regulatory framework or zoning ordinance structure that is sufficient to properly manage the scale and impact of this industry, necessitating a comprehensive, independent study to protect the public health, safety and welfare of Fairfield County's citizens; and

WHEREAS, Fairfield County wishes to place a temporary moratorium on the permitting, construction, or development of Data Centers in Fairfield County for no longer than twelve (12) months following the adoption of this Ordinance and the completion of an independent study on concerns as stated herein; and

WHEREAS, a moratorium authorized and implemented in accordance with this Ordinance is a reasonable, time-limited planning measure.

NOW, THEREFORE, BE IT ORDAINED by Fairfield County Council, in a duly assembled and noticed meeting this 14th day of September, 2026 that:

Section 1. **Whereas.** Each "Whereas," above is confirmed and ratified as a finding of Fairfield County Council.

Section 2. **Definition.** For purposes of this Ordinance, "Data Center" shall mean a facility, campus of facilities, or array of interconnected facilities which house working computer servers and that are developed to cool, secure, and connect data associated with computer applications and servers.

Section 3. **Moratorium.** Fairfield County Council does hereby declare a temporary moratorium on Data Centers no more than twelve (12) months from the Effective Date of this ordinance, and shall not accept any application or permit for a Data Center, nor take action on any permit or application for a Data Center which has not received final approval until Fairfield County establishes, if any, a regulatory framework or zoning ordinance structure through comprehensive

oversight and approval process that is satisfactory to Fairfield County Council.

Section 4. **Prohibition.** This prohibition may apply to an application, petition, or submission seeking approval, review ,or relief for a Data Center including but not limited to:

a) A zoning map or text amendment specific to a site or user;
b) Conditional uses, special exceptions, or variances;
c) Land development plans or subdivision applications;
d) A building permit or certificate tied to an approval for a Data Center when the permit or certificate requires prior land use or zoning approval.

Section 5. **Comprehensive Study.** Fairfield County Council shall conduct a comprehensive study of the cumulative impacts of Data Center development and shall bring forward a written report of its findings and policy recommendations for discussion by Council. Such report shall include:

a) Findings relating to the effect of Data Centers on energy consumption and grid capacity, environment and water supply, health and community well-being, residential market and housing prices;

b) Recommendations, if any, for zoning ordinances that specifies appropriate criteria for Data Center locations, which may include guidance regarding residential zones, proximity to essential infrastructure, and minimum requirements for environmental mitigation and resource efficiency.

Section 7. **Pending Ordinance Doctrine.** First reading of this Ordinance shall invoke the Pending Ordinance Doctrine.

Section 8. **Severability.** If any part of this Ordinance is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

Section 9. **Effective Date.** This Ordinance is effective immediately after its enactment by approval by Fairfield County Council after third reading and public hearing.

ADOPTED BY FAIRFIELD COUNTY COUNCIL THIS 14TH DAY OF SEPTEMBER, 2026.

_____	_____
Clarence Gilbert, Chairman District 7	Carl E. Bell, Vice-Chair District 4
_____	_____
Dan Ruff, District 1	Don Goldbach, District 2

_____ _____

Peggy Swearingen, District 3 Doug Pauley, District 5

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Oren Gadson, District 6

(SEAL)

ATTEST:

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Kimberly Roberts, Ed. D., Clerk to County Council
Fairfield County, South Carolina

READINGS:

First Reading:	July 13, 2026
Second Reading:	August 10, 2026
Public Hearing:	August 31, 2026
Third Reading:	September 14, 2026