

To the fullest extent permitted by law, Data Centers and any Ancillary or Related Uses to a Data Center shall be prohibited within all zoning districts within the territorial zoning jurisdiction of the Village of Nehawka, Cass County, Nebraska. No Data Center and any Ancillary or Related Use to a Data Center shall be permitted, erected, constructed, built, converted from an existing structure, or operated within any zoning district within the territorial zoning jurisdiction of the Village of Nehawka, Cass County, Nebraska.

This Ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting according to law, being 15 days from and after its passage, as required by law.

FIRST READING: waived
SECOND READING: waived
THIRD READING: waived

PASSED AND ADOPTED THIS 20 DAY OF August, 2026.

BY: [Signature]
Chad Krueger, Chairman

Attest:

[Signature]

Village Clerk

[SEAL]



ATTESTED AND PUBLISHED BY POSTING AT THE COMMUNITY BUILDING, POST OFFICE, AND FIRST STATE BANK WITHIN 15 DAYS OF PASSAGE ON THE 20 DAY OF August, 2026.

Attest:

[Signature]

Village Clerk

Date: 8/24/24

VILLAGE OF NEHAWKA ORDINANCE 2026-4

AN ORDINANCE AMENDING ARTICLE 2 OF THE VILLAGE OF NEHAWKA ZONING ORDINANCE BY AMENDING SECTION 2.2 AND PROHIBITING THE CONSTRUCTION OF DATA CENTERS AND ASSOCIATED USES RELATED TO DATA CENTERS WITHIN THE ZONING JURISDICTION OF NEHAWKA, NEBRASKA.

ORDINANCE NO. 2026-4 AMENDING ARTICLE 2.2 OF THE NEHAWKA ZONING ORDINANCES

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF NEHAWKA, NEBRASKA, AFTER HAVING BEEN DULY SUBMITTED TO THE PLANNING COMMISSION, THAT THE FOLLOWING AMENDMENT BE ENACTED TO THE ZONING ORDINANCE OF THE VILLAGE OF NEHAWKA, NEBRASKA:

WHEREAS, the Village has enacted certain Zoning Ordinances, and the Village Board of Trustees desires to amend said Zoning Ordinance by amending Article 2.2, which shall be replaced in its entirety and shall henceforth provide as follows:

2.2 ZONING AFFECTS EVERY BUILDING AND USE.

No building, structure, or land shall hereinafter be used or occupied, and no building or structure, or part thereof, shall hereafter be erected, constructed, moved, or structurally altered except in conformity with all of the zoning regulations herein specified for the district in which it is located.

DATA CENTERS AND ANCILLARY USES PROHIBITED. A "Data Center" shall be defined as set forth in Nebraska Rev. Stat. § 77-5707.02, and shall mean computers, supporting equipment, and any other organized assembly of hardware or software designed to centralize the storage, management, or dissemination of data and information; environmentally controlled structures or facilities, or interrelated structures or facilities, that provide the infrastructure for housing the equipment, such as raised flooring, electricity supply, communication and data lines, Internet access, cooling, security, and fire suppression; and any building housing the foregoing. A Data Center also includes a facility described in this section for the co-location of computers. A Data Center also includes any structure whose primary purpose is data processing, housing computer servers, data storage, cloud computing, artificial intelligence/high-performance computing, cryptocurrency or blockchain mining or computing, or data processing.

"Ancillary or Related Uses" to a Data Center shall include power generation facilities, such as substations and transformers, and shall also include cooling equipment, fuel storage, battery storage, or generators that are primarily utilized to support or operate a Data Center.