

TOWNSHIP OF VERNON

ORDINANCE #26-11

ORDINANCE AMENDING CHAPTER 330 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF VERNON TO DEFINE AND PROHIBIT “DATA CENTERS.”

WHEREAS, the Township of Vernon (“Township”) is a municipal entity organized and existing under the laws of State of New Jersey and located in Sussex County; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may make, amend, repeal and enforce ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety, and welfare of the municipality and its inhabitants; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Vernon, County of Sussex and State of New Jersey that Chapter 330 entitled “Land Development” is hereby amended and supplemented as follows:

SECTION 1. Chapter 330-5 entitled “Definitions” shall be amended to include the following:

DATA CENTER

A facility, building, or use primarily engaged in the storage, management, processing, or hosting of digital data, applications, cloud computing services, cryptocurrency mining, or artificial intelligence processing, through the use of servers, networking equipment, and related infrastructure. Such use shall include associated cooling systems, backup generators, substations, utility infrastructure, and security facilities.

The term shall not include customary accessory information technology or server equipment incidental to a permitted principal use, including but not limited to schools, hospitals, government buildings, financial institutions, or ordinary business operations.

The term shall not include telecommunications facilities, public utility infrastructure, cellular facilities, fiber optic networks, central offices, switching stations, or similar communications infrastructure primarily engaged in providing telephone, cable, wireless, broadband, or internet access services.

SECTION 2:

Chapter 330-156 entitled “Uses prohibited in all districts” shall be amended to include the following:

Data centers, as defined in § 330-5, are not permitted uses in any zoning district within the Township of Vernon.

SECTION 3:

Except as set forth in Section 1 above, the balance and remainder of the Code of the Township of Vernon shall not be affected by this Ordinance.

SECTION 4:

All Ordinances, Plans, Plan Amendments or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5:

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6:

This Ordinance shall be referred to the Township Land Use Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Land Use Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance.

SECTION 7.

Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board and other agencies as required by law.

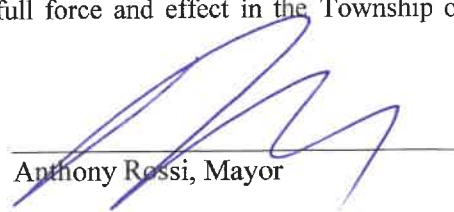
SECTION 8:

This Ordinance shall take effect upon final passage and publication according to law.

CERTIFICATION

This is to certify that the above Ordinance was introduced and passed on first reading at the special meeting of the Township Council held on May 18, 2026 and the same came up for final passage and was adopted at the meeting of the Township Council held on June 22, 2026 at which time all persons interested were given an opportunity to be heard. The above ordinance will be in full force and effect in the Township of Vernon according to law.


Marcy Gianattasio, Clerk
Township of Vernon


Anthony Rossi, Mayor

Township of Vernon

INTRODUCED: May 18, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.	X		X			
Ooms S.		X	X			
Rizzuto R.			X			
Sparta, B.			X			
Higgins W.			X			

ADOPTED: June 22, 2026

NAME	M	S	YES	NO	ABSTAIN	ABSENT
Contino C.	X		X			
Ooms S.		X	X			
Rizzuto P.			X			
Sparta, B.			X			
Higgins W.			X			