

ORDINANCE NO. 2026-0803C

AN ORDINANCE AMENDING THE REGULATION OF SITING DATA CENTERS IN WARREN COUNTY, INDIANA TO PROHIBIT NON-DISCLOSURE AGREEMENTS

WHEREAS, Warren County, Indiana previously adopted Ordinance No. 2026-0302 regulating the siting of data centers in Warren County, Indiana; and

WHEREAS, the elected officials and members of the planning and zoning boards of the County have further researched the siting of data centers; and

WHEREAS, pursuant to Indiana Code § 36-1-3, et. seq. a government unit has all powers necessary and desirable in the conduct of its affairs, though not granted by statute, for the effective operation of government as to its local affairs; and

WHEREAS, Non-Disclosure Agreements (NDAs) undercut local democracy by excluding residents from providing input on economic development decisions; and

WHEREAS, Warren County, Indiana desires to regulate the use of NDAs as they relate to data center project to keep its citizens better informed of the impacts of a data center project, be it noise, traffic, pollution, job growth, or use of water and electricity.

NOW, THEREFORE, BE IT ORDAINED by the Warren County Commissioners, that Section IV, Application Requirements, is amended to include the following sub-section:

E. Non-Disclosure Agreements

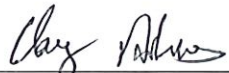
Local government officials, including elected officials, County employees, individuals serving on County planning and zoning boards, County economic development and individuals representing the County, shall be prohibited from entering into Non-Disclosure Agreements with any developer, owner, operator of a Data Center Project, as it relates to the development of land, an economic development project or program, or a project or program financed in whole or in part with the County's tax revenues, financial obligations, or taxing powers, including proposed tax increment financing districts, economic development abatements, and bonds or other debt obligations, except as required by state or federal law.

Any agreement or contract, or term of an agreement or contract, that violates this Section is void and unenforceable.

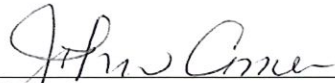
All other provisions of Ordinance No. 2026-0302 shall remain in full force and effect.

SO ORDAINED, this 3rd day of August, 2026.

WARREN COUNTY COMMISSIONERS



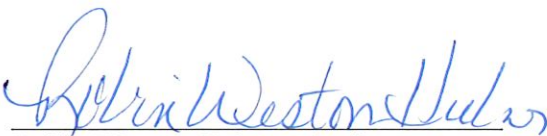
Clay Andrews, President



John Comer



Craig Greenwood

ATTEST: 

Robin Weston-Hubner, Auditor