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LEGISLATION INFORMATION AND HISTORY

TOWN OF CHARLESTOWN

Type of enactment (ordinance, resolution, bylaw, local law):

ORDINANCE NO. 437
AN ORDINANCE AMENDING CHAPTER 218 – ZONING
(BATTERY ENERGY STORAGE SYSTEMS & DATA CENTERS)

Action	**Date**
Introduction	June 22, 2026
Publication	In Full: July 13, 2026 By Reference: July 20 and 27, 2026
Public Hearing	August 11, 2026
Adoption	August 11, 2026
Publish Notice of Adoption	August 25, 2026

Date copy sent to General Code Publishers for codification: August 18, 2026

The legislative history will be compiled as the ordinance passes through the required procedures. A copy of the form should be sent with the ordinance to General Code for them to keep with the code files, the original being retained as a record in the Town Clerk's files.

PUBLIC NOTICE
TOWN OF CHARLESTOWN

Notice is hereby given that the following ordinance was adopted by the Town Council of the Town of Charlestown after a public hearing, duly advertised and posted, held on August 11, 2026.

ORDINANCE NO. 437
AN ORDINANCE AMENDING CHAPTER 218 – ZONING

Section 1. The Town Council of the Town of Charlestown hereby ordains that Chapter 218 of the Code of Ordinances, Town of Charlestown is amended as follows:

See Exhibit A for a full version of the proposed amendments and for a full understanding of the proposed amendments.

Note: Words set as ~~strikeover~~ are to be **deleted** from the ordinance; words set in underline are to be **added** to the ordinance.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to the Town of Charlestown's Code of Ordinances.

Section 3. This ordinance shall take effect immediately upon passage.

Attested To By:

_____
Amy Rose Weinreich, CMC Town Clerk

Passed By Town Council On:

August 11, 2026

To be advertised in the Westerly Sun: August 25, 2026

Exhibit A

§ 218-5 Word usage and definitions.

A. Word usage….

B. Terms defined….

BATHING BEACH
….

BATTERY ENERGY STORAGE SYSTEM (BESS) – An electrochemical device consisting of a single cell or group of cells connected in series, in parallel, or in a combination of both, which can charge, discharge, and store energy. For the purposes of this section, batteries utilized in consumer products, car batteries, and electric vehicles are excluded from these requirements.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM – An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

BED AND BREAKFAST

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DANCE STUDIO

DATA CENTER A room, building, structure, facility, or group of facilities designed, constructed, or operated as a principal use for the primary purpose of housing computer systems, servers, network equipment, and associated infrastructure for the storage, processing, transmission, or management of digital data or applications, at a scale and intensity substantially greater than that customarily associated with general office, institutional, commercial, or industrial uses. This term includes facilities supporting enterprise computing, colocation services, cloud computing, artificial intelligence processing, edge computing, or similar high-intensity computing operations, whether operated for a single user or multiple users, and whether permanent, modular, or temporary in nature. This term does not include server rooms or information technology infrastructure that is customarily incidental and subordinate to another permitted principal use.

*DAY CARE – DAY CARE CENTER

…

§ 218-38. Prohibited uses.

A. Prohibited Uses. Any use not specifically mentioned is prohibited. The Building Inspector shall determine if a use fits in one of the categories set forth in the District Use Table in § 218-36. Uses not classified in this Ordinance may be permitted only if

such use would be according to the purposes and intent of this Ordinance and consistent with the Comprehensive Plan. The enumeration of prohibited uses shall not create an inference that the Town did not intend to prohibit other uses which are not included in the list of prohibited uses. Farming on agricultural land is a legally conforming activity in all zoning districts when abiding by Rhode Island State Laws and Regulations, dealing with agricultural issues. Normal farming practices and related agricultural activities as determined by the RIDEM. Division of Agriculture and/or R.I. General Laws, are not in violation with this Section, provided the farm is using best management practices.

B. The following uses are specifically prohibited within the Town of Charlestown in order to foster long term environmental sustainability.

(1) (Reserved)

…….

(41) Battery Energy Storage System

(42) Data Center

(43) Any other use that is a danger to the public's health, safety, and general welfare because of odors, smoke, gases, dust, noise, excessive light, or vibrations or by danger of fire or explosion.