

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village

(Select one:)

of Plattsburgh

Local Law No. 6 of the year 2018

A local law adding Subsection F to Section 270-24 of the City Code of the City of Plattsburgh and  
*(Insert Title)*  
amending Schedule I, Schedule of Permitted Uses Part B of Chapter 270 of the City Code  
of the City of Plattsburgh.

Be it enacted by the \_\_\_\_\_ of the  
*(Name of Legislative Body)*

County  City  Town  Village

(Select one:)

of Plattsburgh

as follows:

Section 270-24(F) of the City Code of the City of Plattsburgh will be entitled "Cryptocurrency Mining Operations" and will read as follows:

Section 270-24(F) Cryptocurrency Mining Operations.

(1) Definitions:

"Cryptocurrency" is defined herein as a digital currency in which encryption techniques are used to regulate the generation of units of currency and verify the transfer of funds, operating independently of a central bank.

"Commercial Cryptocurrency Mining" is defined herein as the commercial process by which cryptocurrency transactions are verified and added to the public ledger, known as the block chain, and also the means through which new units of cryptocurrencies are released, through the use of server farms employing data processing equipment. For purposes of this section, any equipment which requires a High Density Load Service, or any Server Farm, will constitute a commercial cryptocurrency mining operation.

"Server Farm" is defined herein as three or more interconnected computers housed together in a single facility whose primary function is to perform cryptocurrency mining or associated data processing.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

“High Density Load Service” is defined herein as the provision of electrical service where the requested load density has, for any monthly billing period, either an average power demand in excess of 300 kilowatts, OR an average power density in excess of 250 kilowatt-hours per year per square foot, equivalent to 35.064 square feet per kilowatt, at 100% load factor. Square footage is defined as leased or owned boundaries of floor space devoted to the operating data processing equipment, and excludes space for offices, storage, shipping and receiving, or any other space that is not electronic processing.

(2) Fire Safety.

(a) Fire Suppression. An active clean agent fire protection system must be provided and maintained in good working order within any structure which contains a Commercial Cryptocurrency Mining Operation. High sensitivity smoke detectors shall be installed and operational in order to activate this clean agent fire suppression system.

(b) There shall be an emergency electricity termination switch installed outside of any containment structure which contains a Commercial Cryptocurrency Mining Operation.

(c) Containment Space. The equipment used in any Commercial Cryptocurrency Mining Operation shall be housed in an individually metered, electrically grounded and metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes. The containment space shall contain baffles that will automatically close in the event of fire independent of a possible electric system failure.

(d) All building requirements required by this section, including but not limited to heat transfer apparatuses, fire detection/suppression systems, or containment structures shall be designed by a New York State licensed engineer and in accordance with all applicable codes and standards.

(3) Heat.

(a) The ambient temperature inside of a containment space which houses a Commercial Cryptocurrency Mining Operation shall not exceed 120 degrees Fahrenheit at any time. No person shall be permitted to regularly inspect and work within the containment area which houses a Commercial Cryptocurrency Mining Operation if the ambient temperature within the containment area exceeds 90 degrees Fahrenheit.

(b) Any Commercial Cryptocurrency Mining Operation shall ensure that no more than 20% of the heat dissipated by the mining activity shall be released directly to the outside when the average daily temperature is less than 40 degrees Fahrenheit.

(4) Nuisance Abatement.

(a) No Commercial Cryptocurrency Mining Operation may cause adverse or detrimental effects

to adjoining leasees, owners, or residents that diminish the quality of life or increase the costs of serving their business or maintaining their homes.

(b) No Commercial Cryptocurrency Mining Operation shall produce a noise level exceeding ninety decibels (90 dB) from a distance of twenty-five feet from the exterior of the containment structure.

(5) Special Use Permit

A Special Use Permit, pursuant to Section 270 of the City Code, is required for any new Commercial Cryptocurrency Mining Operation, and any expansion of any pre-existing Commercial Cryptocurrency Mining Operation, in order to ensure conformance with this section.

(6) Schedule I, Schedule of Permitted Uses Part B of Chapter 270 of the City Code of the City of Plattsburgh will be amended to include "Commercial Cryptocurrency Mining" to the "Uses Requiring Special Permit" section of the "Industrial" Zoning District.

(7) Effective Date; Applicability.

A. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

B. This section shall apply to all building permit or zoning applications pending at the time it becomes effective, unless the reviewing Council or Board shall determine that its application would be impracticable or unjust in the particular circumstances.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 20 18 of the ~~(County)(City)(Town)(Village)~~ of Plattsburgh was duly passed by the Common Council on October 25 20 18, and was (approved)~~(not approved)~~ *(Name of Legislative Body)* ~~(repassed after disapproval)~~ by the Mayor *(Elective Chief Executive Officer\*)* and was deemed duly adopted on October 25 20 18, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* ~~(repassed after disapproval)~~ by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law. *(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**


I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.

  
\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 10/26/2018

(Seal)