

ORDINANCE #2026-9

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO AMEND THE CODE OF BYRON, GEORGIA, BY AMENDING, ADDING, INSERTING, OR ALTERING SECTION 4. BYRON DEVELOPMENT AUTHORITY (BDA) AGREEMENT AND OTHER AGREEMENTS OF CHAPTER 39 DATA CENTERS AND INCLUDING CERTAIN LANGUAGE IN SUBSECTION 4(a) CONCERNING DATA CENTERS, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, AND IT IS HEREBY SO ORDAINED, THAT THE CITY OF BYRON, GEORGIA, ADOPTS AMENDMENTS TO THE CODE OF BYRON, GEORGIA, BY AMENDING, ADDING, INSERTING, OR ALTERING SECTION 4. BYRON DEVELOPMENT AUTHORITY (BDA) AGREEMENT AND OTHER AGREEMENTS OF CHAPTER 39 DATA CENTERS AND INCLUDING CERTAIN LANGUAGE IN SUBSECTION 4(a), AND ADDING THE FOLLOWING LANGUAGE THEREIN, AS FOLLOWS:

The Currently “Reserved” Subsection 4(a) is amended by inserting the following language:

“4a) The City of Byron and any data center owner/operator shall, prior to the issuance of any Land Disturbance Permit, enter into an Economic Development Agreement or other instruments or arrangements designed to provide financial stability for the City of Byron and the data center owner/operator, to insure payment for infrastructure upgrades and repairs as provided for in Section 5(a)(9) hereof, and to provide for matters otherwise agreed upon by the City and the data center owner/operator. Such agreement, instruments or arrangements may provide such terms as are acceptable to the parties and are not prohibited by law or regulation. The Byron Development Authority (BDA) or other designee of the City may be a party to such agreement, instruments or arrangements. The parties shall negotiate such agreement or other instruments or arrangements in good faith. If no such agreement or other instruments or arrangements are successfully negotiated within ninety (90) days after the pre-application meeting required by Section 6(b), the owner/operator shall be deemed to have satisfied this subsection by executing an agreement or agreements providing for (i) payment of ad valorem taxes as assessed under Georgia law; (ii) the infrastructure obligations of Section 5(a)(9); and, (iii) payment of the franchise fees as required by subsection (b) of this Section.

All other matters in conflict herewith are hereby repealed.

**SO ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON,
GEORGIA, THIS _____ DAY OF _____, 2026.**

CITY OF BYRON, GEORGIA

Mayor:

Attest:

Michael L. Chidester

Telina Allred, City Clerk

Michael S. Chumbley, Mayor Pro Tem

James Richardson, Council Member

Rusty Adams, Council Member

Christopher C. Hodges, Council Member

Alan C. Dorsey, Council Member