



City of Detroit

COUNCILMAN SCOTT R. BENSON

MEMORANDUM

TO: Conrad Mallett, Chief Corporation Counsel, Law Department
FROM: Hon. Scott Benson, City Council District 3

CC: Hon. Gabriela Santiago-Romero, Chair, Public Health & Safety
Standing Committee
Hon. Janice Winfrey, City Clerk
Malik Washington, Mayor's Liaison

VIA: Hon. Council President Mary Sheffield

DATE: 10 January 2025

**RE: REQUEST FOR LEGAL OPINION ON GREEN ENERGY
REQUIREMENTS FOR DATA CENTERS**

I am requesting a legal opinion regarding the potential for the City of Detroit to require, via ordinance, that all data centers and similar energy-intensive uses be powered by green energy sources. Specifically, I would like your guidance on the following:

1. Legality of Requirement:

- Can the City legally mandate that data centers and similar facilities utilize green energy to power their operations?

2. Zoning Ordinance Considerations:

- Is it legally permissible to implement this requirement through a zoning ordinance?
- If so, what parameters or conditions would need to be established to ensure compliance and avoid potential legal challenges?

This initiative aims to support Detroit's sustainability goals while addressing the environmental impact of energy-intensive industries. Your expertise and recommendations will be instrumental in determining the feasibility and scope of such an ordinance.

Please provide your opinion at your earliest convenience.

If you have any questions, do not hesitate to contact my office at 313-224-1198.

SRB