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RETURN TO: *JW*

**KIM THOMAS
CLERK, CITY OF TROY
116 E. MARKET
TROY, IL 62294**

2022R03879
STATE OF ILLINOIS
MADISON COUNTY
02/01/2022 10:20 AM
DEBRA D. MING-MENDOZA
CLERK & RECORDER
REC FEE: 65.00
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OF PAGES: 6

CITY OF TROY

65.00 CTY

ORDINANCE NO. 2021 - 36

**AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE
WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY
WELLS OR BY ANY OTHER METHOD**

**ADOPTED BY THE
CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS TWENTIETH DAY OF DECEMBER, 2021**

**Published in pamphlet form by the authority of the City Council of the City of Troy,
Madison County, Illinois, this 20th day of December, 2021.**

JW

CITY OF TROY
ORDINANCE NUMBER 2021-36

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Troy, Illinois have been used over a period for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Troy desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS:

Section One. Use of groundwater as a potable water supply prohibited.

On or after the effective date of this Ordinance, the use or attempt to use as a potable water supply groundwater from within the area described below and depicted on Figure A-1, attached hereto and incorporated herein, as the Restricted Groundwater Zone, within the corporate limits of the City of Troy, by the installation or drilling of wells or by any other method is hereby prohibited. This prohibition expressly includes the City of Troy.

The following properties shall be designated as the Restricted Groundwater Zone:

Street Address	Property Tax ID
904 Edwardsville Road	09-2-22-06-04-401-009
Edwardsville Road (Route 162) Right-of-Way – Full width (approximately 150 feet) beginning approximately 325 east of the east line of the Formosa Road/Frontage Road right-of-way intersection with Edwardsville Road (Route 162) for a distance of 1,010 feet to the west/northwest.	No property tax ID

Street Address	Property Tax ID
Formosa Road Right-of-Way – Full width (approximately 80 feet) beginning at the south line of Edwardsville Road (Route 162) right-of-way at the intersection with Formosa Road for a distance of 1,000 feet to the north/northeast.	No property tax ID
Frontage Road Right-of-Way - Full width (approximately 80 feet) beginning at the north line of Edwardsville Road (Route 162) right-of-way at the intersection with Frontage Road for a distance of 400 feet to the south/southeast.	No property tax ID
A portion of the I-55/I-70 right-of-way, extending approximately 325 feet to the east of the eastern line of the intersection of Edwardsville Road and Formosa Road/Frontage Road, south a distance of approximately 125 feet from the south line of Edwardsville Road, and north a distance of approximately 350 feet from the north line of Edwardsville Road.	No property tax ID
908 Edwardsville Road	09-2-22-06-04-401-010
914 Edwardsville Road	09-2-22-06-04-401-012
920 Edwardsville Road	09-1-22-06-04-401-002
910 Edwardsville Road	09-2-22-06-04-401-011
913 Edwardsville Road	09-2-22-06-04-401-008 09-2-22-07-08-201-066
909 Edwardsville Road	09-2-22-07-08-201-064 09-2-22-07-08-201-063
2001 Formosa Road	09-2-22-06-04-401-004 09-2-22-06-04-401-004.003 (2 parcels)
2011 Formosa Road	09-2-22-06-04-401-013
2030 Formosa Road	09-1-22-05-00-00-008.001
2020 Formosa Road	09-1-22-05-00-00-008.002

Figure A-1 illustrates the area of the Restricted Groundwater Zone

Section Two. Penalties.

Any person violating the provisions of this ordinance shall be subject to a fine of up to \$500.00 for each violation.

Section Three. Definitions.

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

“Potable water” is any water used for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

Section Four. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section Five. Severability.

If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section Six. Effective date.


This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 20th day of December, 2021.

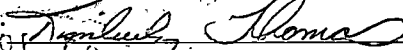
Aldermen:

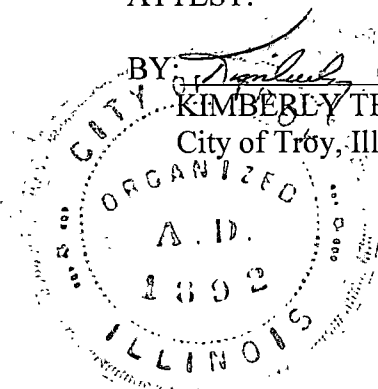
Dan Dawson	<u>AYE</u>	Sam Italiano	<u>AYE</u>	Ayes:	<u>7</u>
Tim Flint	<u>AYE</u>	Debbie Knoll	<u>AYE</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>ABSENT</u>	Tony Manley	<u>AYE</u>	Absent:	<u>1</u>
Nathan Henderson	<u>AYE</u>	Troy Turner	<u>AYE</u>	Abstain:	<u>0</u>

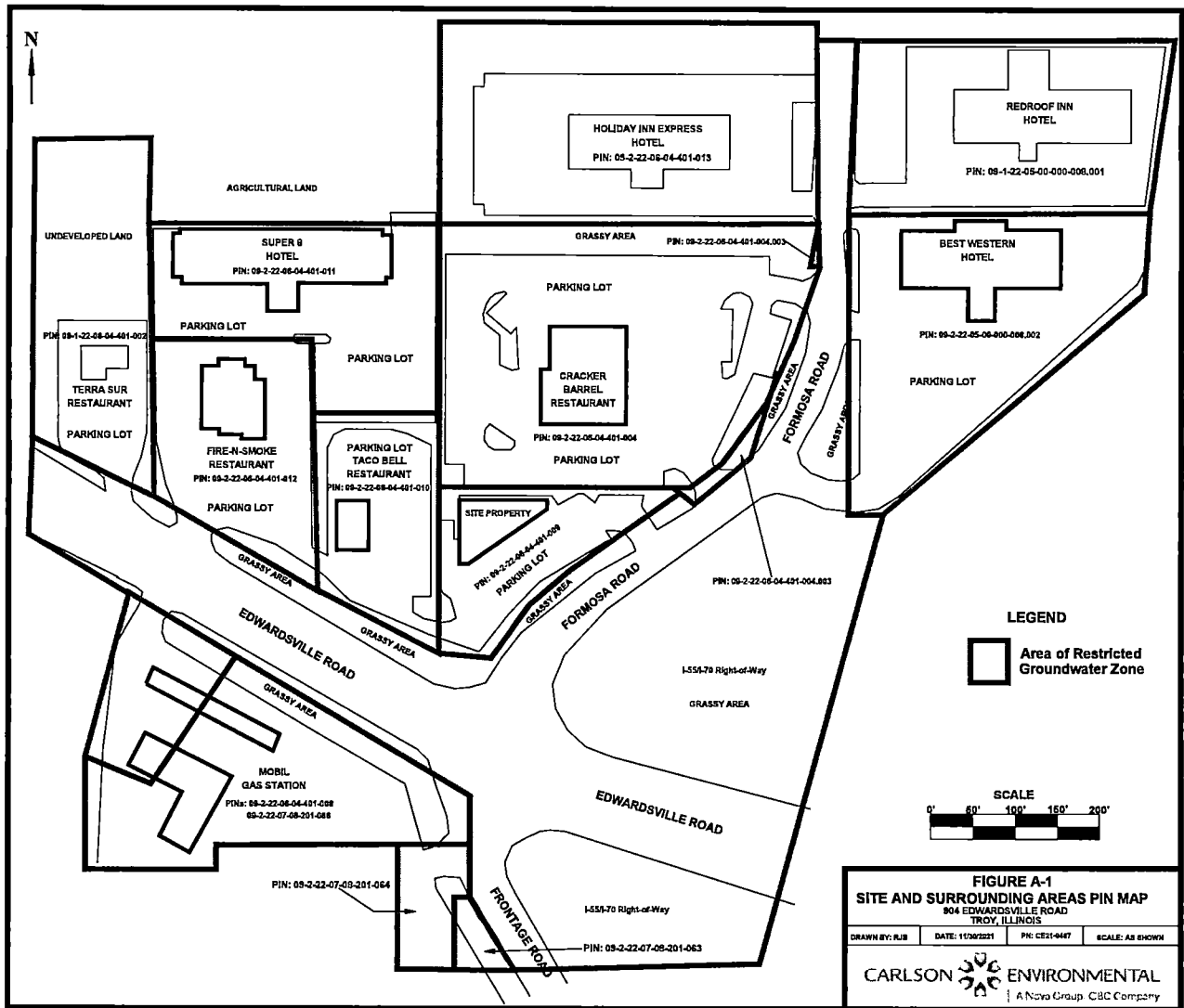
APPROVED:

By: 
DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:

BY: 
KIMBERLY THOMAS, Clerk
City of Troy, Illinois





116 E Market St.
Troy, IL 62294
618-667-9924

LETTER OF TRANSMITTAL

To: Illinois Environmental Protection Agency
Leaking UST Program
Attn: Karl Kaiser
1021 N. Grand Ave. East
Springfield, IL 62294

Date: 01/19/2022 **Project #:** _____
Re: City of Troy
Ground Water Ordinance 2021-36

WE ARE SENDING YOU: Attached Under Separate Cover Via The following:
 Shop Drawings Prints Plans Samples Specifications
 Copy of Letter Change Order Other: _____

Copies	Date	No.	Description
2	12/20/2021		

THESE ARE TRANSMITTED as checked below:

For Approval Approved as Submitted Resubmit Copies for Approval
 For Your Use Approved as Noted Submit Copies for Distribution
 As Requested Returned for Corrections Return Corrected Prints
 For Review and Comment
 For Bids Due _____

MESSAGE

IPC #1191005011 -- Madison County
Troy/Midwest Petroleum Company
910 Edwardsville Road
Leaking UST Incident No. 910733, 913544, 921236, and 20080172
Leaking UST Technical File

Copy: _____ Signed: *Rob Hancock*

END OF DOCUMENT