

RETURN TO:

**CLERK, CITY OF TROY
116 E. MARKET STREET
TROY, ILLINOIS 62294**

**CITY OF TROY
ORDINANCE NO. 2026-23**

**AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER
154 OF THE TROY CITY CODE, BY ADDING SECTION §154.144,
POWER TO ESTABLISH A TEMPORARY MORATORIUM**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS,
THIS 16TH DAY OF MARCH 2026**

ORDINANCE NO. 2026-23

AN ORDINANCE AMENDING TITLE XV LAND USAGE, CHAPTER 154 OF THE TROY CITY CODE BY ADDING SECTION §154.144, POWER TO ESTABLISH A TEMPORARY MORATORIUM

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to it by law, and as such, the City of Troy, Illinois, being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, may only exercise such express power(s); and

WHEREAS, the Illinois General Assembly has specifically granted non-home rule municipalities broad power(s) and authority to "pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities." 65 ILCS 5/1-2-1; and

WHEREAS, the City of Troy, Illinois, may accordingly exercise said power(s) and perform any function pertaining to its government and affairs for the protection of the health, safety, morals and welfare of its citizens; and

WHEREAS, pursuant to the Code of Ordinances of the City of Troy, Illinois, the Planning Commission is responsible for hearing all zoning, planning, permitting and City economic development matters, and further, has lawful jurisdiction and authority over annexation, permitting, planning, and zoning matters; and

WHEREAS, the Planning Commission finds that circumstances may arise requiring additional time to investigate and study the impacts of certain land uses, development activities, or permitting practices before adopting appropriate regulations; and

WHEREAS, the Planning Commission has held a duly noticed public hearing on March 12, 2026, in compliance with Section 154.143 of the Troy City Code, and has recommended that the City Council adopt this ordinance; and

WHEREAS, the City Council has considered the matter and the recommendation of the Planning Commission and finds that it is in the best interest of the public health, safety, and welfare to establish a procedure authorizing temporary moratoria when necessary.

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

1. The recitals set forth above are hereby adopted as findings of the City Council and incorporated herein as though fully set forth.
2. Title XV Land Usage, Chapter 154 of the Troy City Code is hereby amended by adding Section §154.144, which shall read as follows:

§154.144 POWER TO ESTABLISH A TEMPORARY MORATORIUM.

In accordance with Illinois law and the provisions of this Section, and when so directed, or upon their own initiative, the Planning Commission may recommend to establish a temporary moratorium for up to six (6) months for the limited and specific purpose(s) of investigating, studying and determining whether and to what extent additional zoning, planning and/or permitting regulations, requirements and/or restrictions may be necessary to promote and protect the public health, safety, morals and welfare of the citizens of the City of Troy. The City Council shall in turn act on any proposed temporary moratorium at their next regularly scheduled meeting following the Planning Commission's recommendation.

3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid portion, and to this end the provisions of this Ordinance are declared severable.
4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided 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 16th day of March, 2026.

Aldermen Vote:

Dan Dawson	<u>✓</u>	Sam Italiano	<u>✓</u>	Ayes:	<u>6</u>
Tim Flint	<u>ABSENT</u>	Debbie Knoll	<u>✓</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>✓</u>	Heather Stirling	<u>ABSENT</u>	Absent:	<u>2</u>
Nathan Henderson	<u>✓</u>	Troy Turner	<u>✓</u>	Abstain:	<u>0</u>

APPROVED:



DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:



KIMBERLY THOMAS, Clerk
City of Troy, Illinois



RECOMMENDATION NO. 2026-3PC

**OF THE PLANNING COMMISSION OF THE CITY OF TROY, ILLINOIS
RECOMMENDING AMENDING TITLE XV (LAND USAGE), CHAPTER 154 OF THE
TROY CITY CODE BY ADDING SECTION §154.144, AUTHORITY TO ESTABLISH A
TEMPORARY MORATORIUM**

WHEREAS, the Planning Commission of the City of Troy, Illinois, met on March 12, 2026, to consider a proposed amendment to Chapter 154 of the Troy City Code adding Section §154.144 entitled “Authority to Establish a Temporary Moratorium”; and

WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit may exercise only those powers expressly granted to it by law; and

WHEREAS, the City of Troy, Illinois, is a non-home rule municipality pursuant to said Section 7 of Article VII of the Illinois Constitution; and

WHEREAS, the Illinois General Assembly has granted non-home rule municipalities the authority to “pass all ordinances and make all rules and regulations proper or necessary to carry into effect the powers granted to municipalities” (65 ILCS 5/1-2-1); and

WHEREAS, the City of Troy may exercise such statutory powers in furtherance of its governmental functions and for the protection of the public health, safety, morals, and general welfare; and

WHEREAS, pursuant to the Troy City Code, the Planning Commission is authorized to review and make recommendations concerning zoning, planning, permitting, and economic development matters; and

WHEREAS, the Planning Commission finds that circumstances may arise requiring reasonable additional time to investigate, study, and evaluate the impacts of certain land uses, development activities, or permitting practices prior to adopting appropriate regulations or amendments to the City Code; and

WHEREAS, the Planning Commission further finds that establishing a clearly defined procedure authorizing the temporary imposition of a moratorium, for a limited duration and for legitimate governmental purposes, serves the best interests of the public health, safety, and welfare;

NOW, THEREFORE, BE IT RECOMMENDED by the Planning Commission of the City of Troy, Illinois, that the City Council adopt an amendment to Title XV, Chapter 154 of the Troy City Code by adding Section §154.144, “Authority to Establish a Temporary Moratorium,” in substantially the form attached hereto as Exhibit A.

Approved this 12th day of March, 2026, by a vote as recorded in the minutes of the Planning Commission:

Bogue	<u>ABSENT</u>	Lybarger	<u>Y</u>	Patton	<u>Y</u>	Yeas	<u>5</u>
Compton	<u>ABSENT</u>	McBride	<u>Y</u>	Reiter	<u>ABSENT</u>	Nays	<u>0</u>
Curtis	<u>Y</u>	Niermann	<u>Y</u>	Stone	<u>ABSTAIN</u>	Abstains	<u>1</u>

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING COMMISSION OF THE CITY OF TROY, ILLINOIS, that Title XV (Land Usage), Chapter 154 of the Code of Ordinances of the City of Troy be amended by adding Section §154.144, entitled "Authority to Establish a Temporary Moratorium," as set forth in Exhibit A attached hereto and incorporated herein by reference.

Is Not Recommended : Is Recommended -with the following stipulations:
No Stipulations

A copy of this recommendation shall be presented to the City Council; the original shall be filed with the Code Administrator.

DATED this 12th day of March, 2026.

By: [Signature]
Chairman, Planning Commission

Attest: [Signature]
Secretary, Planning Commission

Exhibit "A"

§154.144 POWER TO ESTABLISH A TEMPORARY MORATORIUM.

In accordance with Illinois law and the provisions of this Section, and when so directed, or upon their own initiative, the Planning Commission may recommend to establish a temporary moratorium for up to six (6) months for the limited and specific purpose(s) of investigating, studying and determining whether and to what extent additional zoning, planning and/or permitting regulations, requirements and/or restrictions may be necessary to promote and protect the public health, safety, morals and welfare of the citizens of the City of Troy. The City Council shall in turn act on any proposed temporary moratorium at their next regularly scheduled meeting following the Planning Commission's recommendation.