

RETURN TO:
CITY CLERK
116 E. MARKET STREET
TROY, IL 62294

RECORDING
NOT REQUIRED

CITY OF TROY
ORDINANCE 2026-53

**AN ORDINANCE AMENDING CHAPTER 153 OF THE CODE OF
ORDINANCES, TO UPDATE THE SURFACE WATER DRAINAGE
CERTIFICATION REQUIREMENTS**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 17TH DAY OF AUGUST 2026**

ORDINANCE NO. 2026-53

AN ORDINANCE AMENDING CHAPTER 153 OF THE CODE OF ORDINANCES, TO UPDATE THE SURFACE WATER DRAINAGE CERTIFICATION REQUIREMENTS

WHEREAS, the City of Troy regulates the subdivision of land pursuant to Chapter 153 of the Code of Ordinances and applicable Illinois law; and

WHEREAS, the City Council finds it appropriate to amend the required surface water drainage certification to conform to the language prescribed by 765 ILCS 205/2 of the Illinois Plat Act; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on August 13, 2026, in accordance with the City Code; and

WHEREAS, following the public hearing, the Planning Commission adopted Recommendation No. REC2026-26PC, recommending approval of the proposed amendment; and

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

1. Any provision of Chapter 153 requiring a Surface Water Drainage Certificate inconsistent with this Ordinance is hereby amended to require the certification set forth herein: Surface Water Drainage Certificate 153.187 (I) "We hereby certify that to the best of our knowledge and belief, the drainage of surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of this subdivision."]
2. Any provision of Chapter 153 requiring certification that a subdivision drainage design shall "prevent damage to any adjoining property," or any substantially similar language, is hereby repealed and replaced with the language set forth in Section 1 of this Ordinance.
3. The purpose of this amendment is to conform the City's subdivision regulations to the requirements of the Illinois Plat Act, maintain consistency with accepted engineering practice, and clarify that the required certification is based upon the applicable professional standard of care.
4. Should any section, clause, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.
5. This Ordinance shall be in full force and effect 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 17th day of August, 2026.

Aldermen Vote:

Dan Dawson ✓
Tim Flint ✓
Elizabeth Hellrung ✓
Nathan Henderson ✓

Sam Italiano ✓
Debbie Knoll ABSENT
Heather Stirling ✓
Troy Turner ✓

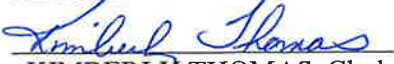
Ayes: 7
Nays: 0
Absent: 1
Abstain: 0

APPROVED:



DAVID NONN, Mayor
City of Troy, Illinois

ATTEST:


KIMBERLY THOMAS, Clerk
City of Troy, Illinois



RECOMMENDATION NO. REC2026-26PC

**A RECOMMENDATION OF THE PLANNING COMMISSION RECOMMENDING AN
AMENDMENT TO CHAPTER 153 OF THE CITY CODE REGARDING SURFACE
WATER DRAINAGE CERTIFICATION REQUIREMENTS**

WHEREAS, the City of Troy regulates the subdivision of land pursuant to Chapter 153 of the City Code and applicable Illinois law; and

WHEREAS, Chapter 153 currently requires a Surface Water Drainage Certificate containing language that differs from the certification prescribed by Section 2 of the Illinois Plat Act (765 ILCS 205/2); and

WHEREAS, the proposed amendment would revise the required Surface Water Drainage Certificate to state that, to the best of the certifying professional's knowledge and belief, the drainage of surface waters will be planned in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to adjoining property because of the construction of the subdivision; and

WHEREAS, the proposed amendment would also repeal any language requiring certification that a subdivision drainage design shall "prevent damage to any adjoining property," replacing it with the certification language required by the Illinois Plat Act; and

WHEREAS, the Planning Commission conducted a public hearing on August 13, 2026, and reviewed the proposed amendment and supporting information; and

WHEREAS, the Planning Commission finds that the proposed amendment will bring the City's subdivision regulations into conformity with the Illinois Plat Act, maintain consistency with accepted engineering practices, clarify the applicable professional standard of care, and serve the best interests of the public health, safety, and welfare of the City of Troy and recorded below:

Bogue	<u>Y</u>	Lybarger	<u>Y</u>	Patton	<u>Y</u>	Yeas	<u>6</u>
Compton	<u>ABSTAIN</u>	McBride	<u>Y</u>	Reiter	<u>Y</u>	Nays	<u>0</u>
Curtis	<u>Y</u>	Niermann	<u>ABSENT</u>	Vacant	<u>Y</u>	Abstains	<u>1</u>

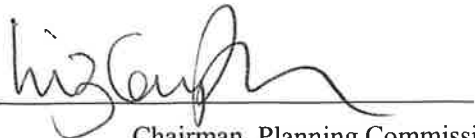
NOW, THEREFORE, BE IT RECCOMENDED BY THE PLANNING COMMISSION OF THE CITY OF TROY, ILLINOIS, AS FOLLOWS: that the City Council approve the proposed amendment to Chapter 153 of the City Code regarding Surface Water Drainage Certification Requirements, as presented.

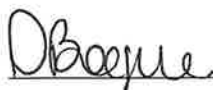
☒ Is Not Recommended

☒ Is Recommended -with the following stipulations:

A copy of this recommendation shall be forwarded to the City Council, with the original maintained on file by the Code Administrator.

DATED this 13th day of August, 2026.

By: 
Chairman, Planning Commission

Attest: 
Secretary, Planning Commission