

**RECORDING
NOT REQUIRED**

RETURN TO:

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

**CITY OF TROY
ORDINANCE 2026-57**

**AN ORDINANCE EXTENDING THE TEMPORARY
MORATORIUM ON DATA CENTERS ESTABLISHED BY CITY
OF TROY ORDINANCE NO. 2026-24**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF TROY, ILLINOIS
THIS 21st DAY OF SEPTEMBER 2026**

ORDINANCE 2026-57

AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON DATA CENTERS ESTABLISHED BY ORDINANCE NO. 2026-24

WHEREAS, the City Council previously adopted Ordinance No. 2026-24, establishing a temporary moratorium on data centers within the City of Troy pursuant to Section 154.144 of the City of Troy Code of Ordinances; and

WHEREAS, Ordinance No. 2026-24 established the temporary moratorium for a period of six (6) months from the effective date of said Ordinance; and

WHEREAS, the Planning Commission of the City of Troy conducted a public hearing on September 10, 2026, regarding the proposed extension of the temporary moratorium on data centers; and

WHEREAS, following said public hearing, the Planning Commission adopted Recommendation No. PCR-2026-29 recommending approval of the proposed extension of the temporary moratorium and transmitted said recommendation to the City Council; and

WHEREAS, the City Council has determined that an extension of the temporary moratorium is necessary to provide additional time to review the City's zoning and development regulations and determine whether additional regulations or standards are necessary; and

WHEREAS, Ordinance No. 2026-24 was adopted to preserve the status quo while the City further studies, analyzes, and considers new, additional, or further zoning and development regulations, requirements, and restrictions concerning data centers; and

WHEREAS, the City Council finds that additional time is necessary to complete its review and determine whether amendments to the City's Comprehensive Plan, Zoning Ordinance, development regulations, building regulations, or other ordinances are necessary or appropriate to adequately address the potential impacts of data centers; and

WHEREAS, the City Council finds that continuing the temporary moratorium for an additional period of six (6) months is necessary and appropriate to protect the public health, safety, and welfare and to allow the City sufficient time to complete its review and consideration of appropriate regulations; and

WHEREAS, the City Council therefore determines that the temporary moratorium established by Ordinance No. 2026-24 should be extended for an additional six (6) months pursuant to Section 154.144 of the City of Troy Code of Ordinances.

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

1. The foregoing recitals are hereby incorporated into and made a part of this Ordinance as if fully set forth herein.
2. The temporary moratorium on data centers established by Ordinance No. 2026-24 is hereby extended for an additional period of six (6) months from the expiration of the moratorium established by Ordinance No. 2026-24.
3. During the six-month extension period, the City of Troy, including its officers, employees, departments, boards, commissions, and agents, shall continue to suspend the receipt and processing of applications for, and the issuance of permits, zoning approvals, special use permits, site plan approvals, development approvals, certificates of occupancy, or other permits or approvals for data centers within the City.
4. For purposes of this Ordinance, the term "data center" shall have the same meaning as provided in the City of Troy Code of Ordinances and/or Ordinance No. 2026-24, as applicable.

5. The moratorium shall apply regardless of the zoning district in which a proposed data center is located and regardless of whether the proposed use would otherwise be permitted by right or by special use permit under the City's existing ordinances.
6. The purpose of this extension is to provide the City with additional time to review existing zoning and development regulations and determine whether amendments or additional standards are necessary to address the potential impacts of data centers and protect the public health, safety, and welfare.
7. Nothing contained in Ordinance No. 2026-24 or this Ordinance shall be construed to create, establish, or recognize any vested right to the receipt, processing, approval, or issuance of any permit or other approval for a data center. Any application for a data center that was not finally approved prior to the effective date of Ordinance No. 2026-24 shall remain subject to the temporary moratorium and shall not be processed or approved during the extension period, except as may otherwise be required by applicable law.
8. If any section, subsection, paragraph, sentence, clause, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.
9. This Ordinance shall be in full force and effect upon 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 21st day of September, 2026.

Aldermen Vote:

Dan Dawson	<u>ABSENT</u>	Sam Italiano	<u>✓</u>	Ayes:	<u>7</u>
Tim Flint	<u>✓</u>	Debbie Knoll	<u>✓</u>	Nays:	<u>0</u>
Elizabeth Hellrung	<u>✓</u>	Heather Stirling	<u>✓</u>	Absent:	<u>1</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. 2026-29PC

OF THE PLANNING COMMISSION OF THE CITY OF TROY, ILLINOIS
RECOMMENDING THE EXTENSION OF THE TEMPORARY MORATORIUM ON DATA
CENTERS ESTABLISHED BY ORDINANCE NO. 2026-24

WHEREAS, the Planning Commission of the City of Troy, Illinois, met on September 10, 2026, to consider the proposed extension of the temporary moratorium on data centers established by Ordinance No. 2026-24; and

WHEREAS, the City Council of the City of Troy, Illinois, previously adopted Ordinance No. 2026-24 establishing a temporary moratorium on data centers within the City of Troy; and

WHEREAS, the proposed extension would continue the temporary suspension of the receipt and processing of applications for, and the issuance of permits or approvals for, data centers within the City of Troy, Illinois; and

WHEREAS, the Planning Commission conducted a public hearing on September 10, 2026, regarding the proposed extension of the temporary moratorium and afforded interested persons an opportunity to be heard; and

WHEREAS, the Planning Commission finds that additional time is necessary for the City to continue its review of zoning and development regulations and determine whether additional regulations or standards are necessary to address the potential impacts of data centers; and

WHEREAS, the Planning Commission further finds that extending the temporary moratorium for an additional period of six (6) months will provide the City with additional time to complete its review and consideration of appropriate regulations; and

WHEREAS, the Planning Commission finds that the proposed extension is appropriate to allow the City to continue its orderly and comprehensive review of matters relating to the development and operation of data centers; and

WHEREAS, after considering all testimony and evidence presented at the public hearing, the Planning Commission voted as follows:

Bogue <u>yes</u>	Lybarger <u>yes</u>	Patton <u>absent</u>	Yeas <u>5</u>
Compton <u>absent</u>	McBride <u>yes</u>	Reiter <u>absent</u>	Nays <u>0</u>
Curtis <u>yes</u>	Niermann <u>yes</u>	Vacant <u></u>	Abstains <u>0</u>

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING COMMISSION OF THE CITY OF TROY, ILLINOIS, that the City Council approve the extension of the temporary moratorium on data centers established by Ordinance No. 2026-24 for an additional period of six (6) months.

☐ 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 10th day of September, 2026.

By: Daniel Lybarger
Chairman, Planning Commission

Attest: Danielle Bogue
Secretary, Planning Commission