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City of Troy
116 E. Market Street
Troy, Illinois 62294

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Ordinance No. 2021 -22

AN ORDINANCE AMENDING CERTAIN SECTIONS OF TITLE V: PUBLIC WORKS, CHAPTER 51 UTILITIES GENERALLY AND CHAPTER 52 WATER OF THE CODE OF ORDINANCES OF THE CITY OF TROY

**ADOPTED BY THE CITY COUNCIL
OF THE CITY OF TROY, ILLINOIS**

THIS SEVENTH DAY OF SEPTEMBER 2021

Whereas, the Mayor and the City Council of the City of Troy, Illinois have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety and welfare of its citizens; and

Whereas, the City Council of the City of Troy has reviewed the provisions of the current text of Chapters 51 and 52 of the Code of Ordinances and determined that it requires certain amendments to encourage and effectively manage future growth and development; and

Whereas, the City Council has duly considered the matter and has concluded that it is in the best interest of the City and its citizens to clarify certain requirements relating to the service of water and sewer to properties outside the corporate boundaries of the city by amending certain sections of Chapters 51 and 52 of the Code of Ordinances accordingly.

Now, Therefore, Be It Ordained by the City Council of the City of Troy, Illinois as follows:

SECTION 1: The recitals set forth above are hereby incorporated herein.

SECTION 2: That Sections 52.100 through 52.106 Service outside the City are hereby deleted; Chapter 51 Utilities Generally is hereby amended by adding Section 51.03 as follows:

§ 51.03 SERVICE OUTSIDE THE CITY.

(A) No water or sewer service shall be provided to an applicant outside the corporate limits of the City unless the applicant petitions for annexation to the City, or if the applicant cannot annex to the City pursuant to law, that the applicant must execute a pre-annexation agreement with the City.

(B) In addition to any other provisions that may be contained in the pre-annexation agreement, the agreement must provide for the annexation of the property to the City and must further provide, in those instances where the applicant desires water service to more than one single-family residential unit, that the applicant demonstrate, to the satisfaction of the City, that the proposed land use for which water is desired, is in conformity with the regional land use plans currently used and adopted by the City.

(C) Notwithstanding the foregoing provisions, if the water customer's (owner's) property is unincorporated, but is contiguous to the City's corporate limits, water service shall only be provided and continued by the City upon the annexation of such property to the City. If the water customer's (owner's) property is unincorporated and is not contiguous to the City's corporate limits, water service may only be provided and continued to the property upon the owner's submission to the city of an irrevocable petition to annex the property to the City, along with all other requested information pertaining to the property. The annexation of the property to the City would occur at such time as the property becomes contiguous to the City's corporate limits.

SECTION 3: That all other provisions of Chapters 51 and 52 of the Code of Ordinances shall remain unchanged and in full force and effect except as specifically amended by this ordinance.

SECTION 4: That if any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

SECTION 5: This Ordinance shall be effective upon its passage, signing 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 seventh day of September, 2021.

Aldermen:

Dawson ✓

Italiano ✓

Total:

Flint ✓

Knoll ABSENT

7 Aye

Hellrung ✓

Manley ✓

0 Nay

Henderson ✓


Turner ✓

APPROVED:



David Nonn
Mayor, City of Troy, Illinois

ATTEST:



Kimberly Thomas, City Clerk

Building & Zoning Dept.

END OF DOCUMENT

