

**Return to:**

City Clerk  
116 E. Market Street  
Troy, Illinois 62294



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***Ordinance No. 2025 – 31***

An Ordinance of the City of Troy, Illinois, Amending Title XV: Land Usage, Chapter 154: Zoning Ordinance, Sections 154.024 Temporary and Portable Structures/Uses and 154.142 Temporary Use Permits of the Code of Ordinances

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

THIS Sixteenth DAY OF June, 2025

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**Whereas**, the corporate authorities of the City of Troy adopted a Code of Ordinances and have made revisions thereto; and

**Whereas**, the corporate authorities believe that it is in the best interest of City residents to amend Title XV: Land Usage, Chapter 154: Zoning Ordinance, Sections 154.024 Temporary and Portable Structures/Uses and 154.142 Temporary Use Permits of the Code of Ordinances.

*Now, therefore, be it ordained by the City Council of the City of Troy, Madison County, Illinois as follows:*

Section 1: The facts and statements contained in the preamble to this Ordinance are found to be true and correct and hereby adopted as part of this Ordinance.

Section 2: The Troy Municipal Code, Title XV: Land Usage, Chapter 154: Zoning Ordinance, Sections 154.024 Temporary and Portable Structures/Uses and 154.142 Temporary Use Permits of the Code of Ordinances shall be amended to read in their entirety, as follows:

**§ 154.024 TEMPORARY AND PORTABLE STRUCTURES/USES.**

Unless specifically provided otherwise in the chapter, no temporary structure shall be used or occupied for any purpose, and no land shall be used for any temporary enterprise, whether for profit or not-for-profit, unless a temporary use permit has been obtained. The Planning Commission is responsible for either recommending or not recommending a temporary use permit to the City Council. The City Council may, by simple majority vote, grant or deny any temporary special use permit for which an application has been submitted, regardless of the recommendation from the Planning Commission. Temporary use permits shall not exceed one year from the approval date; however, the City Council may grant an extension of one additional year. If the temporary enterprise is seasonal and operates for less than six months in a calendar year, a temporary use permit for the identical enterprise and use shall not exceed three years from the approval date; however, the City Council may grant an extension of one additional year.

**§ 154.142 TEMPORARY USE PERMITS.**

As outlined in § 154.024, requests for temporary use permits shall be treated in the same manner as requests for special use permits. Temporary use permits shall not exceed one year from the time of approval; however, the City Council may grant an extension of one additional year. If the temporary enterprise is seasonal and operates for less than six months in a calendar year, a temporary use permit for the identical enterprise and use shall not exceed three years from the approval date; however, the City Council may grant an extension of one additional year.

Section 3: If any provisions of this Ordinance, or the application of any provisions of this Ordinance, are held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision or application of such provision is severable, unless otherwise provided by this Ordinance.


Section 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 Sixteenth day of June, 2025.


Aldermen:

Dawson <u>✓</u>	Italiano <u>✓</u>	<b>Total:</b>
Flint <u>✓</u>	Knoll <u>✓</u>	<u>6</u> Ayes
Hellrung <u>✓</u>	Manley <u>✓</u>	<u>0</u> Nays
Henderson <u>ABSENT</u>	Turner <u>ABSENT</u>	<u>0</u> Abstains

**Approved:**

  
\_\_\_\_\_  
David Nonn, Mayor,

**Attest:**

  
\_\_\_\_\_  
Kimberly Thomas, City Clerk



RECOMMENDATION NO. 2025 ~ 06PC

Of the Planning Commission of the City of Troy, Illinois, Recommending Amendments to Chapter 154 Zoning Ordinance: Sections 154.024 Temporary and Portable Structures/Uses and 154.142 Temporary Use Permits

WHEREAS, the Planning Commission of the City of Troy has reviewed certain sections of Chapter 154 Zoning Ordinance and believes that the proposed changes are necessary to allow temporary use permits for seasonal enterprises not to exceed three years with an extension of one-year granted by the City Council; and

WHEREAS, the Planning Commission met on June 12, 2025 to consider amending certain sections of the Code of Ordinances pertaining to temporary uses of enterprises operating less than six months in a calendar year. A copy of the proposed amendment (See Exhibit A) and certification by the City Clerk regarding publication of the hearing notice are incorporated by reference; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the proposed amendment and the following citizens also testified (See Exhibit B); and

WHEREAS, the Planning Commission has considered the factors as described in Section 154.143 Amendments of the Code of Ordinances; and

WHEREAS, following the testimony, the members of the Planning Commission voted as recorded below:

Bogue	<u>yes</u>	Lybarger	<u>yes</u>	Patton	<u>yes</u>	<u>7</u>	Yeas
Compton	<u>yes</u>	McBride	<u>yes</u>	Reiter	<u>Absent</u>	<u>0</u>	Nays
Curtis	<u>yes</u>	Niermann	<u>yes</u>	Stone	<u>Absent</u>	<u>0</u>	Abstains

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS, that the amendment for the following: To address temporary, seasonal enterprises in Section 154.024 Temporary and Portable Structures/Uses and Section 154.142 Temporary Use Permits of the Codified Ordinances as specified in Exhibit A

Is Not Recommended  Is Recommended with the following stipulations, if noted:

none

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

ADOPTED this 12th day of June, 2025.

By [Signature]  
Chairman, Planning Commission

Attest [Signature]  
Secretary, Planning Commission

**Section 154.024 Temporary and Portable Structures/Uses and Section 154.142  
Temporary Use Permits shall be amended to read as follows:**

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