

COPY

VILLAGE OF WILLIAMSFIELD

ORDINANCE NO. 2015-5

**AN ORDINANCE OF THE VILLAGE OF WILLIAMSFIELD,
KNOX COUNTY, ILLINOIS
PROVIDING FOR OFFENSES; MISDEMEANORS**

WHEREAS, 65 ILCS 5/2-3-8 provides that the Village of Williamsfield ("Village") shall have all the powers conferred in this Code upon cities not exceeding 5,000 inhabitants, except as otherwise provided in this Code;

WHEREAS, pursuant to the general corporate powers and police powers of the Village, the Village may enact rules and regulations that are in the best interest of the health and safety of the residents of the Village;

WHEREAS, the Board of Trustees of the Village of Williamsfield finds and hereby declares that it is necessary and in the best interests of the health and safety of the residents of the Village to set forth rules and regulations as set forth below;

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSFIELD, ILLINOIS:

SECTION 1: DISORDERLY CONDUCT

- A. **Disturbing Assembly:** No person shall wilfully disturb any lawful assembly or create a disturbance in a public place.
- B. **Obstructing Public:** No person shall obstruct or hinder any member of the public from freely passing wherever he has a legal right to go.
- C. **Crowding:** No person shall jostle or wilfully crowd any member of the public in any public or private place, or otherwise interfere intentionally with the peaceful pursuit of his or her affairs.
- D. **Loitering:** No person shall loiter, lounge, stand about or otherwise frequent any public or private place after being requested to leave by the person in charge thereof, or by a police officer.
- E. **Offensive Behavior:** No person shall conduct himself in such a manner as is likely to lead to a breach of peace, or behave in a rude, offensive or indecent manner while in a public place.
- F. **Disturbances:**
 - 1. **Disturbing the Peace:** No person shall create, maintain, assist or participate in the creation or maintenance of a loud or raucous noise likely to disturb the public peace or quiet.
 - 2. **Amusement Premises:** No person in charge of place of amusement or recreation shall permit or allow any unnecessary disturbance therein, or any conduct which is likely to result in a breach of the peace.
- G. **Liquor Violations:**

1. Public Intoxication: No person shall appear in a public place while so intoxicated or under the influence of a narcotic drug that such person constitutes a nuisance or a threat to the health or safety of any person, including himself.

2. Open Container, Unlicensed Premises: No person shall consume an alcoholic beverage, or have in his or her possession an open container containing an alcoholic beverage, in any building or other place open to and frequented by the public unless such place holds a current license authorizing it to sell alcoholic liquor at retail.

3. Open Container in Public: No person shall consume an alcoholic beverage, or have in his or her possession an open container containing alcoholic liquor, in or upon any street, sidewalk, alley, park or other outdoor place open to and frequented by the public.

H. Soliciting, Begging:

1. Personal Use: No person shall beg or solicit donations from the public for his personal use.

2. Charitable: No person shall solicit donations or contributions for any cause or purpose whatsoever on any public property without first obtaining the permission therefor of the Village.

3. Business: No business shall solicit for any purpose whatsoever on any public or private property without first obtaining the permission therefor of the Village.

I. Fighting: No person shall engage in fighting, or making insulting or threatening remarks or gestures calculated to result in a fight or other breach of the peace.

J. Obscenity:

1. Actions, Behavior: No person shall commit any lewd, obscene or indecent act in a public place, or a place frequented by the public, or appear in public in an indecent state of dress.

2. Publications, Exhibits: No person shall sell, offer to sale, exhibit, loan or give any lewd or obscene book, picture or article to another, nor shall any person present, exhibit or engage in any lewd, lascivious act or performance, nor shall any person prepare or exhibit or assist in the preparation of exhibition of any lewd or vulgar picture, writing, design or figure in any public place.

K. Concealed Weapons: No person shall carry a concealed weapon upon or about his person, nor shall any person display or flourish such a weapon in a threatening manner or in a manner calculated or likely to intimidate another person, except for those persons specifically authorized to do so. Nor shall any person simulate the presence of such weapon and intimidate therewith, even though in fact no such weapon exists.

L. Boarding Moving Vehicle: No person shall climb upon or otherwise affix himself to any moving vehicle, or any vehicle which is about to move except in the course of his employment.

M. Utility Facilities, Tampering:

1. No person, except in the course of his employment, shall tamper or interfere in any manner with a telephone, telegraph or other wire or cable conducting electric current, or with any pole or other structure used to support such wire or cable.

2. No person, except in the course of his employment, shall tamper or interfere in any manner with a lamp or other device used to light streets or alleys or with any pole or other structure used to support such lamp or other device.

N. Trespass, Damage: No person shall wilfully damage, deface, destroy, remove, trespass upon or injure in any way, any property belonging to another person without the express consent of such other person.

O. Government:

1. Impersonating an Officer: No person shall impersonate a police officer or any other employee or official of the Village nor shall he resist any police when said officer is acting in the course of his official duty.

2. Damaging Records: No person shall remove, alter, damage or destroy any records kept or maintained by or in the custody of any Village official or employee, unless so authorized by the Village Board of Trustees.

SECTION 2: TRESPASS

A. Prohibited: It shall be unlawful for any person to commit a trespass within this Municipality upon either public or private property.

B. Enumerated: Without constituting any limitation upon the provisions herein, any of the following acts by any person shall be deemed included among those that constitute trespasses in violation of the provisions herein, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this Section, the aforesaid enumerated acts so included, being as follows:

1. An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof, or
2. The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
3. A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
4. An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.

SECTION 3: POSTING BILLS

No person shall, without the consent of the occupant or person in charge of the premises, post, put up, stick or place an advertisement, bill head, placard, show bill, circular, or other notice or matter upon any building, tree, post fence, sidewalk, lamp post, pole awning, or vehicle.

SECTION 4: AIDING OFFENSES

Whoever shall aid, abet or encourage any unlawful act of violation of any ordinance of the Village, shall be deemed a principal and subject to a penalty for the commission of such offense.

SECTION 5: ENFORCEMENT PROCEDURES

It shall be the duty of the proper authorities, on complaint made by any citizen thereof, to investigate the nature of the complaint and take such enforcement action as the circumstances of the investigation deem necessary.

SECTION 6: PENALTY

Every person who violates or fails to comply with any of the provisions of this chapter shall, upon conviction, be fined not less than seventy-five dollars (\$75) nor more than five hundred dollars (\$500) for each such offense.

SECTION 7: ILLEGAL POSSESSION / CONSUMPTION BY A MINOR

Prohibited: No minor (under 21 years of age) shall possess/consume alcoholic liquor.

Exception: An exception to subsection (a) is that subsection (a) shall not apply in the case of a minor who possesses or consumes alcoholic liquor in or upon private Premises in the presence of his parent or legal guardian when such alcoholic liquor was Delivered to such minor by his parent or legal guardian.

Penalty: The minimum fine to be imposed upon a person convicted of violating this Section as a first offense shall be one hundred dollars (\$100). The minimum fine for Second and subsequent offenses shall be three hundred dollars (\$300).

State law references: Possession by persons under twenty-one, 235 ILCS 5/6-20(G)

SECTION 8: UNLAWFUL PURCHASE OF ALCOHOLIC LIQUOR BY A MINOR

No minor shall purchase or attempt to purchase alcoholic liquor in or from any Licensed premises or other person. The minimum fine to be imposed upon a person Convicted of violating this section as a first offense shall be one hundred dollars (\$100). The minimum fine for second and subsequent offenses shall be three hundred dollars (\$300).

State law references: Purchase of liquor by a persons under twenty-one, 235 ILSC 5/6-16.

SECTION 9: CURFEW

A. It is unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times unless accompanied and supervised by a parent, legal guardian, or other responsible companion at least eighteen (18) years of age approved by a parent or legal guardian or unless engaged in a business or occupation which the laws of this state authorize a person less than seventeen (17) years of age to perform:

- 1) Between 12:01 a.m. and 6:00 a.m. Saturday;
- 2) Between 12:01 a.m. and 6:00 a.m. Sunday; and
- 3) Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

B. It is unlawful for a parent, legal guardian, or other person to knowingly permit a person in his or her custody or control to violate subsection (a) of this section.

C. A person pleading guilty to or having been found guilty of a violation of this section shall be punished by a fine of fifty dollars (\$50) on the first offense and one hundred dollars (\$100) for each subsequent offense within a twelve (12) month period, except that neither a person who has been made a ward of the court under the Juvenile Court Act of 1987, nor that person's legal guardian, shall be subject to any fine. In addition to or instead of the fine imposed by this section, the court may order a parent, legal guardian, or other person convicted of a violation subsection (a) and/or (b) of this section to perform community service as determined by the court, except that the legal guardian of a person who has been made a ward of the court under the Juvenile Court Act of 1987 may not be ordered to perform community service. The dates and times established for the performance of community service by the parent, legal guardian, or other person convicted of a violation of subsection (b) of this section shall not conflict with the dates and times that the person is employed in his or her regular occupation.

State law reference: Curfew- 720 ILCS 555/1

SECTION 10: ILLEGAL DRUG RELATED OFFENSES

Possession of Cannabis: (30 grams or less)

It is unlawful for any person to knowingly to possess 30 grams or less cannabis. The minimum fine to be imposed upon a person convicted of violating this section as a first offense shall be two hundred dollars (\$200). The minimum fine for second and subsequent offenses within 12 months shall be four hundred dollars (\$400).

State Law Reference: 720 ILCS 550/4 (a-c)

Possession of Cannabis for Delivery (10 grams or less):

It is unlawful for any person to knowingly manufacture, deliver, or possess with intent to deliver, or manufacture, 10 grams or less of cannabis. The minimum fine to be imposed upon a person convicted of violating this section as a first offense shall be three hundred dollars (\$300). The minimum fine for second and subsequent offenses within 12 months shall be six hundred dollars (\$600).

State Law Reference: 720 ILCS 550/5 (a) and (b)

Possession of Drug Paraphernalia:

It is unlawful for a person who knowingly possesses an item of drug paraphernalia with the intent to use it in ingesting, inhaling or otherwise introducing cannabis or a controlled substances into the human body, or in preparing cannabis or a control substance for that use. This subsection does not apply to a person who is legally authorized to possess and use such paraphernalia. The minimum fine to be imposed upon a person convicted of violating this section as a first offense shall be two hundred and fifty dollars (\$250). The minimum fine for second and subsequent offenses within 12 months shall be five hundred dollars (\$500).

State Law Reference: 720 ILCS 600/3.5

SECTION 11: When interpreting this ordinance, the singular shall include the plural.

SECTION 12: This ordinance shall be in full force and effect from and after its passage in the manner provided by law.

SECTION 13: This ordinance shall control over any prior, conflicting ordinance.

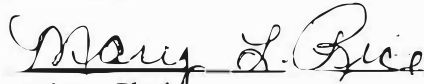
PASSED THIS 2nd day of March, 2015.

APPROVED:



President of the Board of Trustees
Village of Williamsfield
Knox County, Illinois

ATTEST:




Village Clerk
Village of Williamsfield, Illinois

STATE OF ILLINOIS)
COUNTY OF KNOX) SS.
VILLAGE OF WILLIAMSFIELD)

CERTIFICATE

I, Mary Rice, DO HEREBY CERTIFY THAT I am the Village Clerk in and for the Village of Williamsfield; that the foregoing is a true and correct copy of an Ordinance duly passed by the President and Board of Trustees of the Village of Williamsfield being entitled: "AN ORDINANCE OF THE VILLAGE OF WILLIAMSFIELD, KNOX COUNTY, ILLINOIS, PROVIDING FOR OFFENSES; MISDEMEANORS," at a regular meeting held on the 2nd day of March, 2015, the ordinance being a part of the official records of said village.

DATED: This 2nd day of March, 2015.



Mary Rice, Village Clerk
Village of Williamsfield
Knox County, Illinois

(SEAL)