

CHAPTER 7 OFFENSES AND MISCELLANEOUS PROVISIONS*

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* **State law references**—Municipal police ordinances, Ill. Rev. Stat. Ch. 24, § 11-1-1; municipal public order regulations, Ill. Rev. Stat. Ch. 24, § 1-5 et seq.; criminal law and procedure, Ill. Rev. Stat. Ch. 38, § 1-1et seq.; property forfeiture.

ARTICLE I. IN GENERAL

Sec. 7-1. Criminal code adopted.

There is hereby adopted the Illinois statutes entitled the as now or hereafter amended, which is incorporated in this section as if set out at length herein. An officer issuing a citation or complaint may issue it by using any of the sections of the Criminal Code of 1961 All citations or complaints so issued shall be issued in the name of the village and shall be referred to in the citation or complaint as an ordinance violation. The penalties specified in section [1-7](#) of this Code of Ordinances shall apply to such violations.

Sec. 7-2. Definition.

For the purposes of this article the term "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive and a firearm muffler or firearm silencer, or any other part or parts of such weapon.¹

(Code 1972, § 6-4-1)

¹ State law reference-"Firearm" defined, Ill. Rev. Stat. Ch. 38, § 83-1.1 430ILCS 65, et seq.

Sec. 7-3. Unlawful possession of firearm¹.

(a) Any person under eighteen (18) years of age, any narcotic addict, any person who has been convicted of a felony under the laws of this state or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if a penitentiary sentence has not been imposed, and any person who has been released from a mental institution or from the custody of the juvenile division of the state department of corrections within the last five (5) years, or is mentally retarded, and any person who possesses any firearm, the possession of which is prohibited by any state or federal law relating to weapons or firearms, shall be ineligible to register pursuant to this article. Any purported registration by any of the above described persons shall be null and void.

(b) A person may not possess or harbor any firearm, whether concealed or not concealed, if such person is ineligible to register himself with the licensing authority pursuant to the provisions of this article.

(c) Any person who violates subsection (a) or (b) shall, upon conviction thereof, be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the first offense and not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) for the second offense and shall be punished as a misdemeanor for each subsequent offense by incarceration in the county jail for a term not to exceed six (6) months under procedures set forth.

(d) It shall be unlawful for any person to carry in any vehicle or about his person, except when on his land or in his own abode or fixed place of business, any rifle, shotgun, or other firearm provided that this subsection shall not apply to:

(1) Peace officers or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

(2) Wardens, superintendents, and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.

(3) Members of the armed services or reserve forces of the United States or the Illinois national guard or the reserve officers training corps, while in the performance of their official duty.

(4) Special agents employed by a railroad to perform police functions, or employees of a detective agency, watchman, guard or patrolman agency, licensed by the state, while actually engaged in the performance of the duties of their employment, or while commuting between their homes and places of employment.

(5) Agents and investigators of the Illinois Crime Investigating Commission authorized by the commission to carry weapons, while on duty in the course of any investigation for the commission.

(6) The manufacture, transportation, or sale of weapons to persons authorized under law to possess them.

(7) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using their firearms on such target ranges.

(8) Duly authorized military or civil organizations while parading, with the special permission of the governor.

(9) Licensed hunters or fishermen while engaged in hunting or fishing.

(10) Transportation of weapons broken down in a nonfunctional state or not immediately accessible.

(e) Any person violating the provisions of subsection (d) shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

(Code 1972, §§ 6-4-2--6-4-6)

Sec. 7-4. Discharge of firearms.¹

(a) No person shall fire or discharge any gun, pistol, or other firearms within the village, except upon the premises duly used for a licensed shooting gallery or gun club, or in accordance with the provisions of this Code.

(b) No cannon or piece of artillery shall be discharged or fired in any public way or other public place within the village, except upon the express permission of the board of trustees.

(c) The provisions of this section shall not apply to sheriffs, coroners, constables, members of the police force, or other peace officers engaged in the discharge of their official duties, or to any person summoned by any such officers to assist in making arrests or preserving the peace while such person so summoned is engaged in assisting such officer.

(Code 1972, § 6-4-39)

¹ State law reference- 720 ILCS 5/ 24, et seq.

Sec. 7-5. Certain weapons prohibited; sale of knives to minors.¹

(a) No person shall sell, offer for sale, keep, possess, loan, or give to any person any knife, the blade of which is released by a spring mechanism, including switchblades and any blackjacks, slungshots, sand clubs, sandbags, metal knuckles, or bludgeon. No person shall sell, offer for sale, loan or give to any person under eighteen (18) years of age or under any type or kind of knife, any blade of which is four (4) inches in length or longer.

(b) No person shall carry or possess any knife, the blade of which is released by a spring mechanism, including knives known as "switch-blades," any blackjack, slingshot, sand club, sandbags, metal knuckles, or bludgeon.

(1) No person under eighteen (18) years of age shall carry or possess any knife, the blade of which is four (4) inches in length or longer.

(2) No person shall carry or possess with intent to use same unlawfully against another a dagger, dirk, billy, dangerous knife, razor, stiletto, or other dangerous or deadly weapon.

(3) No person shall carry concealed on or about his person any of the items named above in this subsection. This provision shall not apply, however, to the following officers while engaged in the discharge of their official duties: Sheriffs, coroners, constables, policemen, or other duly constituted police officers, and wardens, superintendents, and keepers of prison penitentiaries, jails, and other institutes of detention for persons accused or convicted of crime, nor to the following employees or agents while engaged in the discharge of the duties of their employment: Conductors, baggagemen, messengers, drivers, watchmen, Special agents, and police engaged by railroads or express companies; nor to persons lawfully summoned by an officer to assist in making arrests, or preserving the peace, while so engaged in assisting such officers.

(4) Any persons violating the provisions of this subsection shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars (\$25.00) for each offense or shall be punished by imprisonment for a period of six (6) months, or by both fine and imprisonment.

(5) In addition to all other penalties, weapons used in violation of this subsection shall be forfeited to and confiscated by the village.

(Code 1972, §§ 6-4-40, 6-4-41)

¹ **State law references**-Unlawful use of weapons, Ill. Rev. Stat. Ch. 38, § 24-1; confiscation and disposition of weapons, Ill. Rev. Stat. Ch. 38, § 24-6.

Sec. 7-6. House or vehicle used in prostitution.

(a) Every house of ill-fame or house of assignation where men and women resort for the purpose of fornication, prostitution, or lewdness is hereby declared to be a nuisance.

(1) No person shall keep or maintain a house of ill-fame or assignation or a place for the practice of fornication, prostitution, or lewdness. Each twenty-four (24) hours that such house or place shall be kept or maintained for such purpose shall constitute a separate and distinct offense.

(2) No person shall patronize, frequent, be found in or be a inmate of any such house or place used for any of the purposes set forth in this section.

(3) No person shall lease to another any house, room, or other premises, in whole or in part, for any of the uses or purposes set forth in this section or knowingly permit the same to be used or occupied for such purposes.

(4) No person knowingly shall direct, take, transport, or offer to direct, take, or transport any person for immoral purposes of any other person, or assist any person by any means to seek or to find any prostitute or other person engaged in immoral practices, or any brothel, bawdy house, or any place of ill-fame.

(5) Any person that shall violate the provisions of this subsection shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) for each offense.

(b) No person shall knowingly receive any person for purposes of lewdness, assignation, or prostitution into or upon any vehicle or other conveyance or permit any person to remain for any

of such purposes in or upon any such vehicle or other conveyance. Any person that shall violate the provisions of this subsection shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, §§ 6-4-10, 6-4-11)

Sec. 7-7. Licenses; revocation.

The business license or liquor license of any person or employees thereof directly involved in the violation of section [7-6](#) of this article, or of the Criminal Code of 1961, may be revoked, and also the village license of the vehicle or conveyance used may be revoked in the discretion of the mayor. No license revoked under this section shall be reinstated until the lapse of a period of one (1) year after such revocation.

(Code 1972, § 6-4-12)

Sec. 7-8. Prostitution; nuisance declared.¹

Any prostitute, solicitor to prostitution, or any other person of evil fame or repute, plying his vocation upon the public ways or other public places in the village, is hereby declared to be a common nuisance and shall be fined not to exceed one hundred dollars (\$100.00) for each offense.

(Code 1972, § 6-4-13)

¹ **State law reference**-House of prostitution as public nuisance, Ill. Rev. Stat. Ch. 100 1/2, § 1 et seq.

Sec. 7-9. Inhabiting a house of prostitution; solicitation.

Any person who is a inmate of a house of ill fame or assignation, or place for the practice of fornication or prostitution or lewdness, or who shall solicit to prostitution in any street, alley, park or other place in the village, shall be fined not exceeding two hundred dollars (\$200.00).

(Code 1972, § 6-4-14)

Sec. 7-10. Obscene articles.

(a) It shall be unlawful for any person knowingly to exhibit, sell, print, offer to sell, give away, circulate, publish, distribute, or attempt to distribute any obscene book, magazine, pamphlet, photograph, motion picture film, play, image, instrument, statue, drawing, or other article which is obscene.

(b) "Obscene" for the purpose of this section is defined as follows: Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest.

(Code 1972, § 6-4-18)

Sec. 7-11. Obscene literature-Generally.

It shall be unlawful for any person to sell, or to offer to exhibit for sale, in sealed form, or in any form which indicates that the sale thereof is surreptitious or contrary to law, any book, pamphlet, or literature of any kind bearing the title of a book which the sale is prohibited, or bearing the title of a book of which the contents are actually lewd, lascivious, obscene, immoral or indecent. It shall likewise be unlawful to sell, or to offer or exhibit for sale, any book, pamphlet, or literature of any kind having anything about it which indicates that its contents are of obscene, immoral, lewd, lascivious, or indecent character, or to sell, or to offer or exhibit for sale, any book, pamphlet, or literature of any kind under the guise or pretense that the same is obscene, immoral, lewd, lascivious, or indecent, or in a manner that indicates concealment of anything as contrary to law or immoral contained therein or to use any pretense, trick, fraud, artifice, or device to convey the impression that such book, pamphlet or literature is lewd, lascivious, indecent, obscene, or immoral, whether such pretense, trick, fraud, artifice, or device is a misrepresentation in regard to the contents of the same or not.

(Code 1972, § 6-4-19)

Sec. 7-12. Same-Distributing to minors.

(a) It shall be unlawful for any person knowingly to exhibit, sell, offer to sell, give away, circulate, or distribute or attempt to distribute to any person under the age of seventeen (17) years any obscene book, magazine, pamphlet, paper, writing, cards, advertisement, circulars, print, picture, photograph, picture, film, play, image, instrument, statue, drawing or other material.

(b) "Obscene" for the purpose of this section is defined as follows: Whether the average person under seventeen (17) years of age or the person to whom the material is exhibited, sold, offered for sale, given away, circulated, or distributed, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests.

(c) In determining whether the publication or other material is obscene and whether the dominant theme of the material taken as a whole appeals to prurient interests, consideration shall be given to whatever artistic, literature, historical, or educational value the publication or other material may have for persons under the age of seventeen (17) years in the community and whether the probability of the appeal to prurient interests is so great as to outweigh whatever artistic, literary, historical, educational or other merits the publication or other material may possess.

(Code 1972, § 6-4-20)

State law reference-Similar provisions, Ill. Rev. Stat. Ch. 38, § 11-21.

Sec. 7-13. Obscene Conduct:

Any person who shall commit any indecent, lewd, or filthy act in any public place in the village; who shall utter any lewd or filthy words, sing any songs, the words of which are suggestive of indecency or immorality, or use any threatening or abusive language in the hearing of other persons; who shall make any obscene gesture in the presence of other persons; or who shall make any overture of lewdness, tending to pervert the morals of any person, upon or in the

public ways or other public places or in any public conveyance in the village, is hereby declared to be a common nuisance and shall be fined. not to exceed two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-4-16)

 **Sec. 7-14. Obscenity:**

(a) It shall be unlawful for any person knowingly to exhibit, sell, print, offer to sell, advertise, give away, circulate, distribute, or attempt to distribute any obscene book, magazine, pamphlet, photograph, motion picture film, image, drawing, or other representation or embodiment of the obscene to anyone under the age of eighteen (18).

(b) Any obscene material for sale in accordance with State law must be kept in concealed packaging.

(Code 1972, § 6-4-21)

 **Sec. 7-15. Museum Of Anatomy; Lewd Exhibitions Unlawful:**

(a) It shall be unlawful for any person to own or operate any exhibition commonly known as a museum of anatomy, or other exhibition, show, or place of amusement which is open to the general public, whether or not admission thereof is restricted by sex and age, or whether or not a fee for admission thereto is charged, wherein the principal part of the exhibition is illustrative of the human anatomy, or wherein are exhibited any books, pamphlets, circulars, pictures, charts, diagrams, models, casts, or other articles, paintings, drawings, or designs of any kind, illustrating or describing the genital organs or containing any obscene, lewd, indecent or immoral exhibitions of any kind, when such museum or other exhibition is conducted for gain or profit, either directly or indirectly, or for the purpose of advertising or in connection with a place where medical treatment is offered or medicine is sold, or for any immoral purposes.

(b) Any person violating any of the provisions of this section shall be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense, and each day's continuance of any violation of the same shall be deemed a separate offense.

(Code 1972, § 6-4-22)

Any person violating any provision of section [7-10](#), [7-13](#) or [7-14](#), upon conviction thereof, shall be fined in an amount not more than one hundred dollars (\$100.00). Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

 **Sec. 7-16. Certain Sirens Prohibited During War:**

For the duration of any war in which the United States is engaged, no person upon an authorized emergency vehicle shall sound a siren for any purpose. For the purposes of this section the term "siren" shall not include a foghorn when used for the protection of navigation in and about the metropolitan ship canal and Des Plaines River. This section shall not apply to any person officially designated by the mayor to sound a siren as an air raid alarm. Any person

violating the provisions of this section shall be fined not less than one hundred dollars (\$100.00) for each offense.

(Code 1972, § 6-4-34)

📖 Sec. 7-17. Defacing Public Property:

No person shall cut, injure, mark, or deface any public building, sewer, pipe, hydrant, other village property or any tree, grass, shrub, or walk in any public way or public park.

(b) Any person violating any provision of this section shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00) for each offense.

(Code 1972, § 6-4-31; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

📖 Sec. 7-18. Loitering:

(a) *Definitions:* For purposes of this section, the following terms shall have the meanings set forth below, unless the context clearly indicates or requires a different meaning. Where applicable, words used in the present tense include the future tense of the word and words in the singular include the plural form of the word.

Loitering: Remaining idle or lingering aimlessly in essentially one location. Loitering including lingering, loafing, wandering, standing around, and being dilatory. Persons waiting in line to purchase goods, services, or admission tickets shall not be deemed to be loitering.

Public Place: An indoor or outdoor area, whether publicly or privately owned, which the general public has access to and a right to resort for business, entertainment or other lawful purpose. Public places include, without limitation, streets, sidewalks, alleys, parks, and parking lots.

(b) It shall be unlawful for any person to loiter, either alone or in consort with others, in a public place with the intent or effect to:

(1) Warrant a reasonable person to believe that the purpose or effect of that behavior is to enable a person or persons to establish control over identifiable areas, to intimidate others from entering those areas, to conceal illegal activities, or for an independent illegal purpose;

(2) Commit in or upon any public street, highway, alley, parkway, parking lot, park or any other public place or any building any act or thing that is an obstruction or interference to the free and uninterrupted use or enjoyment of property or with any business lawfully conducted by any person in or upon or facing or fronting on any such public street, highway, sidewalk, alley, parkway, parking lot, park or any other public place or any building, all of which prevents the free and uninterrupted ingress, egress, to and from such premises; or

(3) Engage in activities, make loud noises, consume alcoholic beverages or create circumstances that afford probable cause for alarm or concern for the safety and well being of persons or for the security of public or private property in the surrounding area or jeopardize the health, safety, and welfare of citizens. Among the circumstances which may be considered in determining whether alarm is warranted is the fact that the person takes flight upon appearance

of a police officer, refuses to identify himself or herself, or manifestly endeavors to conceal himself or herself or any object; or

(4) To remain in or about any public place after such public facilities are closed to the public or to loiter where a “no loitering” sign or signs have been posted.

(c) This section does not prohibit picketing or orderly demonstration by labor unions or members of the public.

(d) When any person causes or commits any of the acts enumerated in subsection (b) above, a police officer or any other law enforcement officer shall: (i) inform such persons that they are engaged in loitering, which is prohibited; (ii) order that person or persons to stop causing or committing such acts and to move on or disperse; (iii) inform those persons that they will be subject to arrest if they fail to obey the order promptly or engage in further loitering within the sight or hearing of the place at which the order was issued during the next six (6) hours. Any person who fails or refuses to obey such orders is guilty of a violation of this section.

(Code 1972, § 6-4-56; Ord. 79-10, 6-7-1979; Ord. 2009-22, § 1, 10-26-2009)

Sec. 7-19. Communication Offenses; Alarms¹:

(a) No person, unless duly authorized, shall, open any signal box, except to give an alarm of fire or to communicate with the police on necessary business, nor break, cut, injure, deface, damage, derange, or in any manner meddle or interfere with any signal box or the fire alarm or police telegraph wires, or with any village electric wires, poles, conduits, or apparatus. Any person violating any of the provisions of this subsection shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00) for each offense.

(b) (1) It shall be unlawful for any person to make any call to "911" or to permit any call to "911" when, at the time the call or transmission is made, there is no reasonable ground for making the call or transmission and the call or transmission results in the emergency response of any public safety agency.

(2) The person shall be fined for each act of making a false "911" call. shall be a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00).

(3) The person who is found guilty of making a false "911" call shall also be responsible for the costs incurred by the village police, fire or public works department in responding to that false "911" call. The costs shall be calculated on the actual cost, including overtime, of the salaries of the police, fire and/or public works department employees, any outside automatic aid from other municipalities and the cost of the vehicles responding. at a rate of sixty five dollars (\$65.00) per hour for automobiles and one hundred twenty five dollars (\$125.00) per hour for each vehicle whose weight is greater than four thousand (4,000) pounds.

(Code 1972, §§ 6-4-32, 6-4-35; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998; Ord. 99-26, §§ 1-3, 8-9-1999)

¹720 ILCS 5/26-1(a)(2).

Sec. 7-20. Defacing Alarm Poles:

Any person who shall scratch, stencil, or post placards or bills on any of the poles used for wires of the police and or fire alarms telegraph, or in any other manner shall deface or injure the same. , shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00) for each offense.

(Code 1972, § 6-4-33; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

Sec. 7-21. Passing Police And Fire Lines:

No person shall pass police and fire lines for the purpose of gathering and editing spot news or photographing news events, unless such person is a legal holder of a press card.

(Code 1972, § 6-4-36)

Sec. 7-22. Glass Or Broken Items On Athletic Areas¹:

No person shall throw, drop, or place upon any baseball park, athletic field, or other place where games are played any bottle or other glass receptacle or any broken bottle or other broken instrument or thing.

(b) Any person violating any of the provisions of this section shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00) for each offense.

(Code 1972, § 6-4-38; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

¹415 ILCS 105/1.

Sec. 7-23. Parades; Open Air Meetings:

No parade shall be allowed on any public way or sidewalk, nor shall any open air public meeting be held in or upon any public way or upon any ground abutting upon any public way, including sidewalks, until a permit in writing therefor shall first be obtained from the president. Application to conduct such parade or procession or open air meeting shall be made in writing to the board of trustees at least thirty (30) days prior to the event by the person in charge or control thereof, or responsible therefor. Such application shall set forth the desired route along which such parade or procession is to proceed, the desired time of starting, the duration, the names of the persons or society in control thereof or responsible therefor, and the purpose of such parade or procession. In case of an open air meeting, such application shall specify the place at which it is desired to hold such meeting, the purpose thereof, the name of the person or society in control thereof or responsible therefor, the time at which such meeting is to be held and the probable duration thereof. Upon such application being made, the board of trustees shall investigate or cause to be investigated the person or society making such application and the truth of the statements made in such application regarding the purpose or object of such parade, procession or open air meeting.

(b) The board of trustees shall consider all applications for permits for parades or processions to be held on any public way, including sidewalks, and applications for permits for open air public meetings to be held in or upon any public way or upon any grounds abutting upon any public way, including sidewalks, and shall approve, disapprove or amend such applications. The

findings of the board shall be forwarded to the President for final action. If he shall be informed that such parade, procession or open air meeting is not to be held for any unlawful purpose and will not in any manner tend to be a breach of the peace, and will not unnecessarily interfere with the public use of the public ways, including sidewalks, of the Village or the peace and quiet of the inhabitants thereof, he shall issue such permit to the person or society making application therefor.

(c) Any person who participates in a parade, procession or open air meeting for which the required permit has not been obtained shall be in violation of this section.

(Code 1972, § 6-4-50)

¹625 ILCS 5/11-208(a)(3).

Sec. 7-24. Liquor Regulations:

(a) It shall be unlawful for any person to drink “alcoholic liquor”, as defined in section [3-81](#) of this code, on any public way in the village.

(b) It shall be unlawful for any person to transport, carry, possess, or have any alcoholic liquor in, upon or about any motor vehicle upon any public way in the village, except in the original package and with the seal unbroken.

(c) It shall be unlawful for any person under the age of twenty one (21) years to have any alcoholic liquor in his or her possession on any street or highway or in any public place or in any place open to the public. However, the possession and dispensing, or consumption by a person under twenty one (21) years of age of alcoholic liquor in the performance of a religious service or ceremony, is not prohibited by this section.

(d) The corporate authorities hereby designate the Lipinski Center as a building where alcoholic liquor may be sold or delivered at times to be specified in applicable rental agreements, in accordance with all other applicable legal requirements.

(e) Any person violating any provision of this section shall be guilty of a misdemeanor and shall be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00) and/or imprisoned for a period of six (6) months.

(Code 1972, § 6-4-51; Ord. 75-14, 9-4-1975; Ord. 2009-01B, § 2, 2-9-2009; Ord. 2010-03, § 2, 2-18-2010)

Sec. 7-25. Racetrack Messenger And Contract Wagering Services¹:

It shall be unlawful for any person to offer services to make bets for a second person at racetracks or to engage in the activity known as racetrack messenger service or runner; or to enter into a contract or agreement with another whereby the parties agree that for a specified fee, an amount of money furnished by one party will be transferred or transported by the second party to a designated racetrack where pari-mutual wagering is permitted by law, and that the second party will place wagers for the first party in conformance with the contract or agreement, and that any winning wagers will be collected and returned to the first party at a designated place.

(Code 1972, § 6-4-52; Ord. 77-8, 1-20-1977)

¹720 ILCS 5/28-7, 5/37-1 et seq.

📖 Sec. 7-26. Real Estate Sale; Misrepresentation Zone:

It shall be unlawful for any person to advertise or otherwise publicize for the sale of real estate, stating that the property involved can be converted to a two-flat, three-flat, four-flat, or other multiple unit of living quarters where such property is not located in an area wherein it is properly provided by the zoning code for the existence of such units, without stating further that a zoning variation must first be obtained; or to further state that such property has been approved for such accommodations where a variation in the zoning has not actually been obtained.

(Code 1972, § 6-4-56; Ord. 79-27, 10-4-1979)

📖 Sec. 7-27. Sale Of Spray Paint To Minors¹:

It shall be unlawful for any person to sell or deliver spray paint in an aerosol can to a person less than eighteen (18) years of age within the village.

(Ord. 86-18, § 1, 5-27-1986)

¹65 ILCS 5/11-1-8.

📖 Sec. 7-28. Skateboards And Bicycles In Parks:

It shall be unlawful for any person to use a skateboard or bicycle in any park area, including, but not limited to, tennis courts.

(Ord. 88-18, § 1, 7-25-1988)

📖 Sec. 7-29. Private Alarm Systems And Outside Alarms:

(a) Definitions:

Burglar Alarm Or Private Alarm System: One which is connected directly to an alarm panel located with the Police Department communications center, or One which is activated at an outside location and communicated to the Police Department facility via telephone lines or other electronic methods.

Outside Alarm: A warning device mounted on the outside of a building which sounds continually when set off or activated.

(b) *Connection Permit:* The Village Police Department is hereby authorized to permit the connection of private alarm systems, both commercial and residential, both to a receiving panel or to the telephone located in the Police Department.

(c) *Connection Fees:* A fee of fifty dollars (\$50.00) shall be charged for the initial connection. A fee of twenty five dollars (\$25.00) shall be charged for each subsequent year that the private alarm system remains connected. The permittee shall pay all costs and expenses in connection with such installation and shall sign a contract agreeing to the terms of this Section. Further, the Village reserves the right to select, inspect and approve all installations and to require reimbursement for actual costs incurred. The Village Electrical Inspector shall conduct such inspections.

(d) *Transmission Of False Alarm*: It shall be a violation of this Section for any person, party, corporation or owner or agent thereof to cause the transmission of a false alarm. A permittee shall be deemed to be responsible for all false alarms received through his individual connection.

(e) *False Alarm Defined*: A "false alarm" is defined as one caused by mechanical problems, human error or omission. An outside alarm set off by mechanical problems, human error or omission shall be considered a false alarm.

(f) *Allowable False Alarms*: Each person or establishment shall be allowed a total of three (3) false alarms within a one year period. This period shall be concurrent with the fiscal year of the Village (May 1 through April 30).

(g) *Excess False Alarms*: Whenever it appears that a false alarm has been received over and above the number specified in subsection (f) of this Section, the Chief of Police or his authorized representative shall immediately issue a minor ordinance violation notice (P Ticket). The provisions of Section [6-5](#) of this Code shall apply to the issuance of such citation.

(h) *False Alarm Fee*: The fee for such false alarm violations shall be forty dollars (\$40.00) for each occasion.

(i) *Connection Fee Waived*: All alarms connected to the police facility as of the effective date of this Section shall not be charged an initial connection fee.

(j) *Liability*: Nothing contained herein shall be deemed to reduce the permittee's liability to prosecution and damages, criminal or civil, for the wilful transmission of a false alarm.

(k) *Inspection Fees*: Inspection fees will be as set forth in Section [13-1](#) of this Code.

(Code 1972, § 6-4-55; Ord. 83-19, 7-21-1983; Ord. 89-1, § 1, 6-12-1989; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

Sec. 7-30. Loitering Prohibited To Certain Individuals:

(a) It shall be unlawful for any habitual drunkard, any person known to be a narcotic addict, any person known to be a prostitute, or any person who aids or abets prostitution, or for any person previously convicted of a felony, or prostitution, or of aiding and abetting prostitution, to assemble or congregate with other persons of any of the foregoing classes in or upon the public ways or other public places in the village, or to loaf or to loiter in or about or frequent the premises of any place where intoxicating liquors are sold.

(b) Any person convicted of a violation of this section shall be fined not to exceed fifty dollars (\$50.00).

(Code 1972, § 6-4-15)

Sec. 7-31. Public Indecency¹.

Any person who shall appear in a public place in a state of nudity or in a dress not belonging to his sex, with intent to conceal his sex, or in an indecent or lewd dress, or who shall make any indecent exposure of his person. , shall be fined not more than one hundred (\$100.00) dollars for each offense.

(Code 1972, § 6-4-17)

¹ State law reference-Similar provisions, Ill. Rev. Stat. Ch. 38, § 11-9 720 ILCS 5/11-30.

📖 Sec. 7-32. Pay telephones; unlawful use.

(a) It shall be unlawful for any person to insert, or attempt to insert, into the coin box or money receptacle of any telephone, any slug, button, or other substance, or to manipulate or operate or to attempt to manipulate or operate, in any manner whatever, any telephone instrument or any mechanism or device connected or commonly used therewith, with the intent to obtain telephone service without paying therefor.

(b) It shall be unlawful for any person to insert, or attempt to insert into the coin box or money receptacle of any telephone, any slug, button, wire, hook, or other implements or substances with the intent to extract from such coin box or money receptacle a legal tender or coin of the United States.

(Code 1972, § 6-4-23)

📖 Sec. 7-33. Discriminatory action.

(a) It is unlawful for any person to create a clear and present danger of a riot or assault, battery, or to create a clear and present danger of arson, vandalism, defacement, or other unlawful trespass against property against any person or group of persons because of his or their ~~race, religion, color, national origin, or ancestry~~ possession, or authorized user or users of such property, or, in case of a cemetery, of the decedent buried therein.

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00), or shall be imprisoned for not less than ten (10) days nor more than six (6) months, or both, for each offense.

(Code 1972, § 6-4-26)

📖 Sec. 7-34. Criminal damage to property.

Any person who willfully defaces, mars, injures, destroys, or removes any vault, tomb, monument, gravestone, memorial of the dead, church, synagogue, or any other structure constituting a place of worship of any religion, sect, or group, or any part of any contents thereof, or any fence, tree, shrub, or plant appurtenant thereto, shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or imprisoned for a period of six (6) months. Each separate violation shall constitute a separate offense.

(Code 1972, § 6-4-27)

📖 Sec. 7-35. Criminal trespass to property.

(a) No person shall commit criminal trespass to property.

(b) A person commits criminal trespass to property when he knowingly:

(1) Enters the property, or any part thereof, of another when, immediately prior to such entry, he receives notice, either oral or written, from the owner or occupant that such entry is forbidden;

(2) Remains upon the property, or any part thereof, of another after receiving notice, either written or oral, from the owner or occupant to depart;

(3) Enters upon property open to the public, or any part thereof, and remains thereon, with a malicious and mischievous intent after receiving notice, either written or oral, from the owner or occupant to depart.

(c) Any person convicted of committing criminal trespass to property shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00).

(Code 1972, § 6-4-28)

Sec. 7-36. Possession of burglary tools.

A person commits the crime of possessing burglary tools when he possesses any tools, key instruments, device, or any explosive suitable for use in breaking into any building, house trailer, watercraft, aircraft, vehicle, railroad car, or any depository designed for the safekeeping of property, or any part thereof, with intent to enter any such place and with intent to commit therein a felony or theft.

(Code 1972, § 6-4-37)

Sec. 7-37. Discharging toy firearms, etc.

No person shall at any time discharge or set off anywhere in the village, or have within his possession, any toy firearm, air rifle, toy cannon, or any gun, device, or bow and arrow that discharges projectiles either by air, spring, explosives, substance, or any other force. Any person violating any of the provisions of this section shall be fined not more than two hundred dollars (\$200.00) for each offense.

(Code 1972, §§ 6-4-42, 6-4-43)

Sec. 7-38. Assault¹.

A person commits assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery. A person convicted of assault shall be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00).

(Code 1972, § 6-4-44)

¹State law reference-Assault, Ill. Rev. Stat. Ch. 38, § 12-1.

Sec. 7-39. Battery¹.

(a) A person commits battery if he intentionally or knowingly without legal justification and by any means:

(1) Causes bodily harm to an individual; or

(2) Makes physical contact of an insulting or provoking nature with an individual.

(b) A person convicted of battery shall be guilty of a misdemeanor and shall be fined not to exceed five hundred dollars (\$500.00) and shall not be imprisoned in the penitentiary but may be imprisoned in a penal institution such as a jail not to exceed six (6) months.

(Code 1972, § 6-4-45)

¹State law reference-Battery, Ill. Rev. Stat. Ch. 38, § 12-3. 720 ILCS 5/12-3

 **Sec. 7-40. Theft¹.**

A person commits theft when he knowingly:

(1) Obtains or exerts unauthorized control over property of the owner;

(2) Obtains by deception control over property of the owner;

(3) Obtains by threat control over property of the owner; or

(4) Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him to believe that the property was stolen; and

a. Intends to deprive the owner permanently of the use or benefit of the property;

b. Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or

c. Uses, conceals or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

A person convicted of theft of property not from a person and not exceeding one hundred fifty dollars (\$150.00) in value shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars (\$100.00) nor more than five hundred dollars (\$500.00), or imprisoned in a penal institution other than a penitentiary for not more than one (1) year, or both.

(Code 1972, § 6-4-46)

¹State law reference-Theft, Ill. Rev. Stat. Ch. 38, § 16-1.

 **Sec. 7-41. Theft of lost or mislaid property¹.**

A person who obtains control over lost or mislaid property commits theft when he:

(1) Knows or learns the identity of the owner or knows, or is aware of, or learns of a reasonable method of identifying the owner;

(2) Fails to take reasonable measures to restore the property to the owner; and

(3) Intends to deprive the owner permanently of the use or benefit of the property.

A person convicted of theft of lost or mislaid property shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00), or double the value of the property, whichever is greater.

(Code 1972, § 6-4-47)

¹State law reference-Theft of lost or mislaid property, Ill. Rev. Stat. Ch. 38, § 16-2.720 ILCS 5/16-2

 **Sec. 7-42. Impersonating police officer¹.**

(a) No person shall falsely assume or pretend to be a police man or a member of the department of police or, without being a member of the department of police, wear in public the uniform adopted as the police uniform.

(b) No person shall counterfeit or imitate, or cause to be counterfeited or imitated, any badge, sign, or device adopted by the department of police, nor shall any person use or wear any badge, sign, signal, or device adopted or used by the department or any of the same similar in appearance thereto. , without authority so to do from the board.

(c) Any person violating any of the provisions of this section shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense.

(Code 1972, § 6-4-49)

¹ State law reference-Similar provisions, Ill. Rev. Stat. Ch. 38, § 17-2.

 **Sec. 7-43. Possession of cannabis¹.**

(a) As used in this section, "cannabis" includes marijuana, hashish and other substances which are identified as including any parts of the plant Cannabis sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis.

(b) It shall be unlawful for any person under age 21 to possess, consume, use, purchase, obtain or transport any quantity of any substance containing cannabis unless they are a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act. It is unlawful for any parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the age of 21, in a manner that constitutes a violation of this section. A parent or guardian is deemed to have knowingly permitted such conduct if he or she knowingly authorizes or permits consumption of cannabis by underage invitees. A person who is under 21 years of age may not present or offer to a cannabis business establishment or the cannabis business establishment's principal or employee any written or oral evidence of age that is false, fraudulent, or not actually the person's own, for the purpose of 1) purchasing, attempting to purchase, or otherwise

obtaining or attempting to obtain cannabis or any cannabis product; or 2) gaining access to a cannabis business establishment.

(c) Only an Illinois resident 21 years of age or older who is a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act may cultivate cannabis plants subject to the following limitations:

(1) A limit of 5 plants that are more than 5 inches tall per household;

(2) Cannabis cultivation must take place in an enclosed, locked space, are secure from unauthorized access, including unauthorized access by a person under 21 years of age, and shall not be stored or placed in a location where they are subject to ordinary public view.

(3) Adult registered qualifying patients may purchase cannabis seeds from a dispensary for the purpose of home cultivation. Seeds may not be given or sold to any other person;

(4) Cannabis cultivation may occur only on residential property lawfully in possession of the cultivator or with the consent of the person in lawful possession of the property. An owner or lessor of residential property may prohibit the cultivation of cannabis by a lessee;

(5) A dwelling, residence, apartment, condominium unit, enclosed, locked space, or piece of property not divided into multiple dwelling units shall not contain more than 5 plants at any one time; and,

(6) Cannabis plants may only be tended by registered qualifying patients who reside at the residence, or their authorized agent attending to the residence for brief periods, such as when the qualifying patient is temporarily away from the residence.

(d) Possession Limits.

(1) Illinois Resident 21 years of age or older, the possession limit is:

(i) 30 grams of cannabis flower;

(ii) no more than 500 milligrams of THC contained in cannabis-infused product;

(iii) 5 grams of cannabis concentrate; and

(iv) for registered qualifying patients, any cannabis produced by cannabis plants grown under subsection (c) of this section, provided any amount of cannabis produced in excess of 30 grams of raw cannabis or its equivalent must remain secured within the residence or residential property in which it was grown.

(2) Non-Resident 21 years of age or older, the possession limit is:

(i) 15 grams of cannabis flower;

(ii) 2.5 grams of cannabis concentrate; and

(iii) 250 milligrams of THC contained in a cannabis-infused product.

The possession limits found above are to be considered cumulative.

(e) Notwithstanding the allowances provided above, it shall be unlawful for any person to:

(1) Possessing or using cannabis in a school bus or on the grounds of any school unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;

(2) Possessing cannabis in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed container and reasonably inaccessible while the vehicle is moving;

(3) Possessing or using cannabis in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;

(4) Using cannabis in any motor vehicle, public place, or knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Program Act;

(5) Smoking cannabis in any place where smoking is prohibited by law;

(6) Facilitating the use of cannabis by any person who is not allowed to use cannabis under this section or the Compassionate Use of Medical Cannabis Program Act;

(7) Transferring cannabis to any person contrary to this section or the Compassionate Use of Medical Cannabis Program Act; or,

(8) The use of cannabis by a person who has a school bus permit or a Commercial Driver's License while on duty.

(f) Any person convicted of any violation of the provisions of this section shall be fined two hundred fifty dollars (\$250.00) for the first offense and five hundred dollars (\$500.00) for each subsequent offense.

(Code 1972, § 6-4-53; Ord. No. 78-2, 1-5-78; Ord. 2020-06, §3, 01-13-2020)

¹**State law reference-** 720 ILCS 550/1 et seq; Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130 et seq.

Sec. 7-44. Drug paraphernalia.¹

(a) Except as otherwise authorized by or licensed through the Cannabis Regulation and Tax Act or the Compassionate Use of Medical Cannabis Pilot Program Act, it shall be unlawful for any person to exhibit, sell, display for sale, offer to sell, give away or have in his possession, with the intent to give away, any paraphernalia, articles or equipment, as further defined in subsection (b), commonly used in aiding the consumption or ingestion of a controlled substance or cannabis as defined by the Illinois Controlled Substances Act, as amended, except if such articles or equipment are prescribed for strictly medical purposes and are used as such. Any person in violation of this section shall be fined not less than seven hundred fifty (\$750.00) dollars.

(b) The terms "paraphernalia," "articles" and "equipment" commonly used in aiding the consumption or ingestion of controlled substances shall include, but are not limited to, the following items or articles: cocaine spoons and vials; pot pipes; water, carburetor, electric or air-

driven pipes; hypodermic needles; syringes; carburetion tubes and devices; chillums, ice pipes, or chillers; and bongs.

(Code 1972, § 6-4-54; Ord. No. 78-11, 3-16-78; Ord. 2020-06, §4, 01-13-2020)

¹State law references--720 ILCS/600, et seq.

Sec. 7-45. Disorderly conduct.

(a) A person shall commit disorderly conduct when he knowingly:

(1) Does any act in such unreasonable manner as to provoke, make or aid in making a breach of peace;

(2) Does or makes any unreasonable or offensive act, utterance, gesture or display which, under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence;

(3) Refuses or fails to cease and desist any peaceful conduct or activity likely to produce a breach of peace where there is an imminent threat of violence, and where the police have made all reasonable efforts to protect the otherwise peaceful conduct and activity, and have requested that such conduct and activity be stopped and have explained the request if there is time;

(4) Fails to obey a lawful order of dispersal by a person known by him to be a peace officer under circumstances where three (3) or more persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance, or alarm;

(5) Assembles with three (3) or more persons for the purpose of using force or violence to disturb the public peace;

(6) Appears in any public place manifestly under the influence of alcohol, narcotics, or other drugs, not therapeutically administered, to the degree that he may endanger himself or other persons or property or annoy persons in his vicinity;

(7) Carries in a threatening or menacing manner, without authority of law, any pistol, revolver, dagger, razor, dangerous knife, stiletto, knuckles, slingshot, an object containing noxious or deleterious liquid, gas or substance or other dangerous weapon, or conceals such weapon on or about the person or vehicle;

(8) It shall be unlawful for any person to engage in picketing activities in front of, near or about any childcare facility, nursing facility, health clinic, hospital facility, school, place of worship, or library facility, while using any bullhorn or sound amplification device transmitting sound that can be heard inside the structure, and is unreasonably disruptive to the operations conducted therein, or the peace and tranquility of the infants, children, students, residents, patrons, or patients occupying the same.

(b) A person convicted of disorderly conduct shall be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) for each offense.

(Code 1972, § 6-4-25; Ord. 2019-11, §1, 4-22-2019)

📖 Sec. 7-46. Disorderly House¹:

Every common, ill governed, or disorderly house, room or other premises kept for the encouragement of idleness, illegal gambling, drinking, fornication, or other such misbehavior is hereby declared to be a nuisance, and all persons patronizing or frequenting the same shall be fined. an amount not to exceed two hundred dollars (\$200.00).

(Code 1972, § 6-4-29; Ord. 2012-16, § 3, 6-11-2012)

¹ 65 ILCS 5/11-5-1; 740 ILCS.

📖 Sec. 7-47. Disturbing The Peace, Religious Assemblies:

Any person who shall disquiet or disturb any congregation or assembly met for religious worship, by making noise, or by rude and indecent behavior or profane discourse within the place of worship, or so near to the same as to disturb the order and solemnity of the meeting, shall be ~~fined not exceeding fifty dollars (\$50.00) for each offense.~~

(Code 1972, § 6-4-30)

📖 Sec. 7-48. Curfew For Minors:

(a) It shall be unlawful for any 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:

<u>Starting On</u>	<u>Until</u>
Monday evening at 11:00 P.M.	6:00 A.M. Tuesday
Tuesday evening at 11:00 P.M.	6:00 A.M. Wednesday
Wednesday evening at 11:00 P.M.	6:00 A.M. Thursday
Thursday evening at 11:00 P.M.	6:00 A.M. Friday
Friday evening at 12:01 A.M. Saturday	6:00 A.M. Saturday
Saturday evening at 12:01 A.M. Sunday	6:00 A.M. Sunday
Sunday evening at 11:00 P.M.	6:00 A.M. Monday

(b) A citation for violation of subsection (a) of this section shall not be issued if the police officer determines upon questioning that one of the following exceptions is applicable:

- (1) The minor is accompanied and supervised by a parent, legal guardian, or a responsible person at least twenty-one (21) years of age; or
- (2) The minor is accompanied by a sibling, stepbrother or sister, or a responsible companion at least eighteen (18) years of age approved by the parent or legal guardian; or

(3) The minor is engaged in a business or occupation which the laws of this state authorize a person less than seventeen (17) years of age to perform; or

(4) The minor is participating in, going to, or returning from:

A. A school activity;

B. A religious or political event;

C. An emergency involving the protection of a person or property from imminent threat of harm or damage;

D. An activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults;

E. An activity involving the exercise of the child's rights to freedom of speech, or the right to assemble and petition, or other right protected under the First Amendment to the United States Constitution or Article 1, Sections 3, 4 and 5 of the Constitution of the State of Illinois or both.

(c) It shall be the duty of all police officers upon discovering any child in violation of this section to inquire of such child as to his or her name, age and place of residence or guardian, and to see that such child is promptly returned to the parent, custodian or legal guardian.

(d) Upon a police officer's reasonable belief that a minor is in violation of this section and if the police officer is unable to promptly return a minor to the parent, custodian or legal guardian of the minor, said minor may be detained until the parent or guardian of the minor shall take such minor into custody. A police officer shall, upon taking custody of a minor under this section, make reasonable attempts to contact the parent or guardian of the minor in custody.

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

(f) Any person violating this section shall be fined not less than fifty dollars (\$50.00) for the first offense, seventy-five dollars (\$75.00) for the second offense and not more than five hundred dollars (\$500.00) for any subsequent offense.

(Code 1969, Ch. 19, Art. 2; Code 1972, §§ 6-8-1-6-8-3; Ord. 91-37, § 1, 11-11-1991; Ord. 2004-11, § 1, 4-26-2004)

Sec. 7-49. Penalty:

Any person violating any of the provisions of this article, where no other penalty is provided, shall be fined not less than twenty-five dollars (\$25.00) nor more than seven hundred fifty dollars (\$750.00) for each offense.

(Code 1972, § 6-4-24; Ord. 2004-11, § 2, 4-26-2004)

Sec. 7-50. Graffiti:

(a) It is unlawful for any person to inscribe, draw, or otherwise place upon the surface of any structure or wall that is privately or publicly owned, any word, phrase, diagram, symbol, sketch or letters where the contents thereof are visible to any member of the general public.

(b) Graffiti must be removed from commercial or multi-family property within three (3) days of discovery and written from the Police Department to the owner of the premises.

(c) Graffiti must be removed from residential (R-1) property within fourteen (14) days of discovery and written notice from the Police Department or to the owner of the premises.

(d) Any person violating the provisions of this section shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00). If gang related symbols are used, the fine imposed shall be double the amount.

In addition, a mandatory requirement shall be imposed by any court finding a person guilty of violating the provisions of this section as a condition to any probation or supervision that full and complete restitution be made to the owner of the property for expenses incurred in the removal of the material and repair of the structure or wall.

(Ord. 92-10, § 1, 3-9-1992)

 **Sec. 7-51. Reserved:**

 **Sec. 7-52. Reserved:**

 **Sec. 7-53. Gang Recruitment:**

No person shall force, threaten to use force, intimidate or coerce another, by any means, to join any group, club or organization.

(This section shall not apply to persons engaged in lawful concerted activities governed and protected by the federal statute commonly known as the "national labor relations act.")

Any person violating any of the provisions of this section shall be fined not less than five hundred dollars (\$500.00).

(Ord. 92-11, § 1, 3-9-1992)

 **Sec. 7-54. Outdoor Water Use Restrictions:**

(a) No person shall, during the period of May 15 through September 15, permit or sprinkle any lawn, garden or landscape area during the hours of 10:00 a.m. to 4:00 p.m. Lawn sprinkling shall not occur on consecutive days and is only allowed on an odd/even basis – sprinkling is permitted on odd calendar days if the last digit of the street address is an odd number or on even calendar days if the last digit of the street address is an even number. New lawns less than three (3) months old are exempt from the foregoing restrictions.

(b) After a temporary emergency water shortage is declared by the mayor, no person shall use water for any outside purpose, including but not limited to, watering of lawns; watering of

gardens; watering of landscaping; washing of cars; washing of outside areas such as windows, buildings, sidewalks or driveways; or filling of swimming pools during prohibited hours.

(c) For the purposes of this section, the word “sprinkle” means the use of any device for distributing water over an area not under the active control and in the possession of a person such as by a mechanical or automatic sprinkler or sprinkler system.

(d) For the purposes of this section, the word “watering” means the distribution of water over an area under the active control and in the possession of a person such as by hose or sprinkling can.

(e) All new and replacement sprinkler systems shall be equipped with a WaterSense labeled irrigation controller and shall otherwise be in compliance with Section 2.5(g) of the Illinois Plumbing License Law.

(Ord. 2015-16, § 1, 9-28-2015)

Sec. 7-55–7-85. Reserved:

ARTICLE II. ANIMALS^{1,2}

¹ See also § [3-521](#) et seq., and § [5-133](#), of this code.

² 65 ILCS 5/11-20-9, 11-40-1; 520 ILCS; 225 ILCS 115/1 et seq.; 410 ILCS 40/1 et seq.

DIVISION I. GENERALLY

Sec. 7-86. Animal Warden–Generally:

There is hereby created the office of animal warden. The animal warden shall be appointed by the President with the advice and concurrence of the Board. The President and the board may designate such person as they deem appropriate, whether residing within or outside the village, to act as animal warden. His term shall commence on May 1 and shall expire on April 30 of each year.

(Code 1972, §§ 6-5-21, 6-5-1924)

Sec. 7-87. Animal Warden-Duties:

(a) The animal warden shall be an auxiliary police officer for the purpose of enforcing the provisions of this article and shall perform his duties under the supervision of the chief of police. He is hereby authorized to make all necessary arrests in carrying out the provisions of this article. The duties of the animal warden shall be in addition to the enforcement by the police department.

(b) The animal warden shall submit monthly reports to the chief of police setting forth the number of animals impounded indicating the breed, sex and color, and the number of animals

disposed of or redeemed, the number of arrests made and/or warning tickets issued and the names and addresses of any owner or keeper of animals involved.

(c) For purposes of carrying out the provisions of this Code and making inspections hereunder, the animal warden or his authorized representative, or any officer of the law, may enter upon private premises to apprehend a straying dog or other animal, a dangerous or vicious dog or other animal, or a dog or other animal thought to be infected with rabies. If, after request therefore the owner of such dog or animal shall refuse to deliver the dog or other animal to the warden or officer, the owner shall be in violation of this Code.

Sec. 7-88. Animal Warden-Compensation:

The animal warden shall receive such compensation as shall be determined in accordance with section [2-34](#) of this code.

(Ord. 70-6, 4-6-1970; Code 1972, § 6-5-26)

Sec. 7-89. Raising Of Animals:

(a) No person shall keep or maintain any animals for breeding purposes within the corporate limits of the village, except in conformity with the provisions of this code.

(b) Any person violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00).

(Code 1972, § 6-5-1)

Sec. 7-90. Raising Or Slaughtering Animals, Poultry or Fowl:

It shall be unlawful for any person to keep or raise any cattle, hogs, sheep, or poultry, or any similar animal which can be used for food purposes, within three hundred feet (300') of any residence or school. It shall be unlawful to slaughter or kill any poultry or fowl, or use any house, place or building in which the business of slaughtering such poultry or fowl may be carried on in the village, unless such house, place or building is not less than three hundred feet (300') from any residence or school.

(Code 1969, Ch. 5; Code 1972, § 7-2-28)

Sec. 7-91. Housing Of Animals¹:

(a) Any person keeping, breeding or raising animals within the corporate limits of the village where such is permitted by ordinance shall provide animals with adequate space and housing. Housing shall not be of unsightly nature and shall conform to provisions of this code and the laws of the state with regard to health and sanitation regulations. Same shall be kept and maintained in a clean and sanitary condition and such enclosures, barns or kennels shall be subject to inspection at all reasonable hours by the board of health, the animal warden, or the police department of the village.

(b) Any person violating the provisions of this section shall be fined not more than fifty dollars (\$50.00).

(Code 1972, § 6-5-2)

¹ 510 ILCS 70/1 et seq.

 **Sec. 7-92. Animal Refuse:**

(a) It shall be unlawful for any person to allow any animal to deposit any dung or offal on any property other than that of the owner.

(b) Any person violating the provisions of this section shall be fined not more than fifty dollars (\$50.00).

(Code 1972, § 6-5-3)

 **Sec. 7-93. Diseased Animals¹:**

(a) No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of a person or animal may be affected; nor shall any diseased animal be shipped or removed from the premises of the owner thereof, except under supervision of the health officer and the animal warden.

(b) It is hereby made the duty of the health officer and the animal warden to secure such disposition of any diseased animals and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except in cases where the state department of agriculture is empowered to act.

(c) Any person violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00).

(Code 1972, § 6-5-6)

¹ 510 ILCS 50/1 et seq.; 720 ILCS 575/258.

 **Sec. 7-94. Noise¹:**

It shall be unlawful for any person to harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night.

(Code 1972, § 6-5-7)

¹ 65 ILCS 5/11-5-2.

 **Sec. 7-95. Stray Animals:**

(a) It shall be the duty of the owner of any animal to keep same confined within a pen or kept on a leash. No animal shall be allowed to roam at large in the Village. It shall be unlawful to picket or tie any animal on public property or private property other than that of the owner for the purpose of grazing, feeding or exercising.

(b) Any animal found at large or unlawfully picketed shall be taken up and impounded in the manner provided in this article.

(Code 1972, § 6-5-8)

Sec. 7-96. Impounding And Disposal:

There shall be provided and maintained at some suitable place an animal control center for the impounding of all animals found running at large in violation of this article. The community police officer, animal warden or a police officer may impound in the animal control center unlicensed dogs four (4) months of age and over; any dog found running at large; any abandoned animal; any dangerous animal that has acted in a threatening or terrorizing manner or who has bitten or attempted to bite a person or animal; vicious dogs; or any animal maintained in violation of this Code.

(Code 1972, § 6-5-21; Ord. 2007-09, § 3, 7-23-2007)

Sec. 7-97. Impounding Fees; Redemption:

(a) If an animal is impounded, the animal warden shall be entitled to the following fees:

(1) If any animal is redeemed by the owner, the redemption fee shall be as set forth in section [13-1](#) of this code per day for each day subsequent to the day of impounding.

(2) If any animal is not redeemed by the owner, the village shall pay the animal warden such fees as shall be determined by resolution of the board.

(b) All impounded animals, except for vicious dogs, shall be held for a period of three (3) days and may be redeemed by the owner as long as the animal has a current license tag and all fees are paid.

(c) **b** A vicious animal as defined in this code that has been impounded under provisions of this section may not be redeemed and shall be humanely euthanized pursuant to the Illinois Humane Care for Animals Act upon such determination, provided that in all cases where the animal has bitten any person or caused an abrasion of the skin of such person, no injury shall be done to the head of the animal, and it shall be the duty of the person euthanizing the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the Cook County rabies control department.

(Code 1972, § 6-5-22; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998; Ord. 2007-09, § 4, 7-23-2007)

Sec. 7-98. Cruelty To Animals¹:

(a) No person shall cruelly treat any animal in any way. Any person inhumane beating, underfeeding, overloading or abandoning any animal shall be deemed guilty of a violation of this section.

(Code 1972, § 6-5-9)

¹ 510 ILCS 70/3.01; 65 ILCS 5/11-5-6.

📖 Sec. 7-99. Destroying Of Animals:

When it is deemed necessary in the interest of public safety or in the interest of humane treatment, the animal warden or the police department may destroy animals.

(Code 1972, § 6-5-10)

📖 Sec. 7-100. Animal Bites¹:

Whenever any animal bites any person, the owner of the animal or any person having knowledge of the bite shall immediately notify the chief of police. The chief of police shall cause the animal to be confined under the supervision of a licensed veterinarian for a period of at least ten (10) days. If at the end of the ten (10) day period, the veterinarian determines that the animal has symptoms of rabies, it shall be destroyed and the head sent to the state department of health for examination for rabies. Any expense incurred in the handling of any animal under this section shall be borne by the owner or keeper.

(Code 1972, § 6-5-18)

¹ 510 ILCS 5/13.

📖 Sec. 7-101. Symptoms Of Rabies¹:

The owner of any animal which exhibits symptoms of rabies and any animal in direct contact with such animal, whether or not such animals have been vaccinated, shall immediately notify the chief of police and shall promptly confine such animals, or have them confined, under suitable observation, for a period of at least ten (10) days, unless officially authorized by the chief of police in writing to release them sooner.

(Code 1972, § 6-5-19)

¹ 510 ILCS 5/12.

📖 Sec. 7-102. Leghold Traps¹:

(a) No person shall use or permit the use of any leghold animal trap or similar device with spring activated jaws of the type used for the trapping of furbearing animals which is capable of inflicting cruelty upon animals or which constitutes a hazard to small children.

(b) Any person violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00).

(Code 1972, § 6-5-27; Ord. 83-17, 7-21-1983)

¹ 520 ILCS 5/2.33a.

📖 Sec. 7-103. Vicious And Wild Animals; Dogfighting; Number Of Certain Animals Kept:¹

(a) Definitions: The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Attack: Any aggressive, menacing or vicious physical contact between any dog and any person or other animal including but not limited to contact of the mouth or teeth of the dog with the victim of the attack and any striking or scratching of the victim of the attack by the paws of any dog, regardless of whether or not such actions result in injuries of any kind sustained by a victim.

Bite: Seizing with the teeth or jaws so that the person or other animal seized has been nipped, gripped, cut, wounded or pierced, and further includes the contact of saliva with any break or abrasion of the skin.

Confinement Structure: A securely locked pen, kennel or other structure at least six feet (6') in height, forming or causing an enclosure suitable to prevent the entry of young children and suitable to confine a vicious or dangerous dog. Such enclosure shall be securely enclosed and locked and designed with secure sides, top and bottom, shall be designed to prevent the animal from escaping from the enclosure, shall comply with all building and zoning regulations of the village, shall be adequately lighted and ventilated, and shall be kept in a clean and sanitary condition.

Dog, Dangerous: Any dog which, unmuzzled, in a vicious or terrorizing manner, approaches any person or other animal in an apparent attitude of attack upon any street, sidewalk or any public grounds or place, or any premises other than those of its owner, and which does not cause serious physical injury, provided that such approach is unprovoked.

Dog, Vicious:

(1) Any dog with a known tendency, propensity or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals;

(2) Any dog which has caused serious physical injury as defined in this section.

(3) Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal on public or private property;

(4) Any dog owned or harbored primarily or in part for the purpose of dogfighting, or any dog trained for dogfighting;

(5) Any dog which has been found to be a dangerous dog on three (3) separate occasions in the village; or

(6) Any dog which has been declared a vicious dog as defined in the Illinois Animal Control Act by a court of competent jurisdiction, from which an order was entered based on that finding.

Guide Dog: A dog trained and used to aid the blind or hearing impaired, provided that the owner of any such dog complies with the provisions contained in 510 ILCS 5/8.

Injury, Serious Physical: Any physical injury that creates a substantial risk of death or that causes death, serious disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

K-9 Dog: A dog trained and used in the performance of official police duties authorized by the chief of police, provided that any such dog shall be currently inoculated against rabies as provided for in 510 ILCS 5/8.

Leash: A strap or chain, manufactured for use as a leash and securely fastened to the collar or harness of a ~~dog~~, that shall in no case be longer than eight feet (8') and shall be of sufficient strength to keep the ~~dog~~ under control.

Muzzle: A device constructed of strong, soft material or metal which will prevent a ~~dog~~ from biting any person or animal, provided that such muzzle is constructed in a manner that will not cause injury to the ~~dog~~ or interfere with its vision or respiration.

Neutered Animal: A male or female animal treated by a licensed veterinarian to render it incapable of reproduction.

Owner: Any person, firm, corporation, organization or department (1) having a right of property in an animal, (2) keeping an animal, (3) caring for or having custody of an animal; or (4) knowingly permitting an animal to remain on or about any premises occupied by said person, firm, corporation, organization or department.

Run at Large: To be free of restraint off the premises of the owner.

Veterinary Hospital: Any place used for the treatment of animals operated by a veterinarian and licensed by the state of Illinois.

(b) *Vicious Dogs—Requirements and Prohibitions:*

(1) It shall be unlawful to keep, harbor, maintain, own or in any way possess within the corporate limits of the village any vicious dog.

(2) Notwithstanding any provisions contained in this title to the contrary, K-9 and ~~guide dogs~~ shall be exempt from the provisions of this section.

(c) *Dangerous Dogs—Requirements and Prohibitions:*

(1) The owner of a dangerous dog shall not suffer or permit the dog to be beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash no longer than six (6) feet in length, and under the direct control, supervision, and physical restraint of the owner, provided that, in no event, shall such dog be under the direct control or supervision of any person under the age of eighteen (18) years. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

(2) It shall be unlawful for any dangerous dog to annoy, endanger or approach, in an apparent attitude of attack, or cause injury to, any person or animal.

(d) *Nuisance Declared:* Each vicious or dangerous dog is hereby declared to be a public nuisance. Vicious dogs shall be prohibited from the Village and dangerous dogs shall only be kept, harbored, maintained, owned or possessed within the corporate limits of the village in strict conformance with the provisions of this section.-

(1) Report of Incident; Investigation: Any person or persons who witness an incident involving a bite, attack, attempt to attack, or menacing behavior by any dog occurring in the village shall file a sworn affidavit of complaint with the police department setting out the nature and date of the incident, a description of the dog, and if known, the owner of the dog and the address of the owner.

(2) The police department, upon receipt of an affidavit of complaint, shall investigate the complaint to determine whether the dog is dangerous or vicious. If the police department finds that the dog is dangerous or vicious, the owner shall be notified by certified mail of such finding. No dog shall be found dangerous or vicious if the attack or menacing behavior was directed at a person who was, at the time in question, committing a willful trespass or other tort upon the premises of the owner; or was teasing, tormenting, abusing or assaulting the dog; or who has in the past teased, tormented, abused or assaulted the dog; or was committing or attempting to commit a crime.

(3) The owner of a dog found to be dangerous or vicious may, within seven (7) days of the mailing of notice by the police department, make a written request to the police department for a review of such finding. Such review shall be made by the chief of police within seven (7) days of such request and shall be based upon the sworn affidavit of complaint and any statements or evidence presented by the owner, witnesses to the incident, police department personnel or any other person possessing information relevant to such finding. The chief of police shall issue the written findings within five (5) days after the review, or within twelve (12) days of receipt of the written request for review, sustaining or overruling the finding made by the police department. Pursuant to state law, the owner of a dog found to be dangerous may file a complaint in the circuit court within thirty-five (35) days of receipt of notice of the determination.

(4) If a dog is found to be vicious or upon three (3) findings that a dog is dangerous, said dog will be deemed to be a vicious dog, subject to all provisions of the village code.

(e) *Dogfighting.* No person shall possess, harbor or maintain the care or custody of any dog for the purpose of dogfighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals.

(f) *Permitted number of animals.* It shall be unlawful for any person to house, keep, maintain or own on any premises or property within the Village more than three (3) dogs, more than three (3) cats, or more than three (3) dogs and cats combined. This subsection shall not apply to any duly licensed pet shop, animal hospital or kennel. The limitation in this subsection shall not apply to dogs or cats which are less than one (1) month in age if they were born of dogs or cats legally on the premises. In order to be legally on the premises, a dog or cat must be licensed by the Village and must be within the limitation of this subsection.

(1) No person shall keep or permit more than one (1) dangerous dog to be or remain in or about any single-family residence except as those circumstances enumerated in the village code.

(2) Where a household contains one (1) dangerous dog, the maximum number of animals allowed (not counting fish) in that residence is three (3), whereby the other four (4) animals must be non-dangerous.

(g) *Animals, keeping prohibited.* It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of the Village:

(1) Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including but not limited to nonhuman primates, raccoons, skunks, foxes and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes).

(2) Any animal having poisonous bites.

(3) Any vicious dog.

(h) *Penalties.* Any person who violates any provision of this section may be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) per offense.

(Ord. No. 89-5, § 3, 2-27-89; Ord. 2007-09, § 5, 7-23-2007)

¹ **State law reference**—Authority for above section, Ill. Rev. Stat. Ch. 24, § 11-1-1; cruelty to animals, Ill. Rev. Stat. Ch. 24, § 11-5-6; animals running at large, dog tax, Ill. Rev. Stat. Ch. 24, § 11-20-9.

Sec. 7-104. Penalties.

Any person violating any provision of the following sections shall be fined not more than twenty-five dollars (\$25.00): [7-94](#), [7-95](#), [7-98](#), [7-100](#), [7-101](#), [7-117](#), [7-119](#), [7-120](#), and [7-123-7-125](#)

Sec. 7-105-7-106. Reserved.

Sec. 7-107. Construction of carrier pigeon lofts.

(a) All lofts for carrier pigeons and other birds shall be a maximum of six (6) feet wide and six (6) feet deep. The enclosure shall be constructed on stilts or supports approved by the Building Commissioner. The bottom shall be three (3) feet above ground level, and it shall be constructed of screening or other porous material that shall allow waste to fall upon the ground. The maximum height of the structure shall be eight (8) feet above ground level. Three (3) sides shall be enclosed, and one side open. The structure must comply with all setback requirements of the Village Code.

(b) All plans and specifications for the construction of the structure shall be submitted to and approved by the Building Commissioner.

(c) Pursuant to state law (Chapter 8, Paragraph 903, Illinois Revised Statutes), the loft shall be maintained in a clean, orderly condition, kept in good repair and inspected annually.

(d) The maximum number of pigeons that may be kept at one location shall be twenty-five (25).

(Ord. No. 92-26, § 1, 6-22-92)

Sec. 7-108–7-115. Reserved.

DIVISION 2. DOGS GENERALLY¹

¹~~State law reference~~—Animal Control Act, Ill. Rev. Stat. Ch. 8, § 351 et seq.

Sec. 7-116. Definition:¹

For the purpose of this division, the word "dog" shall be construed to include any animal of the canine species.

(Code 1972, § 6-5-11)

¹~~State law reference~~—"Dog" defined, Ill. Rev. Stat. Ch. 8, § 352.11;

Sec. 7-117. Display Of License Tags:

Every dog shall be provided by the owner or keeper with a leather or chain collar, to which a license tag will be securely fastened. No dog shall be permitted to remain within the limits of the Village unless the owner or keeper thereof shall have caused such dog to be registered and provided with such collar and tag. Any owner or keeper of a dog failing to provide such collar and tag shall be subject to fine as provided in section [7-1.1](#) for every day such dog goes unlicensed.

(Code 1972, § 6-5-4)

Sec. 7-118. Female Dogs At Large:

It shall be unlawful for any bitch or female dog to run at large in the village while in heat, and any such bitch or female dog may be impounded by any police officer of the village. Any person who shall knowingly suffer or permit any bitch or female dog owned or possessed by him to run at large while in heat shall be fined as in this code provided.

(Code 1972, § 6-5-5)

Sec. 7-119. Ownership; How Shown:

Any person who shall harbor any dog or suffer or permit any dog to be and remain at or about his stable, store or other premises in the village shall be held to be the owner of the same and subject to the penalties contained in this code.

(Code 1972, § 6-5-12)

Sec. 7-120. Dog License Required:

It shall be unlawful for any person to own or keep a dog within the corporate limits of the village unless he shall procure a license as provided in this division.

(Code 1972, § 6-5-13)

Sec. 7-121. License Regulations:

(a) Application for license under this division shall be made to the village. The applicant's name and address and the name, breed, color and sex of each dog owned or kept by the applicant, except vicious dogs, shall be supplied to the village. The applicant shall also deliver to the village, at the time of the application, a certificate of a duly registered veterinarian that such dog has been inoculated for rabies, in compliance with section [7-124](#). Upon the foregoing information and certificate being supplied, and the payment of the required fee, the village shall issue the license.

(b) The village shall issue to the applicant a license certificate and metallic tag for each dog for which the fee has been paid. The shape of such metallic tag shall be changed each year, and it shall have stamped thereon the year for which the fee is paid. Such tags shall bear identification numbers and the letters "D.T."

(c) No license shall be issued to vicious dogs pursuant to the provisions of this code, which prohibits such animals in the village.

(Code 1972, § 6-5-14; Ord. 2007-09, § 6, 7-23-2007; Ord. 2009-15, § 32, 6-22-2009)

Sec. 7-122. License Fees; Expiration:

The license fees to be paid to the village under this division shall be the sum of five dollars (\$5.00) for each dog annually. All licenses shall expire on December 31 of each year.

(Code 1972, § 6-5-15; Ord. No. 88-5, § 1, 3-28-88) .

Sec. 7-123. Removal Of Tag; Release of Dog:

It shall be unlawful for any person, without the consent of the owner or keeper, to remove the collar and/or license tag from any dog for which the Village of Justice dog license has been paid or to untie, take or release any such dog out of the enclosure or off the premises of it's owner or keeper.

(Code 1972, § 6-5-16)

Sec. 7-124. Inoculation For Rabies¹:

It shall be unlawful for any person to own or keep a dog within the corporate limits of the village unless the dog has been inoculated for rabies. In order to comply with this section, dogs shall be inoculated every twelve (12) months.

(Code 1972, § 6-5-17)

¹ 510 ILCS 5/8.1 et seq.

Sec. 7-125. Running At Large Generally:

(a) It shall be unlawful for any person to permit any dog owned by him or in his possession to travel or run at large upon the streets, alleys, other public places or upon private property of another in the corporate limits of the village, unless such dog is restrained by a leash no more than six feet (6') in length. In no circumstances shall any dog be walked or aired upon private property of another unless and until permission is granted by the owner of such property.

(b) It shall be considered a separate offense for an owner to knowingly allow a dangerous dog to run at large, whereby said action results in injury to a person or animal. Dangerous dogs found running at large in violation of this section will be subject to a fine greater than that of non-dangerous dogs found in violation, with fines set forth in the annual fee ordinance.

📖 Sec. 7-126. Enforcement:

It shall be the duty of the police department or some person designated by the board to enforce the provisions of this division and to take up and impound any dog found running at large or not wearing a collar and license tag within the corporate limits of the village as required by this division.

(Code 1972, § 6-5-23)

Sec. 7-127-137. Reserved:

📖 DIVISION 3. RESERVED

Secs. 7-138–7-170. Reserved:

📖 ARTICLE III. REMOVAL OF WEEDS AND DEBRIS¹

¹ 65 ILCS 5/11-20-6, 5/11-20-7, 5/11-20-13, 5/11-20-15; see also [chapter 5](#) of this code.

📖 Sec. 7-171. Definition:

As used in this article, the word "weed" shall mean jimson, burdock, ragweed, thistle, cocklebur or other plants of a like kind.

(Code 1972, § 6-6-1)

📖 Sec. 7-172. Weeds, Debris Declared Nuisance:

It shall be unlawful for any person to permit any weeds, plants or grass, other than trees, bushes, flowers or other ornamental plants, to grow to a height exceeding eight inches (8"), or to permit any debris to accumulate anywhere in the village. Such plants and weeds exceeding such height, and such debris, are hereby declared to be a nuisance.

(Code 1972, §§ 6-6-1, 6-6-2)

📖 Sec. 7-173. Barberry Bushes:

It shall be a nuisance and unlawful for any person to plant or permit the growth of the bush of the species of tall, common or European barberry, further known as *Berberis vulgaris*, or its horticultural varieties within the village

(Code 1972, § 6-6-3)

📖 Sec. 7-174. Notice To Abate Weeds, Debris; Removal By Village Upon Failure Of Owner:

(a) It shall be the duty of the Building Commissioner to serve or cause to be served a notice upon the owner or occupant of any premises on which weeds or plants are permitted to grow, or on which there is an accumulation of debris, in violation of the provisions of this article, and to demand the abatement of the nuisance within ten (10) days.

(b) If the person so served does not abate the nuisance within ten (10) days after such notice, the Building Commissioner may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such owner or occupant.

(Ord. 69-15, 7-2-1969; Code 1972, §§ 6-6-4, 6-6-5)

📖 Sec. 7-175. Lien-For Recovery Of Village Expenses; Notice To Property Owner:

(a) Charges for weed cutting and debris removal shall be a lien upon the real estate affected, when notice of lien is filed as provided by statute.¹ The notice shall consist of a sworn statement setting out: 1) a description of the real estate sufficient for identification thereof, 2) the amount of money representing the cost and expense incurred or payable for the service, and 3) the date or dates when such cost and expense was incurred by the village.

(b) Notice of the bill for weed cutting or debris removal shall be mailed to the owner of the premises whenever such bill remains unpaid for a period of sixty (60) days after it has been rendered.

(c) The failure of the village to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to foreclose the lien for unpaid bills for weed cutting or debris removal as provided for in section [7-176](#) of this article.

(Code 1972, § 6-6-6; Ord. 2009-15, § 33, 6-22-2009)

¹ 65 ILCS 5/11-20-13 and 11-20-15.

📖 Sec. 7-176. Lien-Foreclosure ¹:

(a) Property subject to a lien for unpaid debris removal or weed cutting charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting costs, as is the case in foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the village.

(b) The village attorney is hereby authorized and directed to institute such proceedings, in the name of the village, in any court having jurisdiction over such matters against any property for

which a bill for weed cutting or debris removal has remained unpaid sixty (60) days after it has been rendered.

(Code 1972, § 6-6-7)

¹ 65 ILCS 5/11-20-13; 770 ILCS 60/9 et seq.; 735 ILCS 5/15-1101 et seq.

📖 Sec. 7-177. Fee Charged By Village:

The fee for weed or debris removal, if village equipment and personnel are used, will be set, from time to time, by the president and board of trustees. If equipment must be rented, or outside help employed or hired, the fee shall be the amount of the bill which the village receives for such services or equipment.

(Code 1972, § 6-6-8; Ord. 85-10, 6-24-1985; Ord. 93-29, § 1, 9-13-1993)

📖 Sec. 7-179-7-195. Reserved:

📖 ARTICLE IV. PUBLIC SAFETY¹

¹ See also [chapter 6](#) of this code.

📖 DIVISION 1. GENERALLY

📖 Sec. 7-196. Penalty:

Any person or corporation convicted of violating any of the sections in this article where a specific penalty is not provided shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00).

(Code 1972, §§ 6-11-11, 6-11-14-6-11-16, 6-11-27; Ord. 75-14, 9-4-1975; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

📖 Sec. 7-197. School Vehicle-Definition¹:

For the purposes of this article, the term "school vehicle" means a vehicle which, for direct or indirect compensation, transports children to or from any school, day nursery, daycare center, day camp, play group or any regularly conducted public or private educational, religious, recreational or care program. This definition shall include motor vehicles of any body style so used, whether operated by the school or other institution, association or enterprise as defined herein or by an independent operator, and shall include such vehicles whether the fee or cost for such transportation is paid to the owner of the vehicle directly by such children or their parents or guardians, or paid by the sponsoring school, association or enterprise, whether on a per trip or other basis. All public carriers certified by the state commerce commission and all vehicles belonging to a public utility or municipal corporation are not included in this definition.

(Code 1972, § 6-11-1)

¹ 625 ILCS 5/1-182.

📖 Sec. 7-198. School Vehicle-Passenger Capacity, Seating¹:

No school vehicle shall be operated while containing a number of passengers in excess of that indicated on the certificate of registration², nor shall any school vehicle be operated unless all passengers are seated in the space provided for them.

(Code 1972, § 6-11-2)

¹ 625 ILCS 5/3-100 et seq., 5/11-1424, 5/12-707.

📖 Sec. 7-199. School Vehicle-Seat And Aisle Specifications¹:

All seats of every school vehicle shall be firmly anchored to the floor of the vehicle. All seats shall be equipped with backs³. There shall be a clear aisle leading from all seats to regular exit doors.

(Code 1972, § 6-11-3)

¹625 ILCS 5/12-807.1.

📖 Sec. 7-200. School Vehicle-Fire Extinguishers Required¹:

Every school vehicle shall be equipped with a fire extinguisher in good operating condition, approved by the fire chief or his duly appointed deputies, and readily accessible at all times when such vehicle is in operation.

(Code 1972, § 6-11-4)

¹ 625 ILCS 5/12-808.

📖 Sec. 7-201. School Vehicle-Penalty For Violating Provisions:

Any person convicted of violating any provision of sections [7-197](#) through [7-200](#) of this division, shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00).

(Code 1972, § 6-11-4; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

📖 Sec. 7-202. Nuisances Connected With Businesses⁵:

No substance, matter or thing of any kind whatever which is dangerous or detrimental to health shall be allowed to exist in connection with any business, or to be used therein, or be used in any work or labor performed in the village. No nuisance shall be permitted to exist in connection with any business or in connection with any such work or labor.

(Code 1972, § 6-11-6)

⁵ See [chapter 3](#) of this code.

📖 Sec. 7-203. Dead Or Live Animals, Other Substances Creating Nuisance:

No person shall bring into the village or keep therein for sale or otherwise, either for food or for any purpose, any dead or live animal, nor any matter, substance or thing, which shall be a nuisance or which shall occasion a nuisance in the village, or which may or shall be dangerous or detrimental to health.

(Code 1972, § 6-11-7)

📖 Sec. 7-204. Spreading Poison:

It shall be unlawful for any person to spread, or to cause or permit any agent or employee to spread, any poison for the purpose of killing rats, mice, insects or other vermin in any public way or public place in the village; and it shall be unlawful for any person to spread, or to cause or permit any agent or employee to spread, any poison for such purpose in any yard, court, passageway or other open place or private premises, or on the outside of any building or structure, or in any place within a building which is open to the general public, or where pet dogs, cats or other domestic animals or fowl have access, without placing the same in a receptacle of such kind or character that it can be reached only by the kind of vermin which the poison is intended to kill, or without placing a wire or other guard about same in such way that no child or domestic animal, domestic fowl or other harmless creature can reach the same.

(Code 1972, § 6-11-8)

📖 Sec. 7-205. Throwing Missiles In Public Places Of Amusement¹:

No person shall cast, drop or throw any object, missile or any other substance or article in, from or into any public place of amusement.

(Code 1972, § 6-11-11)

¹ See § [3-121](#) et seq., of this code.

📖 Sec. 7-206. Bridges; Certain Actions Prohibited; Penalty:

(a) It shall be unlawful for any person to:

(1) Loiter on any public bridge, viaduct or overpass in such manner or for such purpose as might jeopardize the safety or well being of any person upon or near the roadway below;

(2) Stop any vehicle on any public bridge, viaduct or overpass, except for necessary emergency purposes or upon the order of a police officer or other person authorized to direct such action;

(3) Throw or drop or cause to be thrown or dropped from any public bridge, viaduct or overpass any article or thing which might jeopardize the safety or well being of any person upon or near the roadway below.

(b) Any violation of any of the provisions of this section shall constitute a nuisance and the offender shall be subject to a fine. not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00), or imprisonment not to exceed six (6) months, or both. Every violation shall constitute a separate and distinct offense.

(Code 1972, § 6-11-12; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

📖 Sec. 7-207. Sharp Objects On Public Ways; Duty To Remove:

It shall be unlawful for any person to throw, dump or deposit upon any public way any glass article, broken glass, nails, tacks, sharp metal objects or other articles or material that may cause damage to rubber tires or motor vehicles. It shall be the duty of every owner or person in possession or control of any motor vehicle, the glass or metal parts from which are broken and dropped upon any public way, to promptly remove such broken glass and metal parts and restore the public way to a condition safe for automotive traffic.

(Code 1972, § 6-11-13)

📖 Sec. 7-208. Corrosive, Caustic Substances-Possession, Sale:

(a) It shall be unlawful for any person to have in his possession or for any person to carry about any corrosive or caustic acid or phosphorus, or any solution or mixture thereof, or any hydrogen sulphide, valerianic acid, ammonium valerianate, valerianate of zinc, or any other nauseous, offensive or filthy substance of like or similar nature; provided, that this provision shall not apply to manufacturing and wholesale druggists, retail druggists, physicians, chemists or regularly established laboratories, or to persons who have procured any of such substances for medicinal purposes upon a prescription of a physician regularly licensed under the laws of the State.

(b) No person shall give, sell, offer to sell or give away or have in his possession any stink ball or any bomb, ball tube, vial or bottle made of thin glass or other easily breakable material containing any of the above mentioned substances.

(Code 1972, § 6-11-14)

📖 Sec. 7-209. Corrosive, Caustic Substances-Dispensing By Physician:

It shall be unlawful for any person to sell or give away any corrosive or caustic acid, or any phosphorus or solution thereof, or any hydrogen sulphide, valerianic acid, ammonium valerianate, valerianate of zinc or any solution or mixture of such substances, or any other nauseous, offensive or filthy substances of like or similar nature, except upon the written prescription of a physician licensed under the laws of the State. Such prescription shall be filled only once and shall have written upon it the name and address of the patient. This Section shall not apply to sales at wholesale by manufacturing or wholesale druggists to retail druggists, physicians or chemists.

(Code 1972, § 6-11-15)

📖 Sec. 7-210. Corrosive, Caustic Substances-Casting, Throwing, Depositing In Public Places:

It shall be unlawful for any person to cast, throw, deposit or place any stink ball, fire ball, or bomb, described in Section [7-208](#) of this Division or to cast, deposit or place any substance described in Section [7-209](#) of this Division, from, upon or to any public place in the Village, or at, upon or within any public conveyance, or upon the floor or within any restaurant, theater,

hall, assembly, room or public building, or at, upon or within any automobile or other vehicle within the Village.

(Code 1972, § 6-11-16)

📖 Sec. 7-211. Shooting Galleries, Rifle Ranges, Etc.-License Required:

No person shall conduct or operate any shooting gallery, rifle range, gun club or other place where firearms are discharged in the Village without first being licensed to do so.

(Code 1972, § 6-11-25)

📖 Sec. 7-212. Shooting Galleries, Rifle Ranges, Etc.-Restriction On Location; Safety Precautions:

(a) No shooting gallery shall be located upon any street in any block in which two-thirds (2/3) of the buildings on both sides of the street between the two (2) nearest intersecting streets of such block are used exclusively for residence purposes, without the written consent of a majority of the owners of the property according to frontage on both sides of the street between such intersecting streets.

(b) Each rifle range, gun club or other place upon or in which firearms may be discharged shall be sufficiently ample to permit the discharge thereon or therein of firearms without endangering the safety of the public or persons living adjacent to such premises, and the targets or butts shall be so placed, kept and maintained as to permit the use of such premises and the discharge thereon or therein of firearms with the maximum of safety to the public, to persons living adjacent to such premises, and to persons using such premises upon which such rifle range or gun club is being conducted or operated.

(Code 1972, § 6-11-26)

📖 Sec. 7-213. Abandoned Refrigerators¹:

Any person who abandons or discards, in any place accessible to children any refrigerator, icebox or ice chest of a capacity of one and one-half (1 1/2) cubic feet or more which has an attached lid or door which may be opened or fastened shut by means of an attached latch, or who, being the owner, lessee, or manager of any such place, knowingly permits such abandoned or discarded refrigerator, icebox, or ice chest to remain there in such condition, shall be fined not more than fifty dollars (\$750.00) or imprisoned for not more than thirty (30) days, or both, for each offense. Every day that such violation continues shall be deemed a separate offense.

(Code 1972, § 6-11-5)

¹ 720 ILCS 505/1.

📖 Sec. 7-214. Expectorating In Public Places:

No person shall spit upon any public sidewalk, or upon the floor of any public conveyance, hall, assembly room or public building, under a penalty of not less than one dollar (\$1.00) nor more than five dollars (\$5.00) for each offense.

(Code 1972, § 6-11-9)

📖 Sec. 7-215. Disposing Of Facial Tissue In Public Places:

No person shall drop, throw, or place any used facial tissue or paper handkerchief upon any public way or other public place or upon the floor of any public conveyance or upon the floor of any theater, hall, assembly room or public building or upon the surface of any lot or parcel of ground or on the roof of any building or in any light or air shaft, court or areaway.

(Code 1972, § 6-11-10)

📖 Sec. 7-216. Junk Accumulation':

It shall be unlawful for any person to accumulate, or permit the accumulation, on any open lot or other premises of any lumber, boxes, barrels, bricks, stones, scrap metal, motor vehicle bodies, or parts or similar objects, rubbish, or any articles of junk, which provide rat harborage, unless the same shall be placed on open racks that are elevated not less than eighteen inches (18") above the ground, evenly piled or stacked.

(Code 1972, § 6-11-23)

¹ See also § [3-271](#) et seq., § [5-2](#) and § [6-41](#) et seq., of this Code.

📖 Sec. 7-217. Laser Pointers:

(a) *Possession By Minors Prohibited:* It shall be unlawful for any person under the age of eighteen (18) to possess a laser pointer except in the residence of that person.

(b) *Sale To Minors Prohibited:* It shall be unlawful for any person to sell a laser pointer to any person under the age of eighteen (18).

(c) *Use Outside Of Buildings Prohibited:* It shall be unlawful for any person to use a laser pointer in such manner that the laser beam illuminates on any person, animal, object or place located outside of the building where the person using the laser pointer is located.

(d) *Illumination Of Persons Prohibited:* It shall be unlawful for any person to use a laser pointer in such a manner that the laser beam illuminates on any person.

(e) *Illumination Of Vehicle Operators Prohibited:* It shall be unlawful for any person to use a laser pointer in such a manner that the laser beam illuminates the operator of a motor vehicle.

(f) *Illumination Of Law Enforcement Personnel Prohibited:* It shall be unlawful for any person to use a laser pointer in such a manner that the laser beam illuminates a uniformed law enforcement officer.

(g) *Use In Public Places Prohibited:* It shall be unlawful for any person located on the public right-of-way, street, alley, public park, or private parking lot accessible to the public to use a laser pointer.

For purposes of this Section, a "laser pointer" is any device which contains a small diode laser that emits an intense beam of light, including, but not limited to, Class 2 lasers, Class 3a lasers, Class 3b lasers, and Class 4 lasers.

The penalty clause adopted for the enforcement of this Section is Section [7-196](#) of this Division.

(Ord. 1999-5, § 1, 2-22-1999)

📖 Sec. 7-218. Rain Barrels:

(a) *Policy and Purpose:* The village has entered into an intergovernmental agreement with the Metropolitan Water Reclamation District of Greater Chicago (“MWRDGC”) whereby the latter has agreed to supply at no cost to the village for its residents rain barrels that are intended to “catch” rainwater. The rain barrel program is designed to: (i) alleviate storm water capacity issues by deferring run-off to non-event times; and (ii) allow for use of rainwater, as an alternative to the potable water supply, to engage in common domestic tasks.

(b) *Supply And Registration:* Rain barrels supplied to the village by the MWRDGC will be made available for use by registered residents. Rain barrels will be supplied to residents on a first-come first-serve basis. Residents requesting a rain barrel will be required to register with the Building Department. Use of rain barrels, or other devices of similar purpose and design, that are not supplied by, and registered with, the village are prohibited.

(c) *Location:* No more than one (1) rain barrel shall be placed on each registered residential lot. No rain barrels shall be placed in the front or side yard of a residential lot. Rain barrels shall be placed under a downspout, in a location that will not obstruct ingress and egress to the residence, and in such a manner that will prevent overflow to adjoining property or in the direction of a resident’s foundation. All rain barrels shall be placed on or above a pervious surface to prevent the accumulation of standing water during an overflow. Use or relocation of a rain barrel at or to locations other than a registered residence is prohibited.

(d) *Appurtenances:* Rain barrels shall be installed with supplied appurtenances such as the rain barrel lid, rain barrel water intake screen, and rain barrel mosquito screen. Residents may attach a hose to the overflow fitting to direct an overflow of water away from the residence on to a pervious surface. Should the rain barrel be placed on a platform, the platform shall not exceed one and one-half (1.5) feet in height and be constructed of such materials that will support weight between five hundred (500) and six hundred (600) pounds.

(e) *Alteration:* Alterations to rain barrels and supplied appurtenances are prohibited. Notwithstanding the preceding sentence, residents may make cosmetic alterations to personalize rain barrels such as painting the exterior. Use of rain barrels for any purpose other than as intended by this section shall be prohibited.

(f) *Maintenance:* All rain barrels and supplied appurtenances shall be installed and maintained in a safe and good working order. Rain barrels shall be emptied within seven (7) days of the last rain event or prior to any likely overflow, in the absence of an attached overflow hose, from a subsequent rain event, whichever is earlier. Any accumulated water on top of rain barrel lid shall be removed every three to four (3-4) days. Emptying of rain barrels directly into the storm water system is prohibited. Rain barrels and appurtenances, including platforms, shall be inspected by users prior to installation, every thirty (30) days thereafter, and prior to being placed

in service after winterization, to ensure the same exists in safe working order. All rain barrels shall be placed in a winterized state from December 1 of a calendar year through April 1 of the following calendar year, which at a minimum shall require the rain barrel spigot to remain opened on a continuous basis.

(g) *Disposal*: Residents no longer desiring to participate in the rain barrel program, or in need of a replacement rain barrel or other appurtenance, shall contact the village to make arrangements to have the same retrieved and/or replaced, as the case may be. Disposal of rain barrels or supplied appurtenances by a resident shall be prohibited unless through the village.

(h) *Volunteer Program*: The rain barrel program is a volunteer program and participation in the same is neither required nor encouraged by the village. Every resident participating in the rain barrel program shall be required to sign a document releasing the village and MWRDGC to and from any and all liability that may arise due to a resident's participation in the same.

(i) *Penalty*: Owners/occupiers violating the terms and provisions of this section shall be fined no more less than one hundred (\$100.00) dollars nor more than seven hundred fifty (\$750.00) for each violation. Each violation or day a violation is permitted to continue shall constitute a separate offense. The village reserves the right to disqualify and prevent owners/occupiers from participation in the rain barrel program upon a finding of liability for two (2) or more violations of this section within a calendar year, or in the event a resident's participation constitutes an immediate hazard to the health and safety persons or property. In such instances, supplied rain barrels and appurtenances shall be recalled by, and returned to, the village.

(Ord. 2016-17, § 1, 5-9-2016)

Secs. 7-219-7-225. Reserved:

DIVISION 2. INSECTS AND RODENTS

Sec. 7-226. Definitions:

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Hardware Cloth means a wire screen of such thickness and spacing as to afford reasonable protection against the entrance of rodents.

Infestation means the state of being invaded or overrun by insects, rodents, pests, or parasites.

Rodent Harborage means a condition that provides shelter or protection for rodents, thus favoring their multiplication and continued existence in, under or outside a structure of any kind.

Rodent-Stoppage: means any form of rodent-proofing designed to prevent the ingress of rodents into or under buildings or other structures from the exterior or from one building to another. Rodent-Stoppage shall include the sealing of all exterior holes or openings, walls, ground and first floors, basements, foundations, and other areas that may be accessible to

rodents, with concrete, sheet iron, hardware cloth, or other types of rodent-proofing material impervious to rodent gnawing approved by the Building Commissioner.

(Ord. 2017-20; §1, 7-10-17; Ord. 2017-28, §1, 11-13-17)

📖 Sec. 7-227. Required:

(a) All buildings or structures within the Village shall be maintained in a rodent-stopped and rodent-free condition.

(b) Rental housing, hotels, motels, boarding rooms, and multi-family structures shall be treated by a licensed pest control company annually. Copies of contracts with licensed pest control company(ies), receipts, and reports shall be submitted annually to the Building Department by the date the unit license is issued. All existing insects and rodent found shall be promptly exterminated by approved processes that will not be injurious to human health. If, upon inspection, there is found to be an insect or rodent infestation, the owner or manager shall be required to contract with a licensed extermination company to treat all common areas and infested units on a monthly basis for the remainder of the license year, or until such time as the licensed extermination company certifies that the structure is insect or rodent free, as the case may be, and the same is verified by an inspection through the Building Department.

(Ord. 2017-20; §1, 7-10-17)

📖 Sec. 7-228. Building Commissioner To Inspect For Rodents:

It shall be the duty of the Building Commissioner or his duly authorized representative to cause inspections of the interior and exterior of buildings or other structures to ensure compliance with this division. When any evidence is found indicating the presence of rodents, or openings through which rodents may enter such buildings or structures, the property owner, agent, or occupant of such building or structure shall be served, in person or by mail, with written notice, ordering the abatement of the condition found.

(Ord. 2017-20; §1, 7-10-17)

📖 Sec. 7-229. Reserved:

📖 Sec. 7-230. Removal Of Rodent Stoppage:

It shall be unlawful for an owner, occupant, contractor, public utility company, plumber or any other person to remove a rodent stoppage from any building or structure for any purpose and fail to restore the same in satisfactory condition.

(Ord. 2017-20; §1, 7-10-17)

📖 Sec. 7-231. Installation Of Concrete Flooring To Prevent Rodent Infestation:

Whenever conditions inside or under any building or structure provide such extensive harborage for rodents that the building commissioner deems it necessary to eliminate such harborage, he may require the owner or occupant in charge of any such building or structure to install suitable concrete floors in basements and/or crawl spaces, or to correct such rodent harborage as may be necessary in order to facilitate the eradication of rodents.

(Ord. 2017-20; §1, 7-10-17; Ord. 2017-28, §1, 11-13-17)

📖 Sec. 7-232. Waste Accumulations:

It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage or trash on or in any building structure, or property, or to dump or place on any property, land or waterway any dead animals or waste vegetables or fruit, or animal matter of any kind, or to permit any weeds, plants or grass, other than trees, bushes, flowers or other ornamental plants, to grow to a height exceeding eight inches (8") so as to be the cause of attraction or harborage for rodents.

(Ord. 2017-20; §1, 7-10-17; Ord. 2017-28, §1, 11-13-17)

📖 Sec. 7-233. Junk Accumulations:

It shall be unlawful for any person to maintain or permit the accumulation of lumber, boxes, barrels, bricks, stones, scrap metal, motor vehicles or parts, rubber tires, rubbish, firewood (unless the firewood shall be placed on open racks that are elevated not less than twelve inches (12") above the ground, evenly piled or stacked), or any articles of junk on property.

(Ord. 2017-20; §1, 7-10-17; Ord. 2017-28, §1, 11-13-17)

📖 Sec. 7-234. Notice To Eradicate Rodents; Work Done By Village Upon Failure Of Owner Or Occupant; Recovery Of Costs:

(a) Upon receipt of notice in writing from the Building Commissioner, the owner, agent, or occupant in charge of any building, structure, or premises specified in such notice shall take immediate measures for the rodent-stoppage of such building or structure and for freeing the premises of all rodents. Unless such work is completed in no more than ten (10) days, the owner, agent, or occupant in charge of the building, structure, or premises shall be deemed guilty of a violation of this article.

(b) Whenever the owner, agent, or occupant in charge of any building, structure, or premises, after being served with notice, as provided in this section, has failed within the time fixed in the notice to perform all work necessary to prevent the ingress of rodents to the building or structure or to exterminate rodents from the premises described in the notice, the Building Commissioner or person duly authorized by him may go on the premises and do such work as is necessary to free the premises from rodents and to maintain the premises in a rodent-stopped condition. The cost and expense incurred for all work and materials shall be charged to and collected from the owners and persons interested in the premises. The Village or persons performing such work or furnishing such materials therefor shall have a lien on the premises and may enforce the same as provided by statute.

(Ord. 2017-20; §1, 7-10-17)

📖 Sec. 7-235. Penalties.

(a) It shall be unlawful for any person to violate any of the provisions of this division.

(b) The fines and penalties which shall be imposed for violation of any provision of this division shall be as follows:

<i>STEP</i>	<i>FINE SCHEDULE</i>
1	The fine as indicated in the "violation/ordinance notice" paid prior to the due date or on the date of the original hearing will be as stated on the "violation/ordinance notice" or as ruled by the Hearing Officer.
2	Having failed to pay the fine amount specified in step #1, the fine amount, if paid within thirty (30) days after the original hearing date will be doubled.
3	Having failed to pay the fine amount specified in step #2, within thirty (30) days after the original hearing date, the fine amount, if paid after thirty (30) days of the original hearing date, but less than sixty (60) days after the original hearing date will be double the amount in Step 2.
4	Having failed to pay the fine amount specified in step #3, within sixty (60) days after the original hearing date, the fine amount will be double the amount in Step 3.
5	Failing to pay the fine amount specified in step #4 within ninety (90) days after the original hearing date, the fine amount will be submitted for collections.

(c) Any fine or penalty amount imposed in accordance with the schedule in subsection (b) of this division, shall include an additional administrative fee of twenty-five dollars (\$25.00) for each violation that is a subject of a hearing to reimburse the village for the costs of the hearing.

(d) Any hearing scheduled due to a violation of any provision of the division will only be continued due to unforeseen, unavoidable or uncontrollable circumstances, such as an Act of God, the sudden illness or death of the movant, a member of his/her immediate family, or the movant's legal counsel, or if the movant is able to demonstrate some other real and compelling need. A Motion to continue must be supported by evidence that tends to prove the grounds alleged, including sworn testimony taken on the day of the hearing.

(Ord. 2017-20; §1, 7-10-17; Ord. 2017-28, §1, 11-13-17)

Secs. 7-236-7-250. Reserved:

📖 ARTICLE V. USE OF PUBLIC WAYS AND PROPERTY

📖 Sec. 7-251. Zone Of Quiet-Established:

There is hereby created and established a zone of quiet in all territory embraced within the block upon which abuts the premises of any hospital owned by the federal, state, county or city governments or any licensed hospital, convalescent home, nursing home or home for the aged.

(Code 1972, § 6-12-1)

📖 Sec. 7-252. Zone Of Quiet-Unnecessary Noise Within:

The making, causing or permitting of any unnecessary noise of any kind whatsoever, or the playing of itinerant musicians, or the making of noises for the purpose of advertising any goods, wares or merchandise, or of attracting the attention or inviting the patronage of any person to any business, or the playing of itinerant musicians upon the public ways within any zone of quiet established in accordance with this article, is hereby declared a nuisance and is hereby prohibited.

(Code 1972, § 6-12-2)

 **Sec. 7-253. Transporting Loose Materials:¹**

Any person who shall transport upon any public way crushed stone, sand, gravel, sawdust, ashes, cinders, lime, tanbarks, shavings, wastepaper, ice, mortar, earth, rubbish, manure or other loose material likely to sift, fall or be blown upon any public way shall convey the same in tight wagon boxes. In case such materials fall or become scattered upon any public way, such person shall cause such fallen substance to be forthwith removed.

(Code 1972, § 6-12-3)

¹625 ILCS 5/15-109.1.

 **Sec. 7-254. Overloaded Vehicles:**

No person shall overload or cause to be overloaded any cart, truck, wagon or other vehicle in such a manner that the contents or any part thereof shall be scattered in any public way or other public places in the village. It shall be the duty of every person in charge, possession or control of any cart, truck, wagon or other vehicle, the contents of which, or any part thereof, may become scattered in any public way or public place, to replace at once on such conveyance any part of the contents thereof which shall or may have fallen, dropped or spilled from such conveyance.

(Code 1972, § 6-12-4)

 **Sec. 7-255. Throwing, Depositing Sharp Objects:**

No person shall throw, drop, place or deposit, or cause to be thrown, dropped, placed or deposited in or upon any public way, public bathing beach or public playground, any glass bottles, nails, glass, tacks, wires, crockery, cans or other sharp or cutting substances injurious or dangerous to the feet of persons or animals or to the tires or wheels of any kinds of vehicles, including motor vehicles. Any person who shall violate the provisions of this section shall be fined. not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00), However, where any person has accidentally or by reason of an accident dropped from his hand or vehicle any of the foregoing substances upon any public way , public bathing beach or public playground, such penalty shall not be enforced if such person shall immediately make all reasonable efforts to clear such place of the same.

(Code 1972, § 6-12-5; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

 **Sec. 7-256. Throwing Missiles:**

No person shall throw or cast any stone or other missile in, from or to any public way or public place in the village.

(Code 1972, § 6-12-6)

📖 Sec. 7-257. Damaging Fences, Signs, Awnings In Public Places:

No person shall wantonly mar, injure, deface or destroy any fence, guidepost, signboard or awning in any public place in the village.

(Code 1972, § 6-12-7)

📖 Sec. 7-258. Spilling Certain Fluids On Pavement:

It shall be unlawful for any person to spill turpentine, kerosene, gasoline, benzine, naphtha, coal, oil or any product thereof, or any oil used for lubricating, illuminating or fuel purposes, or to allow any such fluids to escape to or upon asphalt pavement of the village or to operate or to permit to be operated any tank, wagon or other vehicle from which any of such fluids are permitted to so escape.

(Code 1972, § 6-12-8)

📖 Sec. 7-259. Loitering, Speculating In Tickets¹:

No person shall obstruct or encumber any street corner or public place in front of any theater, baseball park or other place of amusement in the village by lounging in or about the same after being requested to move on by a police officer, nor shall any person be permitted to remain at any such place having in his possession any tickets for any theater, baseball park or other place of amusement, for the purpose of selling the same, or offering the same for sale, in front of, or near, any theater, baseball park or other place of amusement in an attempt at speculating in such tickets.

(Code 1972, § 6-12-9; Ord. 75-14, 9-4-1975)

¹ 720 ILCS 375/1 et seq.

📖 Sec. 7-260. Closing Time For Parks:

All village parks shall close at sunset, except by special permit issued by the village board of trustees.

(Code 1972, § 6-12-10)

📖 Sec. 7-261. Alcoholic Beverages In Parks:

No beverages containing alcohol shall be served or sold in any village park except by special permit issued by the village board of trustees.

(Code 1972, § 6-12-11)

📖 Sec. 7-262. Penalty:

Any person or corporation convicted of violating any of the sections in this article, where a specific penalty is not provided, shall be fined not less than one hundred dollars (\$100.00) and not to exceed seven hundred fifty dollars (\$750.00) for each offense.

(Code 1972, § 6-12-12; Ord. 82-6, 7-15-1982; Ord. 98-6, § 2, 2-9-1998; Ord. 98-12, § 2, 3-23-1998)

Secs. 7-263-7-280. Reserved:

📖 **ARTICLE VI. DRUGS, POISONS, ETC.¹**

¹ 225 ILCS 85, et seq.

📖 **Sec. 7-281. Penalty:**

Any person violating any of the provisions of this article for which no other penalty is provided shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense.

(Code 1972, § 6-13-10; Ord. 75-14, 9-4-1975)

📖 **Sec. 7-282. Sale And Delivery Of Medicines, Poisons:**

No poisonous medicine, decoction or substance shall be held or kept for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use of the same; nor shall any bottle, box, parcel or receptacle therefor be delivered to any person unless the same is plainly marked on the outside as "poison", nor to any person of whom the party delivering the same has reason to think that he intends it for any illegal or improper use or purpose. Any person violating the provisions of this section shall be fined not less than twenty five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense.

(Code 1972, § 6-13-1)

📖 **Sec. 7-283. Misrepresentation Of Drugs:**

No doctor, druggist or other person shall make, sell, put up, prepare or administer any prescription, decoction or medicine under any deceptive or fraudulent name, description or pretense. Any person violating any of the provisions of this section shall be fined. not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-13-2)

📖 **Sec. 7-284. Distribution Of Samples:**

No person shall be permitted to give away, deposit or otherwise distribute any sample package, parcel, box or other quantity of any nostrum, proprietary medicine or other material of an alleged medicinal character or purporting to be a curative agent by means of depositing or leaving the same in any hallway, private area or yard or on any doorstep or in any place in any public way in the village.

(Code 1972, § 6-13-3)

📖 Sec. 7-285. Prescriptions required; specifications.

(a) No druggist or other person shall sell or give away any morphine, cocaine, alpha or beta eucaine, chloral hydrate, or any salt, compound or derivative of any of the foregoing substances, or any substance, preparation or compound containing any of the foregoing substances, or any of their salts, compounds or derivatives, except upon the written prescription of a duly registered physician. Such prescription shall contain the name and address of the person for whom prescribed and the date the same shall have been filled, and shall be permanently retained on file by the person where the same shall have been filled. It shall be filled but once, and no copy of it shall be taken by any person, and the original shall at all times be open to inspection by the state department of registration and education, and of all officers of the law.

(b) Such morphine, cocaine, alpha or beta eucaine, chloral hydrate, or any salt, compound or derivative of the foregoing substances or any substance, preparation or compound containing any of the foregoing substances, or any of their salts, compounds or derivatives, may lawfully be sold at wholesale upon the written order of a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian or licensed dentist, provided that the wholesale dealer shall affix or cause to be affixed to the bottle, box, vessel or package containing the article sold, and upon the outside wrapper of the package as originally put up, a label distinctly displaying the name and quantity of morphine, cocaine, alpha or beta eucaines, chloral hydrate, or any salt, compound or derivative of any of the foregoing substances, or any substance, preparation or compound containing any of the foregoing substances or any of their salts, compounds or derivatives sold, and the word "poison," with the name and place of business of the seller, ~~all printed in red ink~~; provided, also, that the wholesale dealer shall, before delivering any of the articles, make or cause to be made, in a book kept for such purpose, entry of the sale thereof, stating the date of sale, the quantity, name and form in which sold, the name and address of the purchaser, and the name of the person by whom the entry is made. The book shall be always open for inspection by the proper authorities of the law, and shall be preserved for at least five (5) years after the date of the last entry made therein.

(c) Any person violating any of the provisions of this section shall be fined. not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-13-4)

📖 Sec. 7-286. Dispensing to habitual users.

(a) It shall be unlawful for any duly registered physician or other person to prescribe, sell, offer for sale, dispense or give away any morphine, cocaine, alpha or beta eucaine, chloral hydrate, or any salt, compound or derivative of any of the foregoing substances, or any substance, preparation or compound containing any of the foregoing substances or any of their salts, compounds or derivatives, to any person addicted to the habitual use of morphine, cocaine, alpha or beta eucaine, chloral hydrate, or any salt, compound or derivative of any of the foregoing substances, or any substance, preparation or compound containing any of the foregoing substances or any of their salts, compounds or derivatives in any form.

(b) Any person who shall violate any of the provisions of this section shall be fined. not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-13-5)

📖 Sec. 7-287. Opium dens.

No person, within the village, shall keep or maintain or become an inmate of, or in any way contribute to the support of, any place, house or room for opium smoking, or where persons assemble for the purpose of inhaling opium, or inhaling the fumes thereof, under a penalty of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each offense, together with the confiscation of all articles and paraphernalia used for the purpose of smoking or inhaling opium, or the fumes thereof, which may be found in any such place.

(Code 1972, § 6-13-6)

📖 Sec. 7-288. Dispensing bichloride of mercury.

It shall be unlawful for any apothecary, druggist or pharmacist, or any employee of the same, or any other person, to give away, sell or offer or expose for sale at retail in the village any bichloride of mercury, otherwise known as corrosive sublimate, in the dry form, except in colored tablets enclosed in a sealed container and conspicuously labeled with the word "poison" in red letters. Each tablet in such container shall also be individually wrapped and the wrapper shall have conspicuously placed thereon the word "poison" in plain letters.

(Code 1972, § 6-13-7)

📖 Sec. 7-289. Inducing intoxication by chemical means¹.

(a) No person shall inhale, breathe or drink any compound, liquid or chemical containing toluol, hexane, trichloroethylene, acetone, toluene, ethyl acetate, methyl ethyl ketone, trichloroathane, isopropanol, methyl isobutyl ketone, methyl cellulose acetate, cyclohexanone, or any other substance for the purpose of inducing symptoms of intoxication, elation, dizziness, paralysis, irrational behavior or in any manner change, distort, or disturb the audio, visual or mental processes. For the purpose of this section, any such condition so induced shall be deemed to be an intoxicated condition; however, the provisions of this section shall not apply to:

- (1) Any person who inhales, breathes, or drinks such material or substance pursuant to the directions or prescription of any doctor, physician, surgeon, dentist, or podiatrist authorized to so direct or prescribe.
- (2) Any person who inhales, breathes, drinks or otherwise in any manner uses any narcotic, dangerous drug, or other material or substance or combination thereof which is defined by, and the use of which is prohibited or regulated by any law of the state.

(b) Any person violating any of the provisions of this section shall be fined. not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-13-8)

¹State law reference-Intoxicating compounds, Ill. Rev. Stat. Ch. 38, § 81-1 et seq.

Sec. 7-290. Dispensing certain drugs to minors¹.

(a) No person shall knowingly sell, offer for sale, deliver, or give to any person under seventeen (17) years of age, unless upon the written order of such person's parent or guardian, any substance containing toluol, hexane, trichloroethylene, acetone, toluene, ethyl acetate, methyl ethyl ketone, trichloroethane, isopropanol, methyl isobutyl ketone, methyl cellosolve acetate, cyclohexanone, any of the following volatile solvents, when the seller, offerer or deliverer knows or has reason to believe that the substance symptoms of intoxication, elation, dizziness, paralysis, irrational behavior or in any manner change, distort, or disturb the audio, visual or mental elation, dizziness, paralysis, irrational behavior, or in any manner change, distort or disturb the audio, visual, or mental processes.

(b) Any person violating any of the provisions of this section shall be fined. not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense.

(Code 1972, § 6-13-9)

¹ State law reference-Sale of intoxicating compounds, Ill. Rev. Stat. Ch. 38, § 81-2. 720 ILCS 690/2

Secs. 7-291-7-305. Reserved.

ARTICLE VII. TREES AND SHRUBBERY¹

¹State law reference-Trees and forestry in municipalities, Rev. Stat, Ch. 24, Art. 11, Div. 72.

Sec. 7-306. Poplar, cottonwood trees prohibited.

(a) No person shall plant or cause to be planted in the village any poplar or cottonwood trees as defined in this section.

(b) A "poplar tree" is hereby defined as any of a genus of slender, quick-growing, salicaceous trees, also known as populus; a "cottonwood tree" is hereby defined as a tree of the poplar group with a cottony comma investing the seeds, also known as Populus balsamifera.

(c) Any poplar or cottonwood tree must be removed from any vacant property before a Building Department permit will be issued for construction on that property. If an existing structure or building is demolished on any property, any poplar or cottonwood tree must also be removed. Building department permits will not be issued for construction on a vacant lot or for demolition unless poplar and cottonwood trees are removed.

(Code 1972, § 8-5-1; Ord. 98-27, § 1, 6-22-1998)

Sec. 7-307. Trimming Over Sidewalks, Streets:

All trees kept, maintained or cultivated in any of the streets or public places of the village, the branches of which extend over the sidewalk or street, shall be trimmed at least seven feet (7') above the ground so that the branches thereof will not interfere with persons using the walks or streets.

(Code 1972, § 8-5-2)

📖 Sec. 7-308. Injuring:

It shall be unlawful to injure any trees or shrubs planted or growing in any public place., except by permission of the public works director.

(Code 1972, § 8-5-3; Ord. 2001-05, § 2, 2-26-2001)

📖 Sec. 7-309. Attaching Advertisements, Notices To:

It shall be unlawful to attach any signs, advertisements or notices to any tree or shrub in any public place.

(Code 1972, § 8-5-4)

📖 Sec. 7-310. Dangerous Trees¹:

(a) Any tree, or limb of a tree, which has become likely to fall on or across any public way or place shall be removed by the owner of the abutting premises or of the premises on which such tree grows or stands.

(b) The public works director may trim any such tree or shrub or remove any such tree, branch thereof so that the obstruction or danger to traffic or passage shall be done away with

(Code 1972, § 8-5-5; Ord. 2001-05, § 2, 2-26-2001)

¹505 ILCS 90/15.

📖 Sec. 7-311. Proximity To Wires, Poles:

(a) It shall be unlawful to attach any wire or rope to any tree or shrub in any public street, parkway or other public place without the permission of the board.

(b) Any person or company which maintains poles and wires in the streets, alleys or other public places shall, in the absence of the provision in the franchise concerning the subject, keep such wires and poles free from and away from trees and shrubs in such places so far as may be possible, and shall keep all such trees and shrubs near such wires and poles properly trimmed, subject to the supervision of the public works director so that no injury shall be done either to the poles or wires or to the shrubs and trees by their contact.

(Code 1972, § 8-5-6; Ord. 2001-05, § 2, 2-26-2001)

📖 Sec. 7-312. Injury From Gas Pipes:

Any person or company maintaining any gas pipe in the village shall keep such pipes free from leaks so that no injury shall be done to any trees or shrubs.

(Code 1972, § 8-5-7)

📖 Sec. 7-313. Injury From Excavations:

In making excavations in streets or other public places, proper care shall be taken to avoid injury to the roots of any trees or shrubs, wherever possible.

(Code 1969, Ch. 7, Art. 4; Code 1972, § 8-5-8)

📖 Sec. 7-314. Village Pick Up Of Branches:

(a) The village will provide wood-chipping services and the collection of nominal quantities of tree trimmings to residents during periods of the year when such services are necessary in the opinion of the president and board of trustees. Such services shall be provided during such times as crews are available, and for the fees specified herein. Tree trimmings are branches no longer than ten feet (10') in length and less than four inches (4") in diameter.

(b) No tree trunks or limbs which are four inches (4") or larger will be picked up. If there are trunks or limbs over four inches (4") in diameter, or over the specifications in subsection (a) of this section, which are requested to be picked up or chipped, there will be a charge for this service in accordance with subsection (d) of this section.

(c) Only tree limbs, branches or debris that result from the trimming of a tree on private property will be picked up. If Any tree trunk, limb, branch or debris resulting from the trimming or removal of a tree on private property by a private commercial tree service or over the specifications listed in subsection (a) of this section, is requested to be picked up or chipped, there will be a charge for this service in accordance with subsection (d) of this section. For the purpose of this section, any tree trunk, limb, branch or debris resulting from the cutting, trimming or removal of a tree on a public easement or on a right of way is considered to be on private property.

(d) The cost and charges for services enumerated in this section shall be set from time to time by the president and board of trustees. The fee for services by the village under subsections (b) and (c) of this section, per service, shall be a minimum of seventy five dollars (\$75.00) for every fifteen (15) minute block of time, or portion thereof that the service is being provided or rendered. No fee shall be charged if the total time of service is fifteen (15) minutes or less.

(Code 1972, § 8-5-9; Ord. 77-55, 12-1-1977; Ord. 99-18, § 1, 6-28-1999; Ord. 2000-24, § 1, 5-8-2000; Ord. 2000-30, § 1, 7-10-2000; Ord. 2015-04, § 1, 3-9-2015)

📖 Sec. 7-315. Diseased Trees!:

(a) Any tree which has become infected or is infected by a fungus disease of elms caused by Graphium ulmi, commonly known as Dutch elm disease or elm blight, and by other plant diseases, shall be cut down and removed by the owner of the premises on which such tree grows or stands.

(b) Should the owner of the property on which the diseased tree grows or stands refuse or neglect to remove any such tree, the village may remove such tree and collect from the property owner the reasonable cost thereof. The cost shall be a lien upon the property affected. Prior to removal of the tree by the village, a notice consisting of a sworn statement shall be personally served or sent by registered mail to the person to whom was sent the tax bill for the general taxes for the last preceding year on the property. Such notice shall be delivered or sent not less than thirty (30) days prior to the removal of the tree located thereon. The notice shall contain the

substance of the Illinois statute and this section and identify the property, by common description, and the tree affected.

(Code 1969, Ch. 14, Art. 1; Code 1972, §§ 8-6-1-8-6-3)

¹65 ILCS 5/11-20-11, 5/11-20-12.

 **Sec. 7-316. Burning Of Leaves:**

(Rep. by Ord. 94-25, § 1, 11-14-1994)

 **Sec. 7-317. Illegal Dumping And Depositing:**

(a) Any person, business, corporation, partnership, limited liability corporation or other entity that dumps or deposits landscape waste or any other unauthorized debris on: 1) public property; 2) public parkway; 3) abandoned or vacant property not owned by said person, business, corporation, partnership, limited liability corporation or other entity; or 4) any property not licensed as a dumpsite in the village of Justice shall be fined seven hundred fifty dollars (\$750.00) a day for each day the waste or debris remains on the property and in addition shall be fined the costs of removing and dumping the waste or debris at a licensed dumpsite. If the person, business, corporation, partnership, limited liability corporation or other entity has a business license or work permit in the village of Justice, said license shall be automatically revoked upon a determination of fines and liability.

(b) "Landscape Waste", means all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other material accumulated as the result of the care of lawns, shrubbery, vines and trees.

(Ord. 2001-28, § 1, 7-23-2001)

Secs. 7-318-7-330. Reserved:

ARTICLE VIII. CEMETERIES

 **Sec. 7-331. License, and Fee:**

No person shall establish, open or enlarge any cemetery within the limits of the village. unless the board of trustees of the village shall first fix and determine the boundaries of such cemetery, and unless the annual license is first had and obtained. The annual license fee for the operation of a cemetery under twenty (20) acres, within the village, shall be one thousand five hundred dollars (\$1,500.00); and for a cemetery over twenty (20) acres, within the village, the sum of two thousand five hundred dollars (\$2,500.00).

(Code 1969, Ch. 17; Code 1972, § 8-7-1)

 **Sec. 7-332. Present Boundaries:**

The boundaries of all cemeteries within the limits of the village are hereby fixed and described as the boundaries of such cemeteries as are already situated and located in the village on the date of the adoption and approval of this code, and shall be as the same appear on record in the maps, plats or deeds of such cemeteries. at such time.

(Code 1972, § 8-7-2)

📖 Sec. 7-333. Burial Outside Cemetery:

No corpse shall be interred in any place within the limits of the Village not actually used as a cemetery. or without securing the burial permit required

(Code 1972, § 8-7-3)

📖 Sec. 7-334. Interments Must Conform To Regulations:

It shall be unlawful to inter dead bodies within the limits of any cemetery except under such rules and regulations as may be prescribed by the board of trustees. The burial of any corpse outside of such limits and within the village shall be deemed a violation of section [7-333](#) of this article.

(Code 1972, § 8-7-4)

📖 Sec. 7-335. Violations; Remedial Action:Reserved.

If any person shall violate any of the provisions of this article, he shall be fined. as provided in section [1-7](#) of this code. It shall be lawful for any court to order the offender to disinter any and all dead bodies that he may have buried contrary to the provisions of this article, and to enforce obedience to such order by fines or imprisonment, or both. It shall be unlawful for any person, except under the direction of the board of trustees, to disinter any corpse buried contrary to the provisions of this article and to remove and reinter the same within the lawful bounds of any cemetery.

(Code 1969, Ch. 17; Code 1972, § 8-7-5)