
**THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 08-009**

**AN ORDINANCE ESTABLISHING THE PROHIBITION OF
DEFACEMENT OF PROPERTY OF THE VILLAGE OF
HOMER GLEN, WILL COUNTY, ILLINOIS**

**JAMES P. DALEY, Village President
Gale Skroboton, Village Clerk**

**MARCIA DE VIVO
RUSSELL KNAACK
CHRISTOPHER LOCACIUS
MARY NIEMIEC
MARGARET SABO
LAUREL WARD**

Trustees

**AN ORDINANCE ESTABLISHING THE PROHIBITION OF DEFACEMENT OF
PROPERTY OF THE VILLAGE OF HOMER GLEN, WILL COUNTY,
ILLINOIS**

WHEREAS, the Village of Homer Glen, Cook County, Illinois, (the “*corporate authorities*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the State of Illinois, in 720 ILCS 5/21 et seq., grants specific legislative or regulatory authority for restrictions regarding defacement of property; and

WHEREAS, the corporate authorities, pursuant to 5/11-60-2, may define, prevent, and abate nuisances; and

WHEREAS, the corporate authorities are desirous of enacting ordinances in compliance with the Constitutions of the United States and the State of Illinois; and

WHEREAS, the increase of graffiti, on both public and private property, may create a condition within the Village which results in blight and deterioration of property values and of the comfortable enjoyment of life and property for adjacent and surrounding residents and owners, and would contribute to the overall detriment of the Village; and

WHEREAS, the corporate authorities expressly declare the defacement of property to be a public nuisance that poses a threat to public safety which must be abated to alleviate the detrimental impact of such graffiti on the village, and to prevent the further spread of graffiti; and

WHEREAS, this ordinance is necessary to help prevent the existence of graffiti on public or private property; and

WHEREAS, the corporate authorities have determined it is in the best interests of the citizens of Homer Glen to pass an ordinance establishing defacement of property restrictions.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

SECTION 2. The Village of Homer Glen, Illinois, hereby establishes the following new ordinance to read, as follows:

Defacement of Property

- (A) It shall be unlawful for any person to deface property within the Village, upon either public or private property.
- (B) A person commits criminal defacement of property when the person knowingly damages the property of another without his or her consent by defacing, deforming, or otherwise damaging the property by the use of paint or any other similar substance, or by the use of a writing instrument, etching tool, or any other similar device.
- (C) Penalty. Any person violating this ordinance shall be subject to a mandatory fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00), plus court costs.
- (D) Proceedings to enforce violations of this ordinance may be initiated and conducted in accordance with and pursuant to the provisions of the Village Ordinances providing for Administrative Adjudication of Code Violations or by any other means provided by law.

SECTION 2: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION 3: All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion or order or parts thereof, the most restrictive or highest standard shall prevail.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Adopted this 26th day of February, 2008 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
De Vivo	X			
Knaack	X			
Locacius	X			
Niemiec	X			
Sabo	X			
Ward	X			
Daley (Village President)	-			
TOTAL	6	0	0	-

APPROVED by the Village President on February 26, 2008.

James P. Daley
Village President

ATTEST:

Gale Skrobuton
Village Clerk