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

**ORDINANCE
NUMBER 08-011**

**AN ORDINANCE ESTABLISHING TRESPASS
RESTRICTIONS 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 TRESPASS RESTRICTIONS OF THE
VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS**

WHEREAS, the Village of Homer Glen, Will 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 criminal trespass to property; 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, criminal trespass to property poses an immediate threat to the public safety and welfare in that it increases risks of individuals becoming involved in physical altercations, accidental injury, neighborhood vandalism, and excessive noise disturbances, all of which may require intervention by local law enforcement; and

WHEREAS, this ordinance is necessary to help fight illegal activity of minors and to deter minors from engaging in criminal trespass to 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 trespass 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:

Trespass.

(a) It shall be unlawful for any person to commit a trespass within the Village upon either public or private property.

(b) Without constituting any limitation upon the provisions of subsection (a) any of the following acts by any person shall be deemed included among those that constitute trespasses in violation of the provisions of said subsection (a) and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation

or violations of this ordinance, the aforesaid enumerated acts so included, being as follows:

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

(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