

9.44.020 Trespass to land prohibited

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It is unlawful to commit trespass to real property.

- A. A person who enters upon the land or a building, other than a residence, or any part thereof of another, after receiving, prior to such entry, notice from the owner or occupant that such entry is forbidden, or remains upon the land or in a building, other than a residence, of another after receiving notice from the owner or occupant to depart, commits a trespass to real property.
- B. A person has received notice from the owner or occupant within the meaning of Subsection (A) if he has been notified personally, either orally or in writing including a valid court order as defined by Subsection (7) of Section 112A-3 of the Illinois Code of Criminal Procedure of 1963 (725 ILCS 5/112/A-3) granting remedy (2) of Subsection (b) of Section 112A-14 of that Code (725 ILCS 5/112/A-14), or if a printed or written notice forbidding such entry has been conspicuously posted or exhibited at the main entrance to such land or the forbidden part thereof.
- C. This Section does not apply to any person, whether a migrant worker or otherwise, living on the land with permission of the owner or of his agent having apparent authority to hire workers on such land and assign them living quarters or a place of accommodations for living thereon, nor to anyone living on such land at the request of, or by occupancy, leasing or other agreement or arrangement with the owner or his agent, nor to anyone invited by such migrant worker or other person so living on such land to visit him at the place he is so living upon the land.
- D. A person shall be exempt from prosecution under this Section if he beautifies unoccupied and abandoned residential and industrial properties located within any municipality. For the purpose of this subsection, "unoccupied and abandoned residential and industrial property" means any real estate (1) in which the taxes have not been paid for a period of at least 2 years; and (2) which has been left unoccupied and abandoned for a period of at least one year; and "beautifies" means to landscape, clean up litter, or to repair dilapidated conditions on or to board up windows and doors.
- E. No person shall be liable in any civil action for money damages to the owner or unoccupied and abandoned residential and industrial property which that person beautifies pursuant to Subsection (D) of this Section.

(1994-M-81 : § 1; 1969-M-3 : § 4; Prior code : § 28.038)