

CITY OF ST. CHARLES

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ORDINANCE NO. 1994-M-81

AN ORDINANCE AMENDING CHAPTER 9.44, "TRESPASS",  
SECTION 9.44.020, "TRESPASS TO LAND PROHIBITED",  
OF THE ST. CHARLES MUNICIPAL CODE

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ADOPTED BY THE

CITY COUNCIL

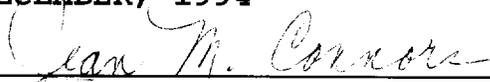
OF THE

CITY OF ST. CHARLES

THIS 19TH DAY OF DECEMBER, 1994

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PUBLISHED IN PAMPHLET FORM BY  
AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF ST. CHARLES,  
KANE AND DU PAGE COUNTIES,  
ILLINOIS, THIS 22ND DAY OF  
DECEMBER, 1994

  
\_\_\_\_\_  
CITY CLERK

( S E A L )

DATE OF PUBLICATION 12/23/94  
NEWSPAPER Pamphlet Form

REFER TO:  
MINUTES 12/19/94  
PAGE \_\_\_\_\_

ORDINANCE NO. 1994-M- 81

**AN ORDINANCE AMENDING CHAPTER 9.44, "TRESPASS",  
SECTION 9.44.020, "TRESPASS TO LAND PROHIBITED",  
OF THE ST. CHARLES MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,  
KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Chapter 9.44, "Trespass", Section 9.44.020, "Trespass to Land Prohibited", of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefore:

**"9.44.020 Trespass to real property prohibited.**

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 5/112A-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."

2. Any person, firm, or corporation violating any provision of this Ordinance shall be fined not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each offense.

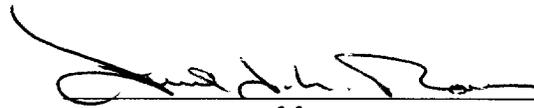
3. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this 19th day of December, 1994.

**PASSED** by the City Council of the City of St. Charles, Illinois, this 19th day of December, 1994.

**APPROVED** by the Mayor of the City of St. Charles, Illinois, this 19th day of

December, 1994.



Mayor

**ATTEST:**

  
City Clerk

**COUNCIL VOTE:**

Ayes: 12

Nays: 0

Absent: 1

**APPROVED AS TO FORM:**

  
City Attorney

DATE: 12/19/94

STATE OF ILLINOIS )  
 ) SS.  
COUNTIES OF KANE AND DUPAGE )

C E R T I F I C A T E

I, JEAN M. CONNORS, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on December 19, 1994, the Corporate Authorities of such municipality passed and approved Ordinance No. 1994-M-81, entitled

"AN ORDINANCE AMENDING CHAPTER 9.44, 'TRESPASS', SECTION 9.44.020, 'TRESPASS TO LAND PROHIBITED', OF THE ST. CHARLES MUNICIPAL CODE",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1994-M-81, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 22, 1994, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 21<sup>st</sup> day of December, 1994.

  
\_\_\_\_\_  
Municipal Clerk

( S E A L )