

**City of St. Charles, Illinois**

**Ordinance No. 2008-M-76**

**An Ordinance Amending Title 9 “Public Peace, Morals  
and Welfare” of the St. Charles Municipal Code**

**Adopted by the  
City Council  
of the  
City of St. Charles  
November 3, 2008**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, November 7, 2008**

  
\_\_\_\_\_  
City Clerk



**(SEAL)**

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**Ordinance No. 2008-M- 76**

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Of the St. Charles Municipal Code**

NOW, THEREFORE, BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

**SECTION ONE:** That Title 9, Chapter 28 ("Vagrancy") is hereby deleted in its entirety and the following language be inserted in lieu thereof:

**"9.28.010 Begging.**

A. It is unlawful for any person to wander about and beg, or to go about from door to door of private homes, commercial or business establishments, or place themselves in or upon any public way or public place to beg or receive alms for themselves, whether or not in exchange for any unsolicited work.

B. Any person, firm or corporation violating the provisions of this Chapter shall, upon conviction, be fined fifty (\$50) dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues."

**SECTION TWO:** That Title 9 is hereby amended by the addition of the following Chapters, which shall read as follows:

**"9.14.010 Fraudulent Schemes.**

A. It is unlawful for any person to engage in any fraudulent scheme, device or trick to obtain money or other valuable thing from others, or for any person to aid or assist such scheme, device or trick.

B. Any person, firm or corporation violating the provisions of this Chapter shall, upon conviction, be fined fifty (\$50) dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**09.21.010 Loitering.**

A. For the purposes of this Chapter, the terms "loiter" or "loitering" shall mean remaining idle in one location or substantially the same location, and includes the concepts of spending time, loafing, walking about aimlessly and the colloquial expression of "hanging around".

B. It is unlawful for a person to Loiter in a place, at a time, or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the person takes flight upon appearance of a law enforcement officer, refuses to identify themselves, or manifestly endeavors to conceal themselves or any object. Unless flight by the person or other circumstance makes it impracticable, a law enforcement officer shall, prior to any arrest for an offense under this Chapter, afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting said person to identify themselves and explain their presence and conduct. No person shall be convicted of an offense under this Chapter if the law enforcement officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the person was true and, if believed by the law enforcement officer at the time, would have dispelled the alarm.

C. Specific instances. It is unlawful for a person to Loiter in a public place in such a manner as to:

1. Create or cause to be created a danger of breach of the peace;
2. To obstruct, or threaten the obstruction of other persons or vehicles, which shall include, but not be limited to, sitting or lounging upon sidewalks, parking lots or other public ways;
3. Molest or interfere with any person lawfully in a public place, including, but not limited to, making unsolicited statements of an offensive, insulting or inflammatory nature, which are calculated to, or tend to incite an immediate breach of the peace by any person to whom, or in whose hearing, they are made.

D. Notwithstanding the foregoing, no person shall be guilty of Loitering unless such person refuses or fails to leave the location or moves to another public location and continues to Loiter there.

E. Any person, firm or corporation violating the provisions of this Chapter shall, upon conviction, be fined fifty (\$50) dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**9.56.010 Camping - Prohibited on City property – signs.**

A. It is unlawful for any person or persons to camp at any time on City property unless authorized by the Chief of Police. For the purposes of this Chapter, the term "camping" includes building a fire, partaking of any meal or the maintenance of a rendezvous or meeting place and further includes the use of any vehicle having a compact temporary living unit which sits in the bed of a pickup truck or use of any part of a vehicle or apparatus for shelter or resting.

B. The Director of Public Works is authorized to erect signs prohibiting camping in accordance with this provision.

C. Any person, firm or corporation violating the provisions of this Chapter shall, upon conviction, be fined fifty (\$50) dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues."

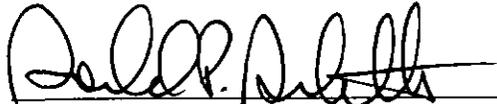
**SECTION FOUR:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

**SECTION FIVE:** This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 3rd day of November, 2008.

PASSED by the City Council of the City of St. Charles, Illinois, this 3rd day of November, 2008.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 3rd day of November, 2008.

  
\_\_\_\_\_  
Donald P. DeWitte, Mayor

ATTEST:

  
\_\_\_\_\_  
Nancy Garrison, City Clerk



COUNCIL VOTE:

Ayes : 9  
Nays :       
Absent : 0  
Abstain:     

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_

State of Illinois )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on November 3, 2008, the Corporate Authorities of such municipality passed and approved Ordinance No. 2008-M-76, entitled

"An Ordinance Amending Title 9 "Public Peace, Morals and Welfare" 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. 2008-M-76, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on November 7, 2008, 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 3rd day of November 2008.

  
Municipal Clerk

(SEAL)

