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## Article 1 - Explosives and Fireworks

### 2601 Nitroglycerine - T.N.T

It shall be unlawful to keep or store any nitroglycerine or the explosive commonly known as T.N.T. in the Village in any quantities, excepting for medicinal or laboratory purposes and for such purposes no more than one pound shall be stored in any one building or premises.

### 2602 Rules of the State Fire Marshal

All explosives must be kept or stored in accordance with the rules enforced by the state fire marshal with regard to the same, subject to the conditions of this Article.

### 2603 Fireworks

The term fireworks shall mean and include any explosive composition, or any substance or combination of substances or article prepared for the purpose of producing an audible effect by explosion or detonation only, and shall include blank cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, bombs or other fireworks of like construction and any fireworks containing any explosive compound or any tablets or other devices containing any explosive substance. The term fireworks shall not include sparklers which do not contain magnesium, toy pistols, toy canes, toy guns or other devices in which paper caps containing .25 grains or less explosive compound are used; provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion. It shall also not include toy pistol caps which contain .25 grains or less explosive mixture and which are packed in packages or containers containing 300 caps or less, the sale and use of which shall be permitted at all times.

### 2604 Prohibition; Exception for Displays; Permit *(Revised Ord. 2006-47)*

2604.1 Except as hereinafter provided, it shall be unlawful for any person to offer for sale, expose for sale, sell at retail or use or explode any fireworks unless a permit for such sale, exposure for sale, sale at retail or use or exploding of fireworks has been issued by the Village. Any person so desiring a permit shall apply to the Village for a permit.

2604.2 The applicant for a permit shall submit a written application for a permit at least 15 days in advance of the date of the Pyrotechnic Display as defined by 225 ILCS 227/1 et seq. The application must be completed and signed by three (3) adult individuals and supervised by a Lead Pyrotechnic Operator as defined by 225 ILCS 227/1 et seq. The permit application shall be accompanied by a fee of \$50.00 and shall be reviewed by the Village's Building and Zoning Officer, who shall either issue or deny the permit.

- 2604.3 The pyrotechnic display services shall be provided by a licensed Pyrotechnic Distributor and the display shall be conducted by a licensed Lead Pyrotechnic Operator as defined by 225 ILCS 227/1 et seq.
- 2604.4 The applicant shall provide proof of liability insurance in a sum not less than \$5,000,000 with an insurance company authorized to do business in Illinois and shall provide a certificate of insurance naming the Village as an additional insured in the amount determined by the Village.
- 2604.5 The Fire Chief of the applicable fire protection district or his/her designee shall inspect the display site and ensure the display can be performed in full compliance with the NFPA standards adopted and amended by the OSFM Rules, Part 235, for the type of Pyrotechnic Display to be performed. The Fire Chief shall sign the display permit or it shall not be valid.
- 2604.6 Any permit issued under this Chapter is not transferable.
- 2604.7 Any permit issued under this Chapter shall only be valid for the purposes and date provided in the permit.
- 2604.8 The permit authorizing the public display of fireworks may be issued only after the issuing officer has inspected the display site to ensure that such display is not hazardous to property nor will endanger any person; the display site is free from overhead obstacles; and the display is not closer than 600 feet to any hospital, nursing home, or other institution. The issuing officer may consult with the local fire chief or the National Fire Protection Association's 1123 Guidelines for outdoor displays to ensure the safety of persons and property. If the display site does not meet the above criterion, then no permit to conduct the public fireworks display shall issue.
- 2604.9 The supervisor is responsible for all aspects of the display related to fireworks and other pyrotechnics. While the supervisor may actively participate in the firing of the display, safety must be the supervisor's primary concern. The supervisor must ensure that:
- A. No fire or life safety hazard is allowed to exist or occur during the storage, transportation, handling, preparation or use of fireworks.
  - B. All displays are conducted in accordance with applicable laws, codes, regulations and guidelines relating to fireworks.
  - C. A sufficient number of assistants are on hand for the safe conduct of the display and the safety of those watching the display.

- D. Proper protective gear (i.e., safety glasses and protective clothing) is worn by all personnel involved in the display. Suitable protective clothing should include long-sleeved shirts and long pants made of 100 percent cotton, leather or other equivalent fabric.
- E. A sufficient number of fire extinguishers of a suitable type are present while fireworks are being prepared for firing or fired.
- F. If at any time high winds or wet weather creates a danger, the display must be postponed until weather conditions improve.
- G. The area in which debris from aerial fireworks has fallen must be inspected for unexploded fireworks and/or hot embers.
- H. The application for a permit to conduct a public fireworks display shall be picked up at the Village Hall of the Village of Spring Grove.

## 2605 Dates for Sales

*(Revised Ord. No. 2008-23)*

Colored lights or torches, flower pots, fountains, pinwheels, illuminating mines, floral and comet fountains and all whistling novelties that do not explode and which are allowed pursuant to Illinois State Statutes, may only be sold provided they are sold inside the retail establishment.

## Article 2 - Gambling

### 2606 Prohibition

It shall be unlawful to gamble or to attend any gambling resort, or to make any bet, lottery or gambling hazard, or to buy or sell any chances or tickets in any gambling game, arrangement or device unless authorized by the Village President and the Board of Trustees.

### 2607 Devices

It shall be unlawful to possess any gambling device or paraphernalia with the intent to use the same for an unlawful purpose; and any such device or paraphernalia kept with such intent may be confiscated by any member of the police department.

### 2608 Gambling Houses

It shall be unlawful to maintain or patronize any establishment maintained for a gambling house or resort.

### 2609 Advertising

It shall be unlawful to advertise any gambling house or gambling resort in any street, alley or public place within the Village unless otherwise authorized by the Village President and the Board of Trustees.

### 2610 Video Gaming

*(Revised Ord. 2012-21)*

Notwithstanding the prohibition contained in Sections 2606 through 2609 of this Chapter, not more than five (5) video gaming terminals may be located in a licensed retail establishment where alcoholic liquor is drawn, poured, mixed or otherwise served for consumption on the premises. Video gaming terminals may also be located at licensed fraternal establishments, licensed veterans establishments and licensed truck stop establishments as defined by the Video Gaming Act, 230 ILCS 40/1, et seq.

2610.1 In addition to submitting an annual registration on the form required by the Village, each licensed establishment shall concurrently supply to the Village its application to the Illinois Gaming Board and a copy of the license issued by the Illinois Gaming Board. The licensed establishment shall annually pay a fee of \$25.00 per video gaming terminal at the same time it renews or pays for its annual liquor license. If a licensed establishment does not have a liquor license then it shall pay the annual fee before May 1 of each year.

2610.2 All licensed establishments shall be located at least 100 feet from a school or a place of worship as defined under the Religious Corporation Act.

- 2610.3 At all times a licensed establishment shall comply in all respects with the Video Gaming Act and the regulations of the Illinois Gaming Board, as they each may be amended from time to time.
- 2610.4 Video gaming terminals must be located in an area restricted to persons over 21 years of age, the entrance to which is within the view of at least one employee of the establishment who is over 21 years of age. Any licensed establishment that allows persons under 21 years of age to enter must segregate video gaming terminals in a separate area inaccessible to minors.
- 2610.5 All video gaming terminals must be located in an area of the licensed establishment with restricted visibility from areas outside the business.
- 2610.6 An owner, manager or employee over the age of 21 shall be present during all hours of operation when video gaming terminals are available for use by the public.
- 2610.7 The licensed establishment shall prevent access to video gaming terminals by persons who are visibly intoxicated.
- 2610.8 The Village and its agents shall have unrestricted access to enter the licensed establishment to determine compliance with this Section, the Illinois Video Gaming Act and the regulations of the Illinois Gaming Board.
- 2610.9 Any person, firm, corporation, partnership, limited liability company or other entity which violates this section shall be fined not less than \$500.00 for each offense. Each day that a violation continues shall be a separate offense.



## Article 3 – Minors

### 2611 Curfew

*(Revised Ord. 2004-11)*

- 2611.1 It is unlawful for a person less than 17 years of age to be present at or upon any public assembly, building, place, street or highway at the following times:
- A. Between 12:01 a.m. and 6:00 a.m. Saturday;
  - B. Between 12:01 a.m. and 6:00 a.m. Sunday;
  - C. Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.
- 2611.2 It shall not be a violation under this Section if the child engaged in the prohibited conduct was:
- A. Engaged in a business or occupation, which the laws of the State of Illinois authorize a person less than 17 years of age to perform.
  - B. Accompanied by the child's parent, legal guardian, custodian, sibling, stepbrother or stepsister at least 18 years of age;
  - C. Accompanied by an adult at least 18 years of age who has been approved by the child's parent, guardian or custodian.
  - D. Participating in, going to or returning from:
    - 1. employment which the laws of this state authorize a person less than 17 years of age to perform;
    - 2. a school recreational activity;
    - 3. a religious event;
    - 4. an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;
    - 5. an activity involving the exercise of the child's rights protected under the First Amendment to the United States Constitution or Article 1, Sections 3, 4 and 5 of the Constitution of the State of Illinois, or both;

6. an activity conducted by a non-profit or governmental entity that provides recreation, education, training, or other care under the supervision of one (1) or more adults.

2611.3 **Citation for Violation.** A citation for violation of Section 2611.1 may be issued by a Police Officer only if he reasonably believes that a violation has occurred and none of the factors enumerated in Section 2611.2 apply.

2611.4 **Penalty.** A person convicted of violation of Section 2611 shall be fined not less than \$25, nor more than \$750.

## 2612 Consumption of Alcohol by Minors

2612.1 No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service.

2612.2 Any person shall be subject to the penalties of this ordinance where he or she knowingly permits a gathering at a residence which he or she occupies of 2 or more persons where any 1 or more of the persons is under 21 years of age and the following factors also apply:

- A. The person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage; and the person occupying the residence knows the person under the age of 21 leaves the residence in an intoxicated condition; and the possession or consumption of the alcohol by the person under 21 is not otherwise permitted by state or municipal law; and
- B. The possession or consumption of alcohol by the person under 21 is not otherwise permitted by law; and
- C. The person occupying the residence knows that the person under the age of 21 leaves the residence in an intoxicated condition.

For purposes of Section 2612.2 where the residence has an owner and a tenant or lessee, there is a rebuttable presumption that the residence is occupied only by the tenant or lessee.

## 2612.3 Purchase or Acceptance by Persons of Non-Age

- A. Any person under the age of 21 years shall not purchase or accept a gift of alcoholic liquor or have alcoholic liquor in his possession.

- B. The consumption of alcoholic liquor by any person under the age of 21 years is forbidden.
- C. Any person under the age of 21 years who presents or offers to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity which is false, fraudulent, or not actually his own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage or who has in his possession any false or fraudulent written, printed, or photostatic evidence of age or identity is subject to penalties of this ordinance.
- D. Any person under the age of 21 years who has any alcoholic beverage in his possession on any street or highway or in any public place or in any place open to the public is subject to the penalties of this ordinance. This paragraph does not apply to possession by a person under the age of 21 years but over the age of 19 years in pursuant of his or her employment.

## Article 4 - Snowmobiles

### 2613 Statute Adopted

The *Snowmobile Registration and Safety Act of Illinois* adopted. 625 ILCS, Section 601-1 through and including Section 600-1 are hereby incorporated by reference and made part of the Village Code.

### 2614 Operation

- 2614.1 All snowmobiles operating on Village right of way shall not travel in excess of 15 MPH while on said Village right of way.
- 2614.2 All snowmobiles shall be subject to the Parking ordinance and regulations of the Village of Spring Grove and the penalties set forth therein.
- 2614.3 The operation of snowmobiles is hereby prohibited between the hours of 11:00 p.m. and 7:00 a.m. on Sunday through Thursday from 12:00 a.m. (Midnight) and 7:00 a.m. on Fridays and Saturdays.
- 2614.4 Operation of snowmobiles on Village owned property other than roadways is prohibited unless authorized by the Village President and the Board of Trustees.

## Article 5 - Other Offenses

### 2615 Advertising

It shall be unlawful to advertise any unlawful business or article in the Village and it shall be unlawful to injure or deface any lawful advertisement or notice.

### 2616 Articles on Windows

It shall be unlawful to place any movable article on any window ledge, or other place abutting on a public street, alley or other public place at a height above 4 feet from the ground, in such a manner that the same can be or is in danger of falling onto such street, sidewalk or other public place.

### 2617 Cheating

It shall be unlawful for any person, firm or corporation to obtain possession of any goods, property or thing of value by any false proceedings or by cheating or by fraud of any kind.

### 2618 Climbing Telephone Poles, Etc.

No person shall climb upon any telegraph pole, electric light pole or sign pole (unless in the performance of his duties).

### 2619 Combustible Refuse

It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard, or to store or throw any refuse of any kind on any street, alley or public place.

### 2620 Discharge of Firearms

It shall be unlawful to discharge any firearms including but not limited to airguns, BB guns, and paint guns in the Village; provided that this section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty, nor to any citizen to discharge a firearm when lawfully defending his person or property.

### 2621 Disorderly Conduct

A person commits disorderly conduct when he knowingly:

- 2621.1 Does any act in such unreasonable manner as to alarm or disturb another and to provide a breach of peace; or
- 2621.2 With the intent to annoy another, makes a telephone call, whether or not conversation thereby ensues; or

- 2621.3 Transmits in any manner to the fire department of any city, town, village or fire protection district a false alarm of fire, knowing at the time of such transmission that there is no reasonable ground for believing that such fire exists; or
- 2621.4 Transmits in any manner to another a false alarm to the effect that a bomb or other explosive of any nature is concealed in such a place that its explosion would endanger human life, knowing at the time of such transmission that there is no reasonable ground for believing that such an offense has been committed; or
- 2621.5 Transmits in any manner to a peace officer, public officer or public employee a report to the effect that an offense has been committed, knowing at the time of such transmission that there is no reasonable ground for believing that such an offense has been committed; or
- 2621.6 Enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it; or
- 2621.7 Engages in fighting with another person except in boxing and wrestling exhibitions duly authorized and licensed under law; or
- 2621.8 Has the status of a vagrant as defined hereafter:
- A. **No Lawful Means of Support.** Any person having no lawful means of employment and having no lawful means of support realized solely from lawful occupations or sources; or any person who lives idly and without visible means of support.
  - B. **Unlawful Occupancy.** Any person wandering abroad and occupying, lodging, or sleeping in any vacant or unoccupied bar, garage, shed, shop, or other building or structure, or in any automobile, truck railroad car, or other vehicle, without owning the same or without permission of the same, or sleeping in any vacant lot during the hours of darkness and not giving a satisfactory account of himself.
  - C. **Begging.** Any person wandering abroad and begging; or any person who goes about from door to door of private homes or commercial and business establishments, or places himself in or upon any public way or public places to beg or receive alms for himself.
  - D. **Fraudulent Schemes.** Any person who shall engage in any fraudulent scheme, device, or trick to obtain money or other valuable thing from others; or any person who aids or assists such trick device or scheme.

E. All persons who by the law are vagrants, whether embraced in any of the foregoing classifications or not.

2621.9 Causes any unnecessary, loud, or unusual noises which are prolonged, unusual and unnatural in their time, place and use, and which affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of this Village.

2621.10 A person operating or in control of a motor vehicle who engages in conduct that is dangerous to persons or property or that is otherwise against public peace and safety. This offense includes, but is not limited to:

A. Squealing of tires.

B. Causing the motor vehicle while in motion to raise one or more wheels off the ground.

C. Causing the motor vehicle to skid in a manner commonly known as a donut.  
*(Revised Ord. 2012-11)*

## 2622 Disturbing Assemblages

It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village.

## 2623 Open Burning *(Revised Ord. 2008-08)*

2623.1 **Intent and Purpose.** Open burning creates a risk of losses due to fire and impairs air quality. The regulation of open burning is necessary to protect the public health, safety and welfare.

2623.2 **Definitions.** Unless the context otherwise requires, the following terms as used in this Section shall be construed according to the definitions given below.

**Brush.** Tree trunks, limbs, branches and twigs.

**Ceremonial Fire (Bonfire).** An outdoor fire larger than 3 feet by 3 feet by 3 feet (3'x3'x3') which is used for entertainment purposes as part of a specifically scheduled public or private event and excludes leaves, grass or shrubbery clippings or cuttings.

**Garbage.** The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**Habitable Structure.** Any structure with electric and heat intended to be used for living sleeping, eating or assembly purposes including but not limited to residences, multi family dwellings, churches, schools, food facilities and industrial buildings.

**Landscape Waste.** All accumulation of grass or shrubbery cutting, leaves, flowers and weeds.

**Litter.** Any discard, used or unconsumed substance or waste. Litter may include, but is not limited to any garbage, trash, refuse, debris, rubbish, newspaper, magazines, glass, metal, plastic or paper containers or other packaging construction materials, motor vehicle parts, furniture, oil, carcass of dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard, potentially infectious medical waste, or anything else of an unsightly or unsanitary nature, which has been discarded, abandoned or otherwise disposed of improperly.

**Manure.** The fecal and urinary defecations of livestock and poultry. Manure may often contain some spilled feed, bedding or litter.

**Non-Habitable Structure.** Any structure not identified as habitable as defined and includes but is not limited to garages, sheds, barns and swimming pools.

**Open Burning.** The combustion of any matter in such a way that the products of the combustion are emitted to the open air without originating in or passing through equipment for which a permit could be issued under the provisions of the Environmental Protection Act.

**Recreational Fire.** A temporary outdoor fire for warmth, cooking for human consumption, or for nonceremonial purposes where the fire is not larger than 3 feet by 3 feet by 3 feet (3'x3'x3') and excludes leaves, grass or shrubbery clippings or cuttings.

**Structure.** The results of a man-made change to the land constructed on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building; installing a manufactured home on a site; preparing a site for a manufactured home or installing a recreational vehicle or travel trailer on site for more than 180 consecutive days.

### 2623.3 Exemptions

- A. Sections 2623.4.A, 2623.4.B, 2623.5.B 1-3 and 2623.6.B shall not apply to prescribed burns associated with ecologic restoration or natural landscape management, any burning of landscape waste for purposes of habitat reclamation, or firefighter training.
- B. Sections 2623.4.A, 2623.4.B, 2623.5.B 1-3 and 2623.6.B shall not apply to the burning of brush for purposes of domestic fireplaces or cooking or external fireplaces, or to self-contained outdoor wood-burning devices or fireplaces.





1. Burning is permitted only on weekends, between dawn and dusk, during the months of October, November, April and May.
2. Burning is not permitted when the wind is in excess of 10 miles per hour.
3. Burning is not permitted of any materials other than dry landscape waste and/or brush.
4. Burning is not permitted on public or private roads, alleys, sidewalks or easements.
5. Burning is not permitted when it is a visibility hazard on roadways, railroad tracks or air fields.
6. Burning shall not be ignited or fueled with any highly flammable, explosive or hazardous material.

2623.6 **Conditions and Limitations of Open Burning**

- A. All open burning must be supervised by an individual at least 18 years of age until the fire is extinguished.
- B. A fire extinguisher or garden hose or water source shall be available at the burning site.
- C. It is the responsibility of the individual conducting the burning and the owner of the property to satisfactorily determine that all conditions upon burning as noted above are complied with during any burning.
- D. It shall be unlawful for any person to cause or allow any open or uncontrolled burning of landscape waste and/or other materials in violation of the above regulations and restrictions.
- E. Any ceremonial fire (bonfire) or recreational fire must be supervised by an individual at least 18 years of age or older.
- F. The Chairman of the County Board shall have the authority to waive all or part of the requirements of this Section in the event of emergencies resulting from natural phenomenon or civil strife.

## 2623.7 Violations and Penalties

- A. Any person who violates any provision of this Section shall be punished by a fine of \$100.00 for a first time offense and a fine of \$1,000.00 for offenses subsequent to the first offense. The burning of any toxic material and any prior convictions under this article shall be considered factors in aggravation for purposes of the assessment of any fines.

## 2624 Hunting

It shall be unlawful for any person to hunt or engage in the killing of any animal other than as otherwise permitted and prescribed by the laws of the State of Illinois governing the regulation and licensing of the taking of wildlife pursuant of *the Wildlife Act, 520 ILCS 5 et seq.*

## 2625 Indecent Publications

It shall be unlawful to sell or offer for sale, or to circulate, pass from one person to another, or expose, in any public place where or anywhere in view of a place or store frequented by the public any immoral, indecent or obscene publications, printed, or written matter or picture or other representation. It shall be unlawful to keep any such publication, printed or written matter, picture or other representation in any place frequented by, or where it may come into possession of minors, or to disclose or expose any such material to a minor.

## 2626 Loitering

It shall be unlawful for any mendicant or vagrant to frequent any depot, store, theater, street, alley, sidewalk, park, or any other public place, or any automobile or other vehicle parked in or upon a public place.

- 2626.1 Any person, or persons, who shall be found idling, lounging, or loafing in, on, or about any public sidewalk, street, highway, park, or any other public place, and who refuse to move on or disperse when ordered to do so by any public peace officer, shall be deemed guilty of loitering.

## 2627 Missiles

It shall be unlawful to cast, throw, or propel any missiles on any street, alley or public place; and it shall be unlawful to throw or deposit any glass, nails, tacks, or other similar articles on any street, sidewalk, or alley in the Village.

## 2628 Mob Action

Mob action consists of any of the following:

- 2628.1 The use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law; and
- 2628.2 The assembly of 2 or more persons to do an unlawful act; or
- 2628.3 The assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of any one supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence.
- 2628.4 The failure to disperse after a request to do so by a Police Officer or duly authorized law enforcement officer.

### **2629 Obstructing Exits or Stairways**

It shall be unlawful to obstruct or permit the obstruction, of any stairway, aisle, corridor, or exit in an office building, factory, hotel, school, church, theater, assembly hall, lodge or other public hall, or any building used by two or more tenants or families, in such a manner as to interfere with the free use of such stairway, aisle, corridor or exit.

### **2630 Posting Bills**

It shall be unlawful to post any bills or advertisements on any public property without the authority of the Board of Trustees; and it shall be unlawful to post any bill or advertisement on any property without the written consent of the owner thereof.

### **2631 Public Intoxication**

Whoever shall be in or about any public place or places wherein the public is allowed access while under the influence of intoxicating liquor shall be guilty of this offense.

- 2631.1 Included in this offense will be all public roads and roadways, commercial store, gas stations, parking lots, schools, beaches, parks and any other areas available to public access.
- 2631.2 Under the influence of intoxicating liquor shall be defined as that condition which would prevent a person from driving a motor vehicle as provided in the Illinois Motor Vehicle Code.

## 2632 Scaffolds

Any scaffolds or ladders placed in such a position that they overhang or can fall onto any public street, alley or other public way in the Village, shall be firmly and properly constructed and safeguarded; and it shall be unlawful to place or leave any tools or article on any such place in such a manner that the same can fall onto such street, sidewalk or other public way from a greater height than four feet.

## 2633 Trespass to Land

Whoever enters upon the land or any part thereof of another, after receiving, immediately prior to such entry notice from the owner or occupant that such entry is forbidden, or remains upon the land of another after receiving notice from the owner or occupant to depart, commits the offense of criminal trespass to land.

## 2634 Trespass to Vehicles

Whoever knowingly and without authority enters any vehicle, aircraft, watercraft, or any part thereof of another without the owners consent shall be guilty of criminal trespass to vehicles.

## 2635 Unlawful Assemblages

It shall be unlawful to collect, gather or be a member of any disorderly crowd, or any crowd gathered together for any unlawful purpose.

## 2636 Unnecessary Noises

2636.1 **Prohibition.** It shall be unlawful for any person to make, or cause to be made, create or maintain loud, unnecessary, unnatural or unusual noises which are prolonged in their time, place and use, and which affect and are a detriment to public health, comfort, convenience, safety welfare and prosperity of the residents of the Village, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace of safety of others, within the limits of the Village.

2636.2 **Violations.** The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive, namely:

A. **Horns, Signaling Devices, Etc.** The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place of the Village, except as a danger warning; the creation of any unreasonably loud or harsh sound; and the sounding of any such devices for an unnecessary and unreasonable period of time. The use of any signaling

device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such device when traffic is for any reason held up.

- B. **Radios, Compact Disc Player, Etc.** The using, operating, or permitting to be played, used or operated and radio receiving set, musical instrument, compact disc player, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, compact disc player, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- C. **Loud Speakers, Amplifiers for Advertising.** The using, operating or permitting to be played, used, or operated of any radio receiving set, instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- D. **Yelling, Shouting, Etc.** Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any person in the vicinity.
- E. **Exhausts.** The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- F. **Defect in Vehicle or Load.** The use of any automobile, motorcycle, or vehicle so out of repair, so loaded or in such a manner as to create loud and unnecessary grating, grinding, rattling or other noise.

G. **Construction Hours.** No activities in connection with construction, alteration, excavation, repair or demolition shall be conducted before the hour of seven o'clock (7:00) A.M. or after the hour of eight o'clock (8:00) P.M. Monday through Saturday, or before the hour of eight o'clock (8:00) A.M. or after the hour of six o'clock (6:00) P.M. on Sundays or legal holidays. Legal holidays shall consist of New Year's Day, Memorial Day, the Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.

Every contractor and permittee shall be responsible for all actions of their employees, agents, and subcontractors under this subsection, and shall be liable for all violations of the provisions of this subsection committed by such employees, agents, or subcontractors.

Exceptions:

1. These activities may be conducted outside the specified times in the event of emergencies in order to protect the health, safety or welfare of the public.
2. The hours may be extended for Village construction projects when it serves the best interest of the public good, provided the effect on the public health, comfort, convenience, peace, safety and welfare are minimized.
3. Work crews may be on site prior to the seven o'clock (7:00) A.M. start but no machinery shall be started for warm up prior to seven o'clock (7:00) A.M. The delivery and unloading of heavy machinery shall not be done prior to seven o'clock (7:00) A.M. without prior permission of the Village Board or special permission from the Building Inspector. (*Revised Ord. 2006-53*)

H. **Schools, Courts, Churches, Hospitals.** The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the working of such institutions, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

- I. **Blowers.** The operation of any noise-creating blower or blower fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.
  
- J. **Accelerating Too Rapidly.** No person shall operate a motor vehicle within the Village limits in such a manner as to disturb the peace through accelerating too rapidly from a standing or rolling stop, and any noise or disturbance created by tires, throwing of stones, or other means which are mainly occasioned by accelerating too quickly, shall be deemed a violation of this section.

## 2637 Whistles

It shall be unlawful to blow or cause to be sounded any steam whistle of any stationary engine or steam engine in the Village except as a signal for starting or stopping work or in emergencies to avoid or prevent injury to persons or property.



## Article 6 – Offenses against the Person

*(Revised Ord. No. 2010-01)*

### 2638 Public Indecency

Any person of the age of 17 years and upwards who performs any of the following acts in a public place commits a public indecency:

- A. An act of sexual intercourse; or
- B. An act of deviate sexual conduct; or
- C. A lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person or another person; or
- D. A lewd fondling or caress of the body of another person of either sex; or
- E. Urination or relieving of the bowels in a public place or in a place observable from a public way.

2638.1 **Public Place.** For purposes of this section means any place where the conduct may reasonably be expected to be viewed by others.

### 2639 Assault

A person commits an assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery.

### 2640 Aggravated Assault

A person commits an aggravated assault when, in committing an assault, he:

- A. Uses a deadly weapon or any device manufactured and designed to be substantially similar in appearance to a firearm; or
- B. Is hooded, robed or masked in such a manner as to conceal his identity; or
- C. Knows the individual assaulted to be a teacher or other person employed in any school, and such teacher or other person or employee is upon the grounds of a school or ground adjacent thereto, or is in any part of a building used for school purposes; or
- D. Knows the individual to be a peace officer or person summoned and directed by him, while such officer is in execution of any of his official duties.

## **2641 Battery**

A person commits battery if he intentionally or knowingly without legal justification and by any means:

- A. Causes bodily harm to an individual; or
- B. Makes physical contact of an insulting or provoking nature with an individual.

## **2642 Reckless Conduct**

A person who causes bodily harm to or endangers the bodily safety of an individual by any means commits reckless conduct if he performs recklessly the acts which cause the harm or endangers safety, whether they otherwise are lawful or unlawful.

## **2643 Penalty**

Any person, firm or entity which violates the provisions of this Article shall be subject to a fine of not less than \$250.00 nor more than \$750.00.

## Article 7 – Offenses against Property

*(Revised Ord. No. 2010-01)*

### 2644 Theft

A person commits theft when he knowingly:

- A. Obtains or exerts unauthorized control over property of the owner; or
- B. Obtains by deception control over property of the owner; or
- C. Obtains by threat control over property of the owner; or
- D. Obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him to believe that the property was stolen.

### 2645 Theft of Lost or Mislaid Property

A person who obtains control over lost or mislaid property commits theft when he:

- A. Knows or learns the identity of the owner or knows, or is aware of, or learns of a reasonable method of identifying the owner; and
- B. Fails to take reasonable measures to restore the property to the owner; and
- C. Intends to deprive the owner permanently of the use or benefit of the property.

### 2646 Deceptive Practices

A person commits a deceptive practice when, with intent to defraud, the person does any of the following:

- A. He causes another by deception or threat to execute a document disposing of property or a document by which a pecuniary obligation is incurred.
- B. Being an officer, manager or other person participating in the direction of a financial institution, he knowingly receives or permits the receipt of a deposit or other investment, knowing that the institution is insolvent.
- C. He knowingly makes or directs another to make a false or deceptive statement addressed to the public for the purpose of promoting the sale of property or services.

- D. With intent to obtain control over property or to pay for property, labor or services of another, he issues or delivers a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository. Failure to have sufficient funds or credit with the depository when the check or other order is issued or delivered is prima facie evidence that the offender knows that it will not be paid by the depository.
- E. He obtains or attempts to obtain property, labor or services by any of the following means:
1. He uses a credit card which was issued to another, without the other's consent.
  2. He uses a credit card knowing that it has been revoked or cancelled.
  3. He uses a credit card knowing that it has been falsely made, counterfeit or altered in any material aspect.
  4. He uses the pretended number or description of a fictitious credit card.
  5. He uses a credit card which he knows has expired, provided that the credit card clearly indicates the expiration date.
  6. He uses a credit card which is lost, stolen, counterfeit, fictitious, falsified, altered, wrongfully appropriated, cancelled or revoked as authority or identification to cash or attempt to cash or otherwise negotiate pr transfer or attempt to transfer or negotiate or transfer a check or other order, which said negotiation or transfer or attempt to negotiate or transfer would constitute a crime.
  7. He steals, takes or removes a credit card from the person or possession of the cardholder, or who retains or secretes a credit card without the consent of the cardholder, with the intent of using, delivering, circulating or selling or causing said card to be used, delivered, circulated or sold without the consent of the cardholder.
  8. He has in his possession or under his control or receives from another person any forged, altered, counterfeited, fictitious, lost or stolen credit card with the intent to use, deliver, circulate or sell the same, or to permit or cause or procure the same to be used, delivered, circulated or sold, knowing the same to be forged, altered, counterfeited, fictitious, lost or stolen, or has or keeps in his possession any blank or unfinished credit card made in the form or similitude of any credit card, with such intent.

9. He has in his possession or under his control or receives from another person a credit card with the intent to circulate or sell the same, or to permit or cause or procure the same to be used, delivered, circulated or sold, knowing such possession, control or receipt to be without the consent of the cardholder or issuer.
10. He delivers, circulates or sells a credit card which was obtained or is held by such person under circumstances which would constitute a crime under Sections 2646.E.7, 2646.E.8, or 2646.E.9, or permits or causes or procures the same to be used, delivered, circulated or sold knowing the same to be obtained or held under circumstances which would constitute a crime under Sections 2646.E.7, 2646.E.8, or 2646.E.9.

### **2647 Criminal Damage to Property**

Criminal damage to property is committed when any person:

- A. Knowingly damages any property of another without his consent; or
- B. Recklessly, by means of fire or explosive, damages property of another; or
- C. Knowingly starts a fire on the land of another without his consent; or
- D. Knowingly injures a domestic animal of another without his consent; or
- E. Knowingly deposits on the land or in the building of another, without his consent, any stink bomb or any offensive smelling compound and thereby intends to interfere with the use by another of the land or building.

### **2648 Damaging Streetlights**

No person shall deface, injure, interfere with or destroy any electric light, or any part of or appurtenance to any lamp or light used in, or upon or about any street or public place, or injure, destroy or interfere with any electric light, telegraph or telephone wire or any appurtenance thereto in any place.

### **2649 Damaging Street Signs, Other Articles**

No person shall deface, carry away, injure or destroy any public lamp, street sign or any sign, gate, sidewalk or fence, or climb upon any public lamppost, or hang or place any goods or merchandise thereon, or place any goods, boxes, wood or any other heavy material upon or against the same.

## **2650 Defacing Buildings and Public Property**

No person shall cut, injure, mark or deface any building not his own, or any tree, shrub or walk in any street or public park, or any sewer, water pipe or hydrant laid or placed by the village.

## **2651 Penalty**

Any person, firm or entity which violates the provisions of this Article shall be subject to a fine of not less than \$250.00 nor more than \$750.00.

**Article 8 - Offenses against Public Health, Safety and Decency**  
*(Revised Ord. No. 2010-01)*

**2652 Unlawful Use of Weapons**

A person commits the offense of unlawful use of weapons when he knowingly:

- A. Sells, manufacturers, purchases, possesses or carries any bludgeon, black-jack, slingshot, sand-club, sandbag, shotgun with barrel less than 18 inches in length, metal knuckles or any knife, commonly referred to as a switch-blade knife, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife;
- B. Carries or possesses, with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto or any other dangerous or deadly weapon or instrument of like character;
- C. Carries on or about his person or in any vehicle, a tear gas projector or bomb or any object containing noxious liquid gas or substance;
- D. Carries concealed in any vehicle or concealed on or about his person except when on his land or in his abode or fixed place of business, any pistol, revolver or other firearm;
- E. Sets a spring gun;
- F. Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm;
- G. Sells, manufactures, purchases, possesses or carries any weapon from which more than 8 shots or bullets may be discharged by a single function of the firing device.

**2652.1 Exceptions**

- A. Sections 2652.C and 2652.D shall not apply to or affect any of the following:
  - 1. Peace officers or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

2. Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.
3. Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.
4. Watchmen while actually engaged in the performance of the duties of their employment.
5. Manufacture, transportation or sale of weapons to persons identified in this Section and authorized to possess such.

B. Section 2652.D shall not apply to or affect any of the following:

1. Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using their firearms on such target ranges.
2. Duly authorized military or civil organizations while parading, with the special permission of the Governor.
3. Transportation of weapons broken down in a non-functioning state or not immediately accessible.

C. Section 2652.G shall not apply to or affect any of the following:

1. Peace officers.
2. Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.
3. Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.
4. Manufacture, transportation or sale of machine guns to persons identified in this Section and authorized to possess such, provided said machine guns are broken down in a nonfunctional state or not immediately accessible.



- D. Any information or indictment based upon a violation of any division of this section need not negate any exemption contained in this section. The defendant shall have the burden of proving such exemptions.

### **2653 Register of Sales by Dealer**

- 2653.1 Any seller of firearms of a size which may be concealed upon the person, other than a manufacturer selling to a bona fide wholesaler or retailer or a wholesaler selling to a bona fide retailer, shall keep a register of all firearms sold or given away.
- 2653.2 Such register shall contain the date of the sale or gift, the name, address, age and occupation of the person to whom the weapon is sold or given, the price of the weapon, the kind, description and number of the weapon and the purpose for which it is purchased and obtained.
- 2653.3 Such seller on demand of a peace officer shall produce for inspection the register and allow such peace officer to inspect such register and all stock on hand.

### **2654 Confiscating and Disposition of Weapons**

- 2654.1 Upon conviction of a violation of Section 2652 any weapon seized shall be confiscated by the trial court.
- 2654.2 Any stolen weapon so confiscated, when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession, if known. All other confiscated weapons, when no longer needed for evidentiary purposes, shall in the discretion of the trial court, be destroyed, preserved as village property or sold and the proceeds of such sale shall be paid to the Village Treasurer.

### **2655 Indecent Act; Lewd, Filthy or Abusive Language**

No person shall commit any indecent, lewd or filthy act or utter any lewd or filthy words, use any threatening or abusive language toward any other person tending to a breach of the peace, or make any obscene gesture to or about any other person publicly.

### **2656 Indecent or Lewd Writing**

No person shall, in any public place or place open to public view, write or draw, cut, make or exhibit any lewd or indecent word, sentence or figure.

## 2657 Penalty

Any person, firm or entity which violates the provisions of this Article shall be subject to a fine of not less than \$250.00 nor more than \$750.00.

## Article 9 - Drug Offenses

*(Revised Ord. No. 2010-01)*

### 2658 Possession of Cannabis

It is unlawful for any person knowingly to possess not more than 30 grams of any substance containing cannabis. For purposes of this Village Code, "Cannabis" shall be defined as provided in the Cannabis Control Act, 720 ILCS 550/3, as may be amended from time to time.

### 2659 Manufacture, Possession or Delivery of Cannabis

It is unlawful for any person to knowingly:

- A. Manufacture cannabis; or
- B. Possess cannabis; or
- C. Possess cannabis with the intent to deliver;
- D. Delivery of cannabis in an amount less than 2.5 grams shall be considered a casual delivery and will be treated in all respects as possession of cannabis.

### 2660 Possession of Drug Paraphernalia

#### 2660.1 Definition

**DRUG PARAPHERNALIA** for purposes of the Village Code shall be as defined in the Drug Paraphernalia Act, 720 ILCS 600/2, as may be amended from time to time. Drug paraphernalia includes, but is not limited to: water pipes; carburetion tubes and devices; smoking and carburetion masks; miniature cocaine spoons and cocaine vials; carburetor pipes; electric pipes; air-driven pipes; chillums; bongs; and ice pipes or chillers.

2660.2 **Possession unlawful.** It is unlawful for anyone to knowingly possess drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance or in preparing cannabis or a controlled substance for that use.

2660.3 **Determination of intent.** In determining intent under Section 2660.1, the trier of fact may take into consideration the proximity of the cannabis or controlled substance to the drug paraphernalia or the presence of cannabis or controlled substance on the drug paraphernalia.

## **2661 Production or Possession of Cannabis Sativa Plant**

It is unlawful for any person knowingly to produce or possess the cannabis sativa plant unless production or possess has been authorized under the provisions of the Cannabis Control Act, 720 ILCS 550/1, et seq., as may be amended from time to time.

## **2662 Penalty**

Any person, firm or entity which violates the provisions of this Article shall be subject to a fine of not less than \$250.00 nor more than \$750.00. Furthermore, as an additional condition of a sentence imposed for a violation of this Article, the court may order any person found guilty under this section to obtain a drug and alcohol evaluation from a State of Illinois Department of Alcohol and Substance Abuse approved facility and to follow any treatment recommendations that the evaluator makes for treatment and to successfully complete that recommended treatment.

## Article 10 - Offenses Affecting Governmental Functions

*(Revised Ord. No. 2010-01)*

### 2663 Resisting or Obstructing a Peace Officer

A person who knowingly resists or obstructs the performance by one known to the person to be a peace officer of any authorized act within his official capacity commits the offense of obstructing a peace officer.

### 2664 Obstructing Justice

A person obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution of defense of any person, he knowingly commits any of the following:

- A. Destroys, alters, conceals or disguises physical evidence, plants false evidence, furnishes false information; or
- B. Induces a witness having knowledge material to the subject at issue to leave the state or conceal himself; or
- C. Possessing knowledge material to the subject at issue, he leaves the state or conceals himself.

### 2665 Refusing to Aid an Officer

Whoever upon command refuses or knowingly fails reasonably to aid a person known by him to be a peace officer in the following commits the offense of refusing to aid an officer:

- A. Apprehending a person whom the officer is authorized to apprehend; or
- B. Preventing the commission by another of any offense.

### 2666 Damaging License Plates

No person shall take, use or, with the intent to use, carry away, detach or mutilate any metal plate, tag, badge or license worn by or attached to any person or vehicle or attached to any article, substance or thing as a mark of identification, or otherwise needed in compliance with the requirements of any ordinances of the village or the laws of the state.

## 2667 Impersonating a Public Official

No person, unless authorized by the Village or an official thereof, shall cause to be exhibited or displayed upon his person, or upon any animal or vehicle, or upon any article or substance or thing, any metal plate or tag, badge, official star or license issued as a mark of identification otherwise than in compliance with the ordinances of the village.

## 2668 Interference with Police Service Animals

2668.1 **Definitions.** For purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Area of Control.** Includes a vehicle, trailer, kennel, pen or yard.

**Handler or Rider.** A peace officer, corrections officer, or jailer who is specially trained to use a police service animal for law enforcement, corrections, prison or jail security, or investigative purposes.

**Police Service Animal.** An animal that is specially trained for police use by a trainer, handler or rider.

2668.2 A person commits the offense of interference with police service animals if the person:

- A. Taunts, torments, strikes, or attempts to strike a police service animal;
- B. Throws an object or substance at a police service animal;
- C. Interferes with or obstructs a police service animal or interferes with or obstructs the handler or rider of a police service animal in a manner that:
  1. Inhibits or restricts the handler's or rider's control of the animal; or
  2. Deprives the handler or rider of control of the animal;
- D. Releases a police service animal from its area of control;
- E. Enters the area of control of a police service animal without the consent of the handler or rider or another authorized representative of the Police Department;
- F. Places food or any other object of substance into the area of control of a police service animal;

- G. Injures a police service animal; or
- H. Engages in conduct likely to injure or kill a police service animal, including administering or setting a poison, trap, or any other object or substance.

### **2669 Penalty**

Any person, firm or entity which violates the provisions of this Article shall be subject to a fine of not less than \$250.00 nor more than \$750.00.

ARTICLE 11 – SYNTHETIC DRUGS

(Revised Ord. No. 2012-12)

2670 Definitions

**Salvinorin A and Salvia Divinorum.** Salvinorin A and Salvia Divinorum means all parts of the plant presently classified botanically as Salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of that plant, and every compound; manufacture, salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, derivative, mixture, or preparation of that plant, its seed or extracts.

**Synthetic Alternative Drugs.** A product containing a synthetic alternative drug means any product containing a synthetic cannabinoid, stimulant, or psychedelic/hallucinogen, as those terms are defined herein such as, but not limited to, the following examples of brand names or identifiers:

8-Ball	Aztec Gold	Aztec Midnight Wind Tezcatlipoca
Back Draft	Bad 2 the Bone	Banana Cream Nuke
Bayou Blaster	Black Diamond	Black Magic Salvia
Black Mamba	Blueberry Haze	Bombay Blue
Buzz	C3	C4
C4 Herbal Incense	Caneff	Cherry Bomb
Chill Out - K1 Gravity	Chill Out - K1 Orbit	Chill X
Chronic Spice	Citrus	Colorado Chronic
D-Rail	Da Block	Dark Night II
Demon	Diamond Spirit	Dragon Spice
Dream	Earthquake	Eruption Spice
Euphoria	Ex-SES	Ex-SES Platinum
EX-SES Platinum Blueberry	EX-SES Platinum Strawberry	EX-SES Platinum Vanilla
K2	K2 (unknown variety)	Fire Bird Ultimate Strength Cinnamon
Forest Humus	Freedom	Fully Loaded
Funky Monkey	Funky Monkey 1313	G Four
G Greenies Carmel Crunch	Genie	Gold Spirit Spice



Green Monkey Chronic Salvia	Greenies Strawberry	Heaven Improved
Heavenscent Suave	Humboldt Gold	Jamaican Gold
K Royal	K2 Amazonian Shelter	K2 Blondie
K2 Blue	K2 Blueberry	K2 Citron
K2 Cloud 9	K2 Kryptonite	K2 Latte
K2 Mellon	K2 Mint	K2 Orisha Black Magic Mix
K2 Orisha Max	K2 Orisha Regular	K2 Orisha Super
K2 Orisha White Magic Super	K2 Peach	K2 Pina Coloda
K2 Pineapple	K2 Pineapple Express	K4 Silver
K2 Pink	K2 Pink Panties	K2 Sex
K2 Silver	K2 Solid Sex on the Mountain	K2 Standard
K2 Strawberry	K2 Summit	K2 Summit Coffee Wonk
K2 Thai Dream	K2 Ultra	K2 Watermelon
K3	K3 Blueberry	K3 Cosmic Blend
K3 Dusk	K3 Grape	K3 Heaven Improved
K3 Heaven Legal	K3 Kryptonite	K3 Legal
K3 Legal-Earth (Silver)	K3 Legal- Original (Black)	K3 Legal-Sea (Silver)
K3 Legal-Sun (Black)	K3 Mango	K3 Original
K3 Strawberry	K3 Sun	K3 Sun Improved
K3 13X	K4 Bubble Bubble	K4 Gold
K4 Purple Haze	Kind Spice	Legal Eagle Apple
Love Potion 69	Love Strawberry	Magic Dragon Platinum
Magic Gold	Magic Silver	Magic Spice
Midnight Chill	MNGB Pinata Colada	Moe Joe Fire
MTN-87	New Improved K3 Cosmic Blend	New K3 Earth
New K3 Sea Improved	Ocean Blue	p.e.p pourri Twisted Spearmint
Pink Tiger	PWO	Rebel Spice

Samurai Spirit	Sativah	Scope Vanilla
Scope Wildberry	Shanti Spice	Silent Black
Skunk	Smoke Blueberry	Smoke Plus
Space	Spice Artic Synergy	Spice Diamond
Spice Gold	Spice Silver	Spice Tropic Synergy
Spicey 13X	Spicey Regular 13X	Spicey Regular 13X Blueberry
Spicey Regular 13X Strawberry	Spicey Ultra Strong 13X	Spicey Ultra Strong 13X Vanilla
Spicylicious	Spike 99	Spike 99 Ultra
Spike 99 Ultra Blueberry	Spike 99 Ultra Cherry	Spike 99 Ultra Strawberry
Spike Diamond	Spike Gold	Spike Ma13
Spike Silver	Stinger	Summer Skyy
Super Summit	Swagger Grape	SYN Chill
SYN Incense Lemon Lime	SYN Incense Smooth	SYN Incense Spearmint
SYN Lemon Lime	SYN Lemon Lime #2	SYN Smooth
SYN Spearmint	SYN Spearmint #2	SYN Suave
SYN Swagg	SYN Vanilla	SYN Vanilla #2
Texas Gold	Time Warp	Tribal Warrior Ultra Cloud 10
Unknown Cigarette	Utopia	Utopia-Blue Berry
Voo Doo Remix(black package)	Voo Doo Remix(orange package)	Voodoo Child
Voodoo Magic	Voodoo Remix	Who Dat
Who Dat Herbal Incense	Wicked X	Winter Boost
Wood Stock	XTREME Spice	Yucatan Fire
Zombie World		

**Synthetic Cannabinoid.** Synthetic cannabinoid means any laboratory-created compound that functions similar to the active ingredients in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quality of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including isomer, esters, ethers, salts, and salts or isomers) containing a cannabinoid receptor agonist, such as:

- JWH-007 (1-pentyl-2methyl-3(1-naphthol)indole)

- JWH-015 (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone
- JWH-018 (1-pentyl-3-(1-naphthalen-1-yl)indole)
- JWH-019 (1-hexyl-3-(naphthalen-1-yl)indole)
- JWH-073 (naphthalen-1-yl-(1-butylindol-3-yl)methanone)
- JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-128 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole)
- JWH-164 (7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone
- JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone)
- JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
- JWH-250 (1-pentyl-3-(2-methylphenylacetyl)indole)
- JWH-251 (1-pentyl-3-(2-methylphenylacetyl)indole)
- JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole)
- HU-210 ((6aR, 10aR)- (hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo [c]chromen-1-ol)
- HU-211 ((6aS, 10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a, 7, 10, 10a-tetrahydrobenzo [c] chromen-1-ol)
- HU308(((1R, 2R, 5R)-2-[2, 6-dimethoxy-4-(2-methylctan-2-yl)phenyl]-7, 7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol)
- HU-331 ((3-hydroxy-2-[(1R, 6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2, 5-cyclohexadiene-1,4-dione)
- CP 55,940 (2-[1R, 3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol) and its homologues
- WIN 55, 212-2((R)-(+)-[2, 3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone)
- RSC-4((4-methoxyphenyl)(1-pentyl-1H-indol-3-yl)methanone)
- RSC-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)ethanone.

**Synthetic Psychedelic/Hallucinogen.** Synthetic psychedelic/hallucinogen means any compound that mimics the effects of any federally controlled Schedule I substance, including but not limited to, any quality of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers, and salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as:

- 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-E);
- 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
- 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
- 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 2-(4-Ethylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 2-(4-Isopropylthio)-2,5-dimethoxyphenyl)ethanamine (2C-T-4);
- 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);

- 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N); and
- 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).

**Synthetic Stimulant.** Synthetic Stimulant means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA, and MDEA, including, but not limited to, any quality of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the central nervous system, such as:

- 3-Fluoromethcathinone
- 4-Fluoromethcathinone (other name: flephedrone)
- 3,4-Methylenedioxy-methcathinone (other names: Methylone, MDMC)
- 3,4-Methylenedioxymethcathinone (other name: MDPV)
- 4-Methylmethcathinone (other names: mephedrone, 4-MMC)
- 4-Methoxymethcathinone (other names: methedrone, bk-PMMA, PMMC)
- 4-Ethylmethcathinone (other name: 4-EMC)
- Beta-keto-N-methylbenzodioxolylpropylamine (other names: butylone-, bk-MBDB)
- Naphylpyrovalerone (other names: naphyrone, NGR-1)
- N,N-dimethylcathinone (other name: metamfepramone)
- Alpha-pyrrolidinopropiophenone (other name: alpha-PPP)
- 4-methoxy-alpha-pyrrolidinopropiophenone (other name: MOPPP)
- 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name: MDPPP)
- Alpha-pyrrolidinovalerophenone (other name: alpha-PVP)
- 6,7-dihydro-5H-indeno(5,6-d)-1,3-dioxal-6-amine (other name: MDAI)
- Any compound that is structurally derived from 2-amino-1-phenyl-1-propanone by modification or substitution in any of the following ways:
  - in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, or halide substituent's whether or not further substituted in the phenyl ring by one or more other univalent substituent's;
  - at the 3-position with an alkyl substituent;
  - at the nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;
  - or by inclusion of the nitrogen atom in a cyclic structure.

## 2671 Sale or Delivery

It shall be unlawful for any person to sell, offer for sale or deliver any product containing a synthetic cannabinoid, synthetic stimulant, Salvinorin A, Salvia divinorum, or psychedelic/hallucinogen.

## 2672 Possession

It shall be unlawful for any person to knowingly possess a product containing product containing a synthetic cannabinoid, synthetic stimulant, Salvinorin A, Salvia divinorum, or psychedelic/hallucinogen.

### **2673 Use**

It shall be unlawful for any person to be under the influence of a product containing a synthetic cannabinoid, synthetic stimulant, Salvinorin A, Salvia divinorum, or psychedelic/hallucinogen.

### **2674 Penalty**

Any person found guilty of a violation of this Article shall be subject to a fine of not less than \$250.00 and no more than \$750.00. Each day that a violation is found to have existed shall be deemed a separate offense.

## ARTICLE 12 – PENALTY

*(Revised Ord. No. 2012-13)*

### **2675 Penalty**

Any person, firm, or entity who violate an ordinance within the Municipal Code of the Village of Spring Grove which does not contain a penalty provision for a violation shall be subject to a fine of no less than \$150.00 and no more than \$750.00.