

AN ORDINANCE DEFINING CERTAIN PROHIBITED CONDUCT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA THAT:

1. MENTAL STATE IN OFFENSES UNDER URBANA CITY CODE

A person is not guilty of an offense other than an offense which involves absolute liability, unless, with respect to each element described by the Ordinance defining the offense, he acts while having one of the mental states described below:

A. Knowledge. A person knows, or acts knowingly or with knowledge of:

(a) The nature or attendant circumstances of his conduct, described by the Ordinance defining the offense, when he is consciously aware that his conduct is of such nature or that such circumstances exist. Knowledge of a material fact includes awareness of the substantial probability that such fact exists.

(b) The result of his conduct, described by the Ordinance defining the offense, when he is consciously aware that such result is practically certain to be caused by his conduct.

Conduct performed knowingly or with knowledge is performed wilfully, within the meaning of an Ordinance using the latter term, unless the Ordinance clearly requires another meaning.

B. Recklessness. A person is reckless or acts recklessly, when he consciously disregards a substantial and unjustifiable risk that circumstances exist or that a result will follow, described by the Ordinance defining the offense; and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation. An act performed recklessly is performed wantonly, within the meaning of an Ordinance using the latter term, unless the Ordinance clearly requires another meaning.

C. Negligence. A person is negligent, or acts negligently, when he fails to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, described by the Ordinance defining the offense; and such failure constitutes a substantial deviation from the standard of care which a reasonable person would exercise in the situation.

2. ASSAULT

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

A person convicted of a violation of this Ordinance shall be fined in accordance with Section 1.6 of the City Code.

3. BATTERY

A person commits battery if he intentionally or knowingly without legal justification and by any means, (1) causes bodily harm to an individual or (2) makes physical

contact of an insulting or provoking nature with an individual.

A person convicted of violating this Ordinance shall be fined in accordance with Section 1.6 of the City Code.

4. 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 endanger safety, whether they otherwise are lawful or unlawful.

A person convicted of violation of this Ordinance shall be fined in accordance with Section 1.6 of the City Code.

5. 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, and
 - (1) Intends to deprive the owner permanently of the use or benefit of the property; or
 - (2) Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
 - (3) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

A person convicted of a violation of this Ordinance shall be fined in accordance with Section 1.6 of the City Code.

Owner, as used in this Ordinance, means a person other than the offender who has possession of, or any other interest in, the property involved even though such interest or possession is unlawful and without whose consent the offender has no authority to exert control over the property.

Property, as used in this Ordinance, means anything of value including real estate, money, commercial instruments, admission or transportation tickets, written

instruments representing or embodying rights concerning anything of value, labor, or services; things growing on, affixed to, or found on land, or affixed to any building; electricity, gas and water; birds, animals and fish, which ordinarily are kept in a state of confinement; food and drink; records, recordings, documents, blueprints, drawings, maps, and photographs.

Permanent Deprivation, as used in this Ordinance, means to:

- (a) Defeat all recovery of the property by the owner; or
- (b) Deprive the owner permanently of the beneficial use of the property; or
- (c) Retain the property with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or
- (d) Sell, give, pledge, or otherwise transfer any interest in the property or subject it to the claim of a person other than the owner.

Obtains Control, as used in this Ordinance, means: includes but is not limited to the taking, carrying away, or the sale, conveyance, or transfer of title to, or interest in, or possession of property.

6. DISORDERLY CONDUCT

A person commits disorderly conduct when he knowingly:

- (1) Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; or
- (2) With intent to annoy another, makes a telephone call, whether or not conversation thereby ensues; or
- (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
- (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 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 bomb or explosive is concealed in such place; or
- (5) Transmits in any manner to any 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
- (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.

A person convicted of violation of this Ordinance shall be fined in accordance with Section 1.6 of the City Code.

7. RESISTING OR OBSTRUCTING A PEACE OFFICER

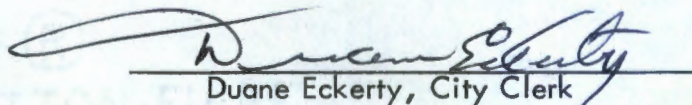
A person who knowingly resists or obstructs the performance by one known to the person to be a peace officer of any authorized act within his official capacity shall be fined in accordance with Section 1.6 of the City Code. A peace officer means any person who, by virtue of his office, or public employment, is vested by law with a duty to maintain public order or to make arrest for offenses whether that duty extends to all offenses or is limited to specific offenses.

8. THE FOLLOWING SECTIONS OF THE CITY CODE OF URBANA ARE HEREBY REPEALED UPON THE FOREGOING SECTIONS BECOMING EFFECTIVE:

- 21.17 (Disorderly conduct)
- 21.18 (Disturbance of the peace)
- 21.48 (Theft)
- 21.54 (Vagabonds)
- 24.26 (Resisting, etc., police officers)

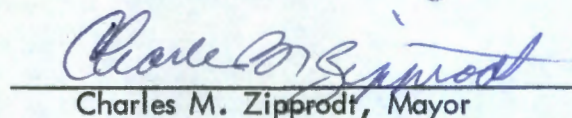
This Ordinance shall be effective immediately upon its adoption by the City Council and approval by the Mayor.

ADOPTED by the City Council of Urbana this 6th day of July, 1970.


Duane Eckerty, City Clerk

APPROVED by the Mayor this 6th day of July,

1970.


Charles M. Zipprodt, Mayor



Certificate of Publication

affixed to, or found on land, or affixed to any building; electricity, gas and water; birds, animals and fish, which ordinarily are kept in a state of confinement; food and drink; records, recordings, documents, blueprints, drawings, maps, and photographs.

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(a) Defeat all recovery of the property by the owner; or

(b) Deprive the owner permanently of the beneficial use of the property; or

(c) Retain the property with intent to restore it to the owner only if the owner purchases or leases it back, or pays a reward or other compensation for its return; or

(d) Sell, give, pledge, or otherwise transfer any interest in the property or subject it to the claim of a person other than the owner.

Obtains Control, as used in this Ordinance, means: Includes but is not limited to the taking, carrying away, or the sale, conveyance, or transfer of title to, or interest in, or possession of property.

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A person commits disorderly conduct when he knowingly:

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(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

(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 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 bomb or explosive is concealed in such place; or

(5) Transmits in any manner to any 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

(6) Enters upon the property of

and for a lewd or unlawful deliberately looks into a window or other opening in a building or structure, or

convicted of violation of section 1.6 of the City Code.

PEACE OFFICER OR OBSTRUCTING A PEACE OFFICER
A person who knowingly resists or obstructs the performance by one known to be a peace officer of his official duty shall be fined in accordance with section 1.6 of the City Code.

PEACE OFFICER
A peace officer means any person who, by law, is authorized to make arrests in public order or to make arrests in public order or to make arrests whether that duty is conferred upon him by law or by ordinance.

FOLLOWING SECTIONS OF CITY CODE OF URBANA REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE BECOMING EFFECTIVE:

(Disorderly conduct)
(Disturbance of the peace)
(Theft)
(Vagabonds)
(Resisting, etc., police officers)
Ordinance shall be effective immediately upon its adoption by the City Council and approval by the Mayor.

ADOPTED by the City Council of the City of Urbana, Illinois, on this 6th day of July, 1970.
Duane Eckerty, City Clerk

PROVED by the Mayor this 6th day of July, 1970.
Charles M. Zippodi, Mayor

ss. URBANA COURIER, Inc., a corporation, does hereby certify that it is the publisher of the Champaign-Urbana Courier, a daily secular newspaper of general circulation in and published in the city of Urbana, in said County and State, and that said newspaper as defined in "An Act to revise the law in relation to notices," Chapter 13, 1874, as amended, and that the advertisement or notice hereunto set forth is a part of this certificate, has been published in said newspaper at least one time and that the first publication thereof

was published on Tues., July 14, 1970, and that the first publication thereof was published on July 14, 1970.

and that the first publication thereof was published on July 14, 1970.

and that the first publication thereof was published on July 14, 1970.

paper has been regularly and continuously published for more than one year and that Darlene L. Marshall is the person who has authority to make this certificate.

WHEREOF, the said Darlene L. Marshall has hereunto

affixed the name of said company, this 14th day of July, A.D. 1970.

Fee . . . \$ 21.98
Received \$ _____
_____ 19____
By _____

CHAMPAIGN-URBANA COURIER

CHAMPAIGN-URBANA COURIER, Inc.

Darlene L. Marshall

ARMSTRONG
CASH & CARRY LUMBER CO.
1705 E. University, U.
Mon.-Fri. 8 am - 5 pm. Sat. 8 am - Noon
367-0731