

**AN ORDINANCE AMENDING SECTION 15-31
OF THE URBANA CITY CODE CONCERNING BREAKING AND ENTERING**

WHEREAS, the Mayor and City Council heretofore have adopted an ordinance establishing the offense of breaking and entering; and

WHEREAS, the Mayor and City Council find that the best interests of the City are served by amending said ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. The Urbana City Code Chapter 15, "Miscellaneous Offenses and Provisions," Article III, "Offenses Directed Against Property," Division 1, "Generally," Section 15-31, "Breaking and entering," is hereby amended and as amended shall read as follows:

Sec. 15-31. Breaking and entering.

Any person who unlawfully, willfully, maliciously or forcibly breaks and enters, or unlawfully, willfully or maliciously, without force through open doors or windows, enters into any dwelling, office, shop, storehouse, warehouse, factory or other business establishment, garage, trailer, motor vehicle, watercraft or any other building within the city, without the implied or express consent of the owner thereof, shall be guilty of the offense of breaking and entering.

(Code 1975, § 21.48)

State Law References: Burglary, 720 ILCS 5/19-1.

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The

invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

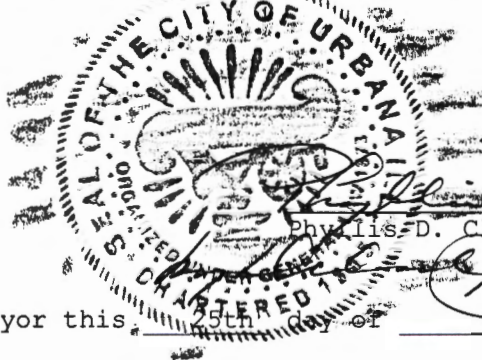
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 15th day of September,
2008 .

AYES: Barnes, Bowersox, Gehrig, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

[Signature]
Deputy Clerk

APPROVED by the Mayor this 25th day of September

2008 .

[Signature]
Laurel Lunt Prussing, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting
Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 15th day of September, 2008,
the Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 2008-09-099, entitled:

**"AN ORDINANCE AMENDING SECTION 15-31 OF THE URBANA
CITY CODE CONCERNING BREAKING AND ENTERING"**

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

The pamphlet form of Ordinance No. 2008-09-099 was prepared,
and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 30th day of September, 2008, and
continuing for at least ten (10) days thereafter. Copies of such Ordinance
were also available for public inspection upon request at the Office of the
City Clerk.

Dated at Urbana, Illinois, this 30th day of September,
2008.

Phyllis D. Clark
Phyllis D. Clark, City Clerk

by [Signature] Deputy Clerk

