

AN ORDINANCE AMENDING SECTIONS 15-35 AND 15-36 OF THE URBANA CITY CODE CONCERNING CRIMINAL TRESPASS TO LAND

WHEREAS, the Mayor and City Council heretofore have adopted ordinances establishing the offenses of criminal trespass to land generally and criminal trespass to city-supported land; and

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

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 15-35, "Criminal trespass to land generally," is hereby amended and as amended shall read as follows:

Sec. 15-35. Criminal trespass to land generally.

(a) Any person, except the invited guest of a lawful tenant, who knowingly and without lawful authority enters upon the land or any part thereof of another, after receiving, prior to such entry, notice from the owner, occupant, or authorized person that such entry is forbidden, or remains upon the land of another after receiving notice from the owner, occupant, or authorized person to depart shall be guilty of an offense.

(b) A person has received notice from the owner, occupant, or authorized person within the meaning of this section if notified personally, either orally or in writing, or if a printed or written notice forbidding such entry has been conspicuously posted or exhibited at the main entrance to such land or the forbidden part thereof.

(Code 1975, § 21.54; Ord. No. 9495-93, § 3, 4-3-95)

State Law References: Damage and trespass to property, 720 ILCS 5/21-1 et seq.

Section 2. The Urbana City Code Chapter 15, "Miscellaneous Offenses and Provisions," Article III, "Offenses Directed Against Property," Division 1, "Generally," Section 15-36, "Criminal trespass to city-supported land," is hereby amended and as amended shall read as follows:

Sec. 15-36. Criminal trespass to city-supported land.

(a) Any person who knowingly and without lawful authority enters upon land supported in whole or in part with city funds, or federal or state funds administered or granted through the city or any of its agencies, or any building on such land, after receiving, immediately prior to such entry, notice from the city or its representative that such entry is forbidden, or remains upon such land or in such building after receiving notice from the city or its representative to depart, and who thereby interferes with another person's lawful use or enjoyment of such building or land, shall be guilty of an offense.

(b) A person has received notice from the city within the meaning of this section if notified personally, either orally or in writing, or if a printed or written notice forbidding such entry to such person or a group of which such person is a part, has been conspicuously posted or exhibited at the main entrance to such land or the forbidden part thereof.

(Code 1975, § 21.54)

State Law References: Damage and trespass to property, 720 ILCS 5/21-1 et seq.

Section 3. 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 4. 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 5. 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.

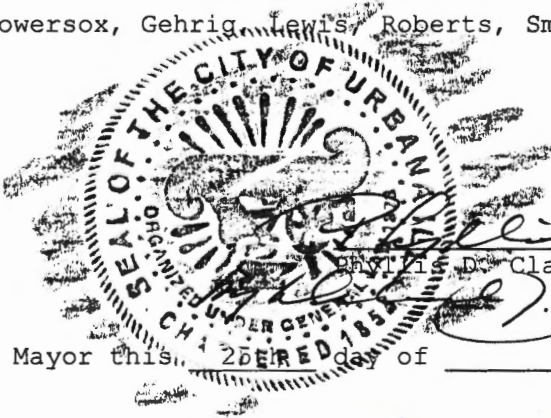
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

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

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

NAYS:

ABSTAINS:



[Signature]
City Clerk

[Signature]
Deputy Clerk

APPROVED by the Mayor this 20th 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. 2008-09-101, entitled:

**"AN ORDINANCE AMENDING SECTIONS 15-35 AND 15-36 OF
THE URBANA CITY CODE CONCERNING CRIMINAL TRESPASS TO
LAND"**

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

The pamphlet form of Ordinance No. 2008-09-101 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