

CHAPTER 2  
OFFENSES AGAINST THE PEACE

2-2-1: Assault, Battery, Fighting:

- A. A person commits an assault when, without lawful authority, he engages in conduct which places another in reasonable apprehension of receiving a battery.
- B. A person commits battery if he intentionally or knowingly without legal justification by any means:
  - 1. Causes bodily harm to an individual; or
  - 2. Makes physical contact of any insulting or provoking nature with an individual.
- C. It shall be unlawful for any person to fight in any public place in the Village or to commit any assault or battery.

2-2-2: Disorderly Conduct: A person commits disorderly conduct with he knowingly:

- A. Does any act in such unreasonable manner as to alarm or disturb another and provoke, make or aid in making a breach of peace; or
- B. Does or makes any unreasonable or offensive act, utterance, gesture or display which under the circumstances, creates a clear and present danger of a breach of peace or imminent threat of violence; or
- C. Refuses or fails to cease and desist any peaceful conduct or activity likely to produce a breach of peace where there is an imminent threat of violence, and where the police have made all reasonable efforts to protect the otherwise peaceful conduct and activity and have required that said conduct and activity be stopped and explained the request if there be time; or
- D. Fails to obey a lawful order of dispersal by a person known by him to be a peace officer under circumstances where three (3) or more persons are committing acts of disorderly conduct in the immediate vicinity, which acts are likely to cause substantial harm or serious inconvenience, annoyance or alarm; or
- E. Assembles with three (3) or more persons for the purpose of using force or violence to disturb the public peace; or
- F. Appears in any public place manifestly under the influence of narcotics or other drugs, not therapeutically administered, to the degree that he may endanger himself or other persons or property, or annoys persons in his vicinity; or

- G. Carries in a threatening or menacing manner, without authority of law, any pistol, revolver, dagger, razor, dangerous knife, stiletto, knuckles, slingshot, an object containing noxious or deleterious liquid, gas or substance or other dangerous weapon or conceals said weapon on or about the person or any vehicle; or
- H. 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
- I. Is on any Village, school district, park district, county or State property without permission or in violation of the rules and regulations of such Village, school district, park district, county or State, or is loitering on any publicly dedicated street adjacent to such Village, school district, park district, county or State property.
- J. Unnecessary Noises: [FROM 1980 ORD. NO. 39] [UPDATED]
  - 1. 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, 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 of the Village or which annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others within the limits of the Village.
  - 2. The following acts, among others, are declared to be loud, disturbing and unnecessary noises and nuisances in violation of this Chapter, 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 warning, the creation by means of any such signaling device 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 signaling device when traffic is for any reason held up.
    - (b) Sound Producing and/or Reproduction Devices. The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, MP3 player, IPOD, cellular telephone, computer, television, loudspeaker, sound amplifier, paging, or public address system, or other device designed, intended, and/or used 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.

- (c) Loud speakers, amplifiers for advertising. The using, operating or permitting to be played, used or operated any radio receiving set, instrument, phonograph, loudspeakers, sound amplifiers 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, but not limited to, between the hours of eleven o'clock P.M. and seven o'clock A.M., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling or other type of residence, or of any persons in the vicinity.
- (e) Exhausts. The discharge into the open air of the exhaust of any 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 or repairing of buildings. The erection (including excavating), demolition, alteration or repair of any building other than between the hours of seven o'clock A.M. and nine o'clock P.M. on weekdays, and between the hours of nine o'clock A.M. and six o'clock P.M. on weekends, except in case of urgent necessity in the interest of public health and safety and then only with a permit from the Village Building Inspector, which permit may be granted for a period not to exceed three (3) days or less while the emergency period continues and which permit may be renewed for periods of three (3) days or less if the emergency continues.
- (h) Drums. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.

2-2-3: Mendicants and Vagrants:

- A. It shall be unlawful for any mendicant or vagrant to frequent any depot, store, theater, street, alley, sidewalk, park or other public place or any place frequented by the public in the Village.
- B. Any person found sleeping in such place, and who has no established domicile or residence, shall be considered to be a vagrant.

2-2-4: Disturbing Assemblages: It shall be unlawful for any person to disturb any lawful assemblage or gathering in the Village.

2-2-5: 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.

2-2-6: Discharging Firearms; Bow and Arrow:

- A. It shall be unlawful to discharge any firearms, airguns, bow and arrow, or cross-bow in the Village; provided, that this Section shall not be construed to prohibit any peace officer from discharging a firearm in the performance of his duty; nor any citizen from discharging a firearm when lawfully defending his person or property; nor shall this Section prohibit hunting on a hunting preserve licensed by the Illinois Department of Natural Resources, but only when such hunting is in compliance with Illinois statutes.
- B. It is unlawful and shall constitute disorderly conduct for any person under the age of eighteen (18) years to be in possession of firearms, or the ammunition thereof, as defined by 430 ILCS 65/1.1, except when such person is engaged in lawful hunting, supervised target shooting, or the otherwise legal transportation of such device.

2-2-7: Transmission of Obscene Messages Prohibited: No person shall send a message or use language or terms which are obscene, lewd or immoral with the intent to offend by means of or while using a telephone or telegraph facilities, equipment or wires of any person engaged in the transmission of news or messages to or from a location within this Village. The use of language or terms which are obscene, lewd or immoral is prima facie evidence of the intent to offend.

2-2-8: Harassment by Telephone: Harassment by telephone is use of telephone communication for any of the following purposes:

- A. Making any comment, request, suggestion or proposal which is obscene, lewd, lascivious, filthy or indecent with an intent to offend; or
- B. Making a telephone call, whether or not conversation ensues, with intent to abuse, threaten or harass any person at the called number; or
- C. Making or causing the telephone of another repeatedly to ring, with intent to harass any person at the called number; or
- D. Making repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or
- E. Knowingly permitting any telephone under one's control to be used for any of the purposes mentioned herein.