

**TITLE 11: PEACE AND SAFETY
CHAPTER 8: DAMAGE AND TRESPASS TO PROPERTY**

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11-8-1: DEFINITIONS

Owner As used in the Chapter, "owner" means a person, other than the offender, who has lawful possession of or any other lawful interest in the property involved and without whose consent the offender has no authority to exert control over the property.

Property As used in this Chapter, "property" means anything of value. Property includes real estate; money; commercial instruments; admission or transportation tickets; written instruments representing or embodying rights concerning anything of value, labor, or services, or otherwise of value to the owner; things growing on, affixed to, or found on land, or part of or affixed to any building; electricity, gas and water; telecommunications services; birds, animals and fish, which ordinarily are kept in a state of confinement; food and drink; samples, cultures, microorganisms, specimens; records, recordings, documents, blueprints, drawings, maps, and whole or partial copies, descriptions, photographs, computer programs or data, prototypes or models thereof, or any other articles, materials, devices, substances and whole or partial copies, descriptions, photographs, prototypes, or models thereof which constitute, represent, evidence, reflect or record a secret scientific, technical, merchandising, production or management information, design, process, procedure, formula, invention, or improvement.

School Activity Any school session, any extracurricular activity or event sponsored by or participated in by the school, and the 60-minute periods immediately preceding and following any session, activity, or event.

School Safe Zone An area that encompasses any of the following places during regular school hours or within 60 minutes before or after the school day or 60 minutes before or after a school-sponsored activity: (a) any school property, ground, or street, sidewalk, or public way immediately adjacent thereto, and (b) any public right-of-way situated immediately adjacent to school property. The school safe zone shall not include any portion of the highway not actually on school property.

11-8-2: CRIMINAL DAMAGE TO PROPERTY

A person commits the offense of criminal damage to property when he knowingly commits any of the following acts and the resulting damage to the property is in an amount of five hundred dollars (\$500.00) or less:

- A. Knowingly damages any property of another without the other's 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 the other's consent; or
- D. Knowingly injures a domestic animal of another without the other's consent; or
- E. Knowingly deposits on the land or in the building of another, without the other's consent, any stink bomb or any offensive smelling compound and thereby intends to interfere with the use by another of the land or building.
- F. Damages any property with intent to defraud an insurer.

11-8-3: DAMAGE, POSSESSION AND REMOVAL OF VILLAGE PROPERTY OR STRUCTURES OR INSTALLATIONS ON VILLAGE PROPERTY

- A. It shall be unlawful for any person to willfully or negligently damage, break, deface, destroy or injure, in any manner whatsoever:
 - 1. Any structure or installations located on Village property or public rights of way;
or
 - 2. Any property of any kind or nature and wherever located, belonging to the Village, including, but not limited to, sidewalks, streets, curbs, pavement, trees, manhole covers and any other Village property not specifically named herein, but excluding such other specific property as may be more particularly and specifically named and included within other sections of this Code.
- B. It shall be unlawful for any person to remove, tamper with or possess any sign which is the property of the Village.

11-8-4: CRIMINAL DAMAGE TO FIRE FIGHTING APPARATUS, HYDRANTS OR EQUIPMENT

A person commits the offense of criminal damage to firefighting apparatus, hydrants or equipment who willfully and maliciously cuts, injures, damages, tampers with or destroys or defaces any fire hydrant or any fire hose or any fire engine, or other public or private firefighting equipment, or any apparatus appertaining to such equipment, or intentionally opens any fire hydrant without proper authorization.

11-8-5: CRIMINAL DEFACEMENT OF PROPERTY

A person commits criminal defacement of property when the person knowingly damages the property of another by defacing, deforming, or otherwise damaging the property by the use of paint or any other similar substances, or by the use of a writing instrument, etching tool, or any other similar device and the property damage does not exceed five hundred dollars (\$500.00).

11-8-6: POSTING BILLS ON FENCES, BUILDINGS OR POLES

No person shall post up or place any handbill or placard or notice or sign upon any building, fence, telephone, light, electric, or other pole, or tree or lawn or shall mark, scratch, cut or otherwise

deface any part of any building, fence, or tree box, unless the party posting the handbill, placard, notice or sign had the consent of the owner or occupant of the premises to so place any such bill or deface such property and is in accordance with the Election Code or Village ordinances regulating the posting of bills, signs, notices, advertisements or posters or other materials (See Title 12 of this Code).

11-8-7: CRIMINAL TRESPASS TO VEHICLES

A person commits the offense of criminal trespass to vehicles who knowingly and without authority enters any part of or operates any vehicle, aircraft, watercraft, snowmobile, golf cart or other motorized apparatus, or any part thereof of another without the other's consent.

11-8-8: CRIMINAL TRESPASS TO REAL PROPERTY

A person commits the offense of criminal trespass to real property when he or she:

- A. Knowingly and without lawful authority enters or remains within or on a building or any real property.
- B. Enters upon the land or any part thereof of another, after receiving, 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.
- C. Received notice from the owner or occupant 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.
- D. Presents false documents or falsely represents his or her identity orally to the owner or occupant of a building or land in order to obtain permission from the owner or occupant to enter or remain in the building or on the land.

11-8-9: CRIMINAL TRESPASS TO STATE SUPPORTED LAND

A person commits the offense of criminal trespass to state supported land when he or she knowingly:

- A. Enters upon land supported in whole or in part with State funds, or Federal funds administered or granted through State agencies or any building on such land, after receiving, prior to such entry, notice from the State or its representative that such entry is forbidden, or remains upon such land or in such building after receiving notice from the State or its representative to depart, and who thereby interferes with another person's lawful use or enjoyment of such building or land.
- B. Received notice from the State or its representatives either orally or in writing, or if a printed or written notice forbidding such entry to him or her or a group of which he or she is a part, has been conspicuously posted or exhibited at the main entrance to such land or the forbidden part thereof.
- C. Enters State supported land when he or she enters upon land supported in whole or in part with State funds, or federal funds administered or granted through State agencies or any building on the land presenting false documents or falsely representing his or her identity orally to the State or its representatives in order to obtain permission from the State or its representative to enter the building or land; or remains upon the land or in the building by presenting false documents or falsely representing his or her identity orally to the State or its representative in order to remain upon the land or in the building, and who thereby interferes with another person's lawful use or enjoyment of the building or land.

11-8-10: CRIMINAL TRESPASS TO A SAFE SCHOOL ZONE

- A. A person commits the offense of criminal trespass to a safe school zone when he or she knowingly:
1. Enters or remains in a safe school zone without lawful business, when a student or employee, who has been suspended, expelled, or dismissed for disrupting the orderly operation of the school, and as a condition of the suspension or dismissal, has been denied access to the safe school zone for the period of the suspension or in the case of dismissal for a period not to exceed the term of expulsion, and has been served in person or by registered or certified mail, at the last address given by that person, with a written notice of the suspension or dismissal and condition; or
 2. Enters or remains in a safe school zone without lawful business, once being served either in person or by registered or certified mail that his or her presence has been withdrawn by the school administrator, or his or her designee, and whose presence or acts interfere with, or whenever there is reasonable suspicion to believe, such person will disrupt the orderly operation, or the safety, or peaceful conduct of the school or school activities.
- B. Teachers and other employees may request any person entering a public school building or the grounds which are owned or leased by the board and used for school purposes and activities to identify himself or herself and the purpose of entry.

11-8-11: CRIMINAL TRESPASS TO VILLAGE OF LINCOLNSHIRE LAND AND EASEMENTS

Whoever enters upon land supported in whole or in part with Village of Lincolnshire funds or any building on such land after receiving, prior to such entry, notice from the Village or its representative that such entry is forbidden, or remains upon such land or in such building after receiving notice from the Village or its representative to depart, commits the offense of criminal trespass to Village supported and maintained land.

11-8-12: PENALTY

Any person violating any provisions of this Chapter shall be subject to the fine set forth in the Comprehensive Fine/Penalty Schedule of the Code described in Title 1, Chapter 17.