

§ 131.02 TRESPASS TO LAND.

(A) Whoever:

- (1) Knowingly and without lawful authority enters or remains within or on a building; or
- (2) Enters upon the land of another, after receiving, prior to such entry, notice from the owner or occupant that such entry is forbidden; or
- (3) Remains upon the land of another, after receiving notice from the owner or occupant to depart; or
- (4) Enters upon one of the following areas in or on a motor vehicle (including an off-road vehicle, motorcycle, moped, or any other powered two-wheel vehicle), after receiving prior to that entry, notice from the owner or occupant that the entry is forbidden or remains upon or in the area after receiving notice from the owner or occupant to depart:
 - (a) Any field that is used for growing crops or which is capable of being used for growing crops; or
 - (b) An enclosed area containing livestock; or
 - (c) An orchard; or
 - (d) A barn or other agricultural building containing livestock.
- (5) Enters within the area posted as “no trespassing” extending behind the Middle East Wall Memorial to the waters of the Illinois River.

commits a Class B misdemeanor.

For purposes of division (A)(1) of this section, this section shall not apply to being in a building which is open to the public while the building is open to the public during its normal hours of operation; nor shall this section apply to a person who enters a public building under the reasonable belief that the building is still open to the public.

(B) A person is deemed to have received notice from the owner or occupant within the meaning of division (A) if he or she has been notified personally, either orally or in writing, or if a printed or written notice forbidding an entry has been conspicuously posted or exhibited at the main entrance to the land or the forbidden part thereof.

(C) This section does not apply to any person, whether a migrant worker or otherwise, living on the land with permission of the owner or of his or her agent having apparent authority to hire workers on the land and assign them living quarters or a place of accommodation for living thereon, nor to anyone living on the land at the request of, or by occupancy, leasing, or other agreement or arrangement with the owner or his or her agent, nor to anyone invited by the migrant worker or other person so living on the land to visit him at the place he or she is so living on the land.

(D) A person shall be exempt from prosecution under this section if that person beautifies unoccupied and abandoned residential or industrial properties located within this city. For the purpose of this division, **UNOCCUPIED AND ABANDONED RESIDENTIAL** or **INDUSTRIAL PROPERTY** means any real estate in which the taxes have not been paid for a period of at least two years, and which has been left unoccupied and abandoned for a period of at least one year. **BEAUTIFIES** means to landscape, clean up litter, or to repair dilapidated conditions on or to board up windows and doors.

(E) No person shall be liable in any civil action for money damages to the owner of unoccupied and abandoned residential and industrial property which that person beautifies pursuant to division (D) of this section.

(F) This section does not prohibit a person from entering a building or upon the land of another for emergency purposes. For purposes of this division, **EMERGENCY** means a condition or circumstance in which an individual is or is reasonably believed by the person to be in imminent danger of serious bodily harm or in which property is or is reasonably believed to be in imminent danger of damage or destruction.

(Am. Ord. 1300, passed 10-3-07) Penalty, see § 130.99

Statutory reference:

Similar provisions, see ILCS Ch. 720, Act 5, § 21-3