

## S U B S T I T U T E O R D I N A N C E

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

**SECTION 1.** Section 8-4-050 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, and by adding the language underscored, as follows:

#### **8-4-050 Trespassing.**

- (a) A person commits trespass when he such person knowingly:
- (a1) Knowingly Enters enters the property, or any part thereof, of another when, ~~immediately prior to such entry~~, he receives notice, either oral or written, from the owner or occupant that such entry is forbidden; or
- (b2) Knowingly Remains remains upon the property, or any part thereof, of another after receiving notice, either oral or written, from the owner or occupant to depart; or
- (e3) Knowingly Enters enters upon property open to the public, or any part thereof, and remains thereon with a malicious and mischievous intent after receiving notice, either oral or written, from the owner or occupant to depart;
- (d4) ~~Willfully~~ Willfully defaces, mars, injures or destroys any building or part of any building or any property of another with paint, tar, acid, grease, oil, or other such substance which would detrimentally alter the outer face or substance of such building or any property of another, or any fence, tree, shrub or plant appurtenant thereto.
- (b) No person shall violate subsection (a) and present false documents or falsely represent their identity to the owner, agent, lessee, occupant, or an officer of the peace in order to obtain permission to enter or remain within such property or use such false documents or false representations in an attempt to produce satisfactory evidence of ownership or right to be in and upon such premises.
- (c) Any person convicted of trespass who violates subsection (a) of this section shall be fined not less than \$100.00 nor more than \$500.00. Any person who violates subsection (b) of this section shall be fined not less than \$250.00 nor more than \$1,000.00 for each offense. Each day that a violation of subsection (a) or subsection (b) continues shall constitute a separate and distinct offense. The penalties and remedies provided in this section are cumulative and are not intended to be exclusive of any other available remedy or penalty provided by law. Nothing in this section shall be construed to impair any cause of action or legal remedy to recover damages.
- (d) Nothing in this section shall be construed to prohibit a police officer from enforcing any applicable offense under Article 21 of the Illinois Criminal Code of 2012, codified at 720 ILCS 5/21-1, et seq.

**SECTION 2.** This ordinance shall be in full force and effect 10 days following passage and publication.