

**ORDINANCE 2011-10**

**AN ORDINANCE AMENDING ARTICLE SIX: MISCELLANEOUS,  
ADDING CHAPTER SIXTEEN: DISORDERLY CONDUCT**

**WHEREAS**, the Village of Pecatonica (“Village”) is a duly-organized Illinois Municipal Corporation, operating under the provisions of the Illinois Municipal Code (65 ILCS 5/1-1, et. Seq.);

**WHEREAS**, the Village is authorized to establish and enforce rules and regulations relating to public safety and has done so through Article Six of the Village Code, which is entitled, “Miscellaneous;”

**WHEREAS**, Article Ten of the Village Code does not establish rules and regulations regarding disorderly conduct within the Village; and,

**WHEREAS**, It is deemed to be in the best interests of the Village of Pecatonica that the Village Code be amended to include rules and regulations regarding the offense of Disorderly Conduct within the Village.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PECATONICA, COUNTY OF WINNEBAGO, STATE OF ILLINOIS, as follows:**

**Chapter Sixteen Disorderly Conduct Act**

**Section 1. Disorderly Conduct**

A. Offense:

1. A person commits disorderly conduct when he knowingly:
  - (a) Does any act in such unreasonable manner as to provoke, make or aid in making a breach of peace;
  - (b) Transmits or causes to be transmitted in any manner to the fire department of any city, town or village a false alarm of fire, knowing at the time of such transmission that there is no reasonable ground for believing that such fire exists;
  - (c) Transmits in any manner to another a false alarm to the effect that a bomb or other explosive of any nature is concealed in such place that its explosion would endanger human life, knowing at the time of such transmission that there is no reasonable ground for believing that such a bomb or explosive is concealed in such place;

- (d) Transmits or causes to be transmitted in any manner to another a false alarm to the effect that a bomb or other explosive of any nature or a container holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in such place that its explosion or release would endanger human life, knowing at the time of such transmission that there is no reasonable ground for believing that such bomb, explosive or a container holding poison gas, a deadly biological or chemical contaminant, or radioactive substance is concealed in such place;
- (e) 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;
- (f) While acting as a collection agency as defined in the collection agency act (225 ILCS 425/1 et seq.), or as an employee of such collection agency, and while attempting to collect an alleged debt, makes a telephone call to the alleged debtor which is designed to harass, annoy or intimidate the alleged debtor;
- (g) Transmits or causes to be transmitted a false report to the Department of Children and Family Services under 325 ILCS 5/3;
- (h) Transmits or causes to be transmitted a false report to the department of public health under the nursing home care act (210 ILCS 45/1-101 et seq.);
- (i) Transmits or causes to be transmitted in any manner to the police department or fire department of any municipality or fire protection district, or any privately owned and operated ambulance service, a false request for an ambulance, emergency medical technician-ambulance or emergency medical technician-paramedic, knowing at the time there is no reasonable ground for believing that such assistance is required;
- (j) Transmits or causes to be transmitted a false report under article II of the Illinois Domestic Violence Act of 1986 (750 ILCS 60/201 et seq.);
- (k) Transmits or causes to be transmitted a false report to any public safety agency without the reasonable grounds necessary to believe that transmitting such a report is necessary for the safety and welfare of the public;
- (l) Calls the number 911 for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call or transmission is made, the person knows there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency;
- (m) Transmits or causes to be transmitted in any manner to any peace officer, public officer or public employee a report to the effect that an offense has been committed, knowing at the time of such transmission that there is no reasonable ground for believing that such an offense is

- being committed or has been committed;
- (n) 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;
  - (o) 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 requested that said conduct and activity be stopped and explained the request if there is time;
  - (p) Fails to obey a lawful order of dispersal by a person known by him to be a peace officer under circumstances where three 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;
  - (q) Assembles with three or more persons for the purpose of using force or violence to disturb the public peace;
  - (r) Appears in any public place manifestly under the influence of alcohol, narcotics or other drug, not therapeutically administered, to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity;
  - (s) 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 vehicle;
  - (t) Pickets or demonstrates on a public way within 150 feet of any primary or secondary school building while the school is in session and one-half hour before the school is in session and one-half hour after the school session has been concluded;
  - (u) Pickets or demonstrates on a public way within 150 feet of any church, temple, synagogue or other place of worship while services are being conducted and one-half hour before services are to be conducted and one-half hour after services have been concluded;
  - (v) With intent to annoy another, makes a telephone call, whether or not the conversation thereby occurs;
  - (w) Transmits in any manner to any peace officer, public officer, or public employee a false statement about an offense which has been committed, knowing at the time of such transmission that there is no reasonable grounds for believing the content of that statement; or
  - (x) Appears on any public property or right-of-way in possession of or keeping a dog, which dog acts in a manner that, under the circumstances, creates a clear and present danger of a breach of the peace or creates an imminent threat of harm to other persons or pets in

the vicinity. Any person in possession of or keeping a dog that engages in activity that meets the definition of a dangerous dog under state law commits a violation of this section.

B. Penalty

1. A person convicted of a violation of any provision of this Chapter shall be guilty of a petty offense and shall be fined not less than One Hundred Dollars (\$100.00), nor more than Seven Hundred and Fifty Dollars (\$750.00) per offense.
2. Any such violation shall constitute a separate offense on each successive day continued.

**Section 2. Effective Date.** This Ordinance shall become effective immediately upon its passage approval, and publication as provided by law. This Ordinance shall be published in pamphlet form.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Shawn Connors, Village President

ATTEST:

\_\_\_\_\_  
Dana Ryall, Village Clerk

Ayes: _____	Nays: _____	Absent: _____
Sager: _____	Metz: _____	Smull: _____
Heister: _____	Martin: _____	Eytalis: _____