
CHAPTER 13

OFFENSES

**PART 1
DEFINITIONS**

**SECTION 13-101. MEANINGS OF WORDS AND PHRASES.
SECTION 13-102. CRIMINAL CODE ADOPTED.**

SECTION 13-101. MEANINGS OF WORDS AND PHRASES.

For the purpose of this Chapter, the words and phrases of the Illinois Compiled Statutes, Chapter 720, Sections 5/2-1 through 5/2-11; 5/2-13 through 5/2-16; 5/2-19; and 5/2-20, as approved, adopted and amended, are hereby adopted by the Village of Swansea, as fully as if set out herein.

SECTION 13-102. CRIMINAL CODE ADOPTED.

The Illinois Criminal Code, Illinois Compiled States, Chapter 720, as passed, approved, and amended by the Illinois General Assembly is hereby adopted by the Village of Swansea, the provisions thereof shall be controlling within the corporate limits of the Village of Swansea; provided, however, the penalties as provided by this Code shall apply.

CHAPTER 13

OFFENSES

**PART 2
GENERAL PROVISIONS**

- SECTION 13-201. ABUSING A POLICE OFFICER.**
- SECTION 13-202. DISTURBING CHURCH SERVICES.**
- SECTION 13-203. DISTURBING ASSEMBLIES.**
- SECTION 13-204. DISTURBING THE PEACE.**
- SECTION 13-205. BARBED WIRE AND ELECTRIC FENCES.**
- SECTION 13-206. DISORDERLY ASSEMBLY.**
- SECTION 13-207. SALE OF CIGARETTES OR TOBACCO, TO MINORS.**
- SECTION 13-208. ENCOURAGING DELINQUENCY.**
- SECTION 13-209. AIDING AN ESCAPE.**
- SECTION 13-210. ESCAPES.**
- SECTION 13-211. AID TO AN OFFENSE**
- SECTION 13-212. POSTING BILLS.**
- SECTION 13-213. CONCEALED WEAPONS.**
- SECTION 13-214. DISCHARGING FIREARMS IN VILLAGE; EXCEPTION.**
- SECTION 13-215. IMPERSONATION OF OFFICER.**
- SECTION 13-216. DESTRUCTION OF PUBLIC PROPERTY.**
- SECTION 13-217. DISCARDED REFRIGERATORS.**
- SECTION 13-218. FIREWORKS REGULATIONS.**
- SECTION 13-219. CURFEW.**
- SECTION 13-220. FALSE POLICE OR FIRE ALARMS.**
- SECTION 13-221. ALARM SYSTEMS.**
- SECTION 13-222. SMOKING IN MUNICIPAL BUILDINGS.**
- SECTION 13-223. LIMITATIONS ON BURNING YARDWASTE.**
- SECTION 13-225. REGULATIONS FOR HALLOWEEN**
- SECTION 13-226. YARD SALES**
- SECTION 13-226. INSUFFICIENT FUNDS POLICY**

SECTION 13-201. ABUSING A POLICE OFFICER.

No person in the Village of Swansea shall, by violent, tumultuous or obstreperous conduct or carriage, or by loud and unusual noises, disturb any police officer in the discharge of his duties, and no person shall use unseemly, profane, obscene or offensive language in the presence of a police officer; nor shall any person assault, strike or fight with any police officer in the discharge of his duties or permit such conduct in or upon any house or premises in the Village of Swansea, owned or possessed by him or under his management and control.

SECTION 13-202. DISTURBING CHURCH SERVICES.

No person in the Village of Swansea shall disturb or disquiet any congregation or assembly met for religious worship, by making any noise or by rude and indecent behavior, or by profane or obscene

discourse, or in any other manner, within or near their place of worship.

SECTION 13-203. DISTURBING ASSEMBLIES.

No person in the Village of Swansea shall disturb any school or any other lawful assembly of people, or any funeral assembly or procession, by rude or indecent behavior or otherwise.

SECTION 13-204. DISTURBING THE PEACE.

No person shall disturb the good order of society, or the peace of any private family, or of any congregation within the Village of Swansea, by any noise or amusement, or by vulgar or profane language, or by any disorderly or immoral conduct.

SECTION 13-205. BARBED WIRE AND ELECTRIC FENCES.

It shall be unlawful for any person to erect or maintain any electric fence or any fence constructed in whole or in part of barbed wire or to use barbed wire or an electric fence as a guard to any parking lot, stairway, or entrance to a building, unless in an agricultural district.

SECTION 13-206. DISORDERLY ASSEMBLY.

A person is guilty of disorderly assembly when he knowingly fails to obey a lawful order of dispersal by a person known to 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.

SECTION 13-207. SALE OF CIGARETTES OR TOBACCO, TO MINORS.

It shall be unlawful for any person to sell, buy for, or furnish any cigar or cigarette or tobacco in any of its forms to any minor under eighteen (18) years of age, unless upon the written order of the parent or guardian.

SECTION 13-208. ENCOURAGING DELINQUENCY.

It shall be unlawful for any person, by an act or neglect, to encourage, aid or cause delinquency in a child; and it shall likewise be unlawful for any person, after notice that a driver's license of any child has been suspended or revoked, to permit such child to operate a motor vehicle during the period that such driver's license is suspended; and it shall likewise be unlawful for any person to knowingly permit any child to operate a motor vehicle without a license.

SECTION 13-209. AIDING AN ESCAPE.

It shall be unlawful to rescue or attempt to rescue, or to abet or encourage the rescue or escape, of any person from the custody of any officer or other person legally having him in charge, or to molest or interfere with any officer or other person so legally having him in charge, or to aid, abet or encourage, in any manner, the rescue or the attempt to escape from any person legally committed thereto, or to supply or attempt to supply any such person with any weapon or with any implement or means whereby an escape might be affected, or to supply with any intoxicating liquors, drugs, or other article(s) without the consent to the officer in charge.

SECTION 13-210. ESCAPES.

It shall be unlawful for any person convicted of any offense or in lawful custody to escape or attempt to escape from custody.

SECTION 13-211. AID TO AN OFFENSE.

It shall be unlawful for any person in any way or manner, to aid, abet, counsel, advise or encourage any other person in the commission of any of the acts mentioned herein or in any manner, encourage the commission of such offense hereby defined.

SECTION 13-212. POSTING BILLS.

It shall be unlawful for any person to paste, post, paint, print, or nail any handbill, sign, poster, or advertisement or notice of any kind on any curbstone, flagstone, or any other portion or part of any sidewalk, or upon any tree, lamppost, utility pole, hydrant or upon any private wall, door or gate, without the consent in writing of the owner of the wall, door, or gate; provided, however, that this section shall not prevent posting by proper Village of Swansea and St. Clair County Officials of election signs, polling place signs and other signs or placards necessary under the law to conduct elections, except they may not be attached to a tree.

SECTION 13-213. CONCEALED WEAPONS.

No person shall, within the Village of Swansea, carry or wear under his clothes, or concealed about his person, any pistol, or sling-shot, or cross knuckles, or knuckles of lead, brass or other metal, or any switch blade knife or razor, bowie knife, or dirk, or dagger, or any other dangerous or deadly weapon. This Section does not apply to the officers or members of the Police Department, nor to any sheriff or deputy sheriff or constable of this State, nor to any United States Marshal.

SECTION 13-214. DISCHARGING FIREARMS IN VILLAGE; EXCEPTION.

No person, except authorized law enforcement personnel, shall, within the Village of Swansea limits, fire or discharge any firearm (defined, for the purposes of this section, as any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas), or air gun, except under the circumstances listed below:

- (A) When within an OSHA and NRA approved indoor range;

(B) When at a shotgun event sponsored by ~~an~~ a not-for-profit organization and when in compliance with the restrictions below:

- (1) Events must be held with strict safety requirements;
- (2) Each site at which such events are planned shall apply to the Chief of Police of the Village of Swansea for permission to conduct the event. An application form as provided by the Chief of Police shall be filed no less than thirty (30) days prior to the event, submitted with the following documents:
a diagram of the shotgun event site indicating the direction of shotgun fire, the dimensions of the backstop, and the distances between the firing line and the clear area perimeter to the left, right and behind the backstop; and a certificate of liability insurance for the shotgun event issued to the shotgun event venue in the amount of \$1,000,000.00;
- (3) No more than eight (8) events may be held at one location per calendar year;
- (4) Each site at which such events are planned must furnish the Chief of Police with a schedule of proposed shoots and the name of the individual from the site organization who will be present during each event and responsible for compliance with regulations. Any changes occurring after the filing of said schedule shall be provided to the Chief of Police no less than three (3) days in advance.
- (5) Shooting at any such event shall not begin prior to 12:00 noon and shall end by ~~7:00 P.M., or the published time of sunset for that day, whichever is earlier;~~ 5:00 p.m.;
- (6) Shotguns ~~may~~ shall not be fired in the direction of a highway, road, bike path or building, which is less than ~~nine (900) five~~ hundred feet from the target;
- (7) A proper backstop, which completely absorbs the shot, shall be erected beyond the target area, ten (10) feet wide by seven (7) feet high;
- (8) The entire area between the firing point and backstop shall be marked off and protected so as to prohibit participants, observers, and others from entering said area.
- (9) ~~Only game loads, also known as light loads, shall be used with no more than 3.25 dram equivalent of black powder and only #6, #7, #7 1/2 or #8 shot in each shell;~~ Only target

loads, also known as light loads, shall be used with no more than 3.25 dram equivalent of black powder and only #7½ or smaller shot in each shell;

(10) Shells shall be provided by sponsor one at a time at firing line; (Ord 1635, 02/6/2012)

(11) Shotguns not in use shall be placed within a gun case or dismantled;

(12) No intoxicated person shall be allowed to discharge a shotgun at these events;

The first violation of any of the above restrictions for shotgun events, shall prohibit the operation of such events at the violating site for a period of one year and subject the site to a fine not exceeding \$500.00. A second violation at the same site of any of the above restrictions, shall permanently prohibit the operation of such events at that site.

Any person violating Section 13-214, by discharging a firearm other than under the exceptions in either 13-214 (A) or 13-214 (B), shall be subject to a fine not exceeding \$500.00.

SECTION 13-215. IMPERSONATION OF OFFICER.

No person in the Village of Swansea shall falsely represent himself to be an officer of the Village of Swansea, or shall, without being duly authorized by the Village, exercise or attempt to exercise any of the duties, functions or powers of a Village of Swansea Officer, or hinder, obstruct, resist or otherwise interfere with any Village Officer in the discharge of the duties of his office, or attempt to prevent any such officer from arresting any person, either by force or by giving notice to such person, or attempt to rescue from such Officer any person in his custody, or impersonate any of the members of the police force of this Village, or maliciously, or with the intention of deceiving any person, wear the uniform of or a uniform similar to that worn by the members of the Police Department, or use any of the signs, signals or devices adopted and used by the Police Department.

SECTION 13-216. DESTRUCTION OF PUBLIC PROPERTY.

No person in the Village of Swansea shall deface, destroy, or in any way, injure any public property, or any other apparatus of the Village of Swansea.

SECTION 13-217. DISCARDED REFRIGERATORS.

It shall be unlawful for any person, firm or corporation to leave or permit to remain outside of any dwelling,

**CHAPTER 13
OFFENSES**

**PART 6
PUBLIC HEALTH, SAFETY AND DECENCY**

- SECTION 13-601. UNLAWFUL USE OF WEAPONS.**
- SECTION 13-602. UNLAWFUL SALE OF FIREARMS.**
- SECTION 13-603. REGISTER OF SALES BY DEALER.**
- SECTION 13-604. DEFACING IDENTIFICATION MARKS OF FIREARMS.**
- SECTION 13-605. MOB ACTION.**
- SECTION 13-606. DISORDERLY CONDUCT - ELEMENTS OF THE OFFENSE.**
- SECTION 13-607. HARASSMENT BY TELEPHONE.**
- SECTION 13-608. GAMBLING.**
- SECTION 13-609. RESISTING OR OBSTRUCTING A PEACE OFFICER.**
- SECTION 13-610. REFUSING TO AID AN OFFICER.**
- SECTION 13-611. ASSEMBLING AT PUBLIC PLACES AND RESTAURANTS.**

SECTION 13-601. UNLAWFUL USE OF WEAPONS.

(A) A person commits the offense of unlawful use of weapons when he knowingly:

- (1) Sells, manufactures, purchases, possesses, or carries any bludgeon, black-jack, sling-shot, sand-club, sand-bag, metal knuckles or any knife, commonly referred to as a switchblade knife, which has a blade that opens automatically, by hand pressure applied to a button spring, or other device in handle of the knife; or
- (2) Carries or possesses with intent to use the same unlawfully against another, a dagger, billy, dangerous knife, dirk, razor, stiletto, broken bottle, or other piece of glass, or any other dangerous or deadly weapon or instrument of like character; or
- (3) Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance; or
- (4) Carries, concealed in any vehicle or concealed on or about his person, except when his land or in his own abode or fixed place of business, any pistol, revolver or other firearm; or
- (5) Sets a spring gun; or

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Carries or possesses any firearm or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where exhibition of unloaded firearms is conducted; or

(8) Carries or possesses in a vehicle or on or about his person within the corporate limits of a city, village or incorporated town, except when on his land or in his own abode, or fixed place of business, any loaded pistol, revolver or other firearm.

(B) The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in this Chapter is prima facie evidence that it is in the possession of, and is being carried by all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances:

(1) If such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or

(2) If such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and

proper pursuit of his trade, then such presumption shall not apply to the driver.

SECTION 13-602. UNLAWFUL SALE OF FIREARMS.

A person commits the offense of unlawful sale of firearms when he knowingly:

- (A) Sells or gives any firearm of a size which may be concealed upon the person, to any person under the age of eighteen (18) years; or
- (B) Sells or gives any firearm to a person under twenty-one (21) years of age who has been convicted of a misdemeanor, other than a traffic offense, or adjudged delinquent; or
- (C) Sells or gives any firearm to any narcotic addict; or
- (D) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction within five (5) years from release from the penitentiary or within five (5) years of conviction if penitentiary sentence has not been imposed; or
- (E) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past five (5) years; or
- (F) Sells or gives any firearms to any person who is mentally retarded; or
- (G) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least seventy-two (72) hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to sale, without withholding delivery of such rifle, shotgun or other long gun for at least twenty-four (24) hours after application for its purchase has been made. However, this paragraph shall not apply to:
 - (1) The sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or
 - (2) A mail order sale of a firearm to a non-resident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or
 - (3) The sale of a firearm to a non-resident of Illinois while at a firearm showing or display

recognized by the Illinois Department of Law Enforcement; or

- (4) The sale of a firearm to a dealer licensed under the Federal Firearms Act of the United States.

SECTION 13-603. REGISTER OF SALE BY DEALER.

- (A) Any seller of firearms of a size which may be concealed upon the person, other than a manufacturer selling a bona fide wholesaler or retailer or a wholesaler selling to a bona fide retailer, shall keep a register of all firearms sold or given away.
- (B) Such register shall contain the date of the sale or the gift, the name, address, age, and occupation of the person to whom the weapon is sold or given, the price of the weapon, the kind, description, and number of the weapon, and the purpose for which it was purchased and obtained.
- (C) Such seller, in demand of a peace officer, shall produce for inspection, the register and allow such peace officer to inspect such register and all stock on hand. (Ill. Com. Stat., Ch. 720, Sec. 5/24-4)

SECTION 13-604. DEFACING IDENTIFICATION MARKS OF FIREARMS.

- (A) Any person who shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number or other mark of identification of any firearm commits a misdemeanor.
- (B) Possession of any firearm upon which any such mark shall have been changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same. (Ill. Com. Stat., Ch. 720, Sec. 5/24-4)

SECTION 13-605. MOB ACTION.

Mob action consists of any of the following:

- (A) The use of force or violence disturbing the public peace by two (2) or more persons acting together and without authority of law; or
- (B) The assembly of two (2) or more persons to do an unlawful act; or