

CITY OF PETERSBURG, ILLINOIS

ORDINANCE NO. 2022-10

**AN ORDINANCE REGULATING VAGRANCY AND SLEEPING IN PUBLIC WITHIN
THE CITY**

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF PETERSBURG, ILLINOIS
THIS 1ST DAY OF NOVEMBER, 2022

Published in pamphlet form by the authority of the City Council of the City of
Petersburg, Menard County, Illinois,
this 1st day of November, 2022.

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THE CITY**

WHEREAS, the City of Petersburg, Illinois is an Illinois non-home rule municipal corporation pursuant to Article VII, § 8 of the 1970 Illinois Constitution, organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, “[t]he corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper.” 65 ILCS 5/1-2-1; and

WHEREAS, “[t]he corporate authorities of each municipality may prevent vagrancy, begging, and prostitution.” 65 ILCS 5/11-5-4; and

WHEREAS, “[t]he corporate authorities of each municipality may regulate the use of sidewalks, the construction, repair, and use of openings in sidewalks, and all vaults and structures thereon and thereunder, including telephone booths, and may require the owner or occupant of any premises to keep the sidewalks abutting the premises free from snow and other obstructions.” 65 ILCS 5/11-80-13; and

WHEREAS, the City Council has determined that it is in the interest of the City to regulate use of City sidewalks and City property in a manner to prevent the misuse of such sidewalks and City property and maintain public order and safety; and

WHEREAS, the City Council in so regulating said sidewalks and City property does not intend to deny or abridge any person’s rights protected by the Bill of Rights for the Homeless Act (775 ILCS 45/1).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG, MENARD COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Petersburg, Illinois.

SECTION 2: The Code of Ordinances of the City of Petersburg is amended at § 14-7 as follows:

§ 14-7 ~~RESERVED.~~ VAGRANCY.

(A) No person shall occupy or sleep in any vacant or unoccupied barn, garage, shed, shop, or other building or structure, or in any automobile, truck, railroad car, or other vehicle, without owning the same or without permission of the owner or person entitled to the possession of the same.

(B) No person shall sleep in any vacant lot during the hours of darkness.

(C) No person shall sleep, stand, or position themselves upon a sidewalk or other public way so as to interfere with, obstruct, or impede:

(1) the use of the sidewalk or public way by others

(2) those entering and exiting properties adjacent to such sidewalks and public ways.

(D) Any violation of the provisions of this §14-7 is subject to the provisions of §1-8 of this code.

Statutory reference: See §11-5-4 of the Illinois Municipal Code, 65 ILCS 5/11-5-4

SECTION 3: All ordinances and parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby superseded to the extent that they may conflict.

SECTION 4: In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5: This Ordinance shall take effect upon its passage and publication as required by law.

SECTION 6: The Mayor is authorized and directed to sign and the City Clerk is authorized and directed to attest to this ordinance.

SECTION 7: The City Clerk shall publish this Ordinance in pamphlet form and see to inclusion of this Ordinance in the next update of the City Code of Ordinances.

PASSED this 1st day of November, 2022.

Ald. Grosboll	<u>Absent</u>	AYES:	<u>5</u>
Ald. Hiser	<u>yes</u>	NAYS:	<u> </u>
Ald. Allison	<u>yes</u>	ABSENT:	<u>1</u>
Ald. Gain	<u>yes</u>	PRESENT:	<u> </u>
Ald. Gorman	<u>yes</u>		
Ald. Sonnemaker	<u>yes</u>		
Mayor Snyder	<u>yes</u>		

APPROVED by the Mayor of the City of Petersburg, Illinois this 1st day of
November, 2022.



MAYOR

ATTEST:



Deputy City Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF MENARD)

CERTIFICATE

I certify that I am the duly appointed or elected and acting Clerk of the City Of Petersburg, Menard County, Illinois, and, as such, am the keeper of records and seal thereof.

I further certify that the foregoing is a true, complete, and correct copy of Ordinance No. 2022-10 of said City; that said Ordinance, entitled:


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was passed by the City Council of the City Of Petersburg, Menard County, Illinois, by ye and nay vote on the 1st day of November, 2022; that said Ordinance was approved by the Mayor on the 1st day of November, 2022; and that said Ordinance was then deposited in the office of the City Clerk of said City and filed therein; and that the same was recorded in the Record of Ordinances of said City.

I further certify said Ordinance 2022-10 provided by its terms that it should be published in pamphlet form; that the pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof, was prepared; that a copy of such Ordinance was posted in the City Hall, commencing on 1st of November, 2022, to continue for at least ten (10) days thereafter; and that copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Petersburg, Illinois, this 1st day of November, 2022.

(SEAL)



Deputy City Clerk