

## CHAPTER 131: OFFENSES PERTAINING TO PROPERTY

### Section

- 131.01 Damage of firefighting apparatus, hydrants, or equipment
- 131.02 Trespass to land
- 131.03 Damaging village property
- 131.04 Jackrocks

### § 131.01 DAMAGE OF FIREFIGHTING APPARATUS, HYDRANTS, OR EQUIPMENT.

No person shall willfully and maliciously cut, injure, damage, tamper with, destroy, or deface any fire hydrant, fire hose, fire engine, or other public or private firefighting equipment, or any apparatus appertaining to such equipment, or intentionally open any fire hydrant without proper authorization.

(ILCS Ch. 720, Act 5, § 21-1.1) Penalty, see § 130.99

### § 131.02 TRESPASS TO LAND.

(A) (1) Except as provided in division (B) of this section, whoever commits any of the following commits a Class B misdemeanor:

- (a) Knowingly and without lawful authority enters or remains within or on a building;
- (b) Enters upon the land of another, after receiving, prior to such entry, notice from the owner or occupant that such entry is forbidden;
- (c) Remains upon the land of another, after receiving notice from the owner or occupant to depart; or
- (d) Presents false documents or falsely represents his or her identity orally to the owner or occupant of a building or land in order to obtain permission from the owner or occupant to enter or remain in the building or on the land.

(2) For purposes of division (A)(1)(a) 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) Except as otherwise provided in this division, whoever enters upon any 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 commits a Class A misdemeanor:

- (1) A field that is used for growing crops or that is capable of being used for growing crops.
- (2) An enclosed area containing livestock.
- (3) An orchard.
- (4) A barn or other agricultural building containing livestock.

(C) A person has 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 including a valid court order as defined by ILCS Ch. 725, Act 5, § 112A-3(7) granting remedy ILCS Ch. 725, Act 5, § 112A-14(b)(2), or if a printed or written notice forbidding such entry has been conspicuously posted or exhibited at the main entrance to such land or the forbidden part thereof.

(D) 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 such land and assign them living quarters or a place of accommodations for living thereon, nor to anyone living on such 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 such migrant worker or other person so living on such land to visit him or her at the place he or she is so living upon the land.

(E) A person shall be exempt from prosecution under this section if he or she beautifies unoccupied and abandoned residential and industrial properties located within any municipality. For the purpose of this division, **UNOCCUPIED AND ABANDONED RESIDENTIAL AND 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; and **BEAUTIFIES** means to landscape, clean up litter, or to repair dilapidated conditions on or to board up windows and doors.

(F) 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 (E) of this section.

(G) 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.



(H) Division (A)(1)(d) of this section does not apply to a peace officer or other official of a unit of government who enters a building or land in the performance of his or her official duties.

(I) A person may be liable in any civil action for money damages to the owner of the land he or she entered upon with a motor vehicle as prohibited under division (B) of this section. A person may also be liable to the owner for court costs and reasonable attorney's fees. The measure of damages shall be: the actual damages, but not less than \$250, if the vehicle is operated in a nature preserve or registered area as defined in ILCS Ch. 525, Act 30, §§ 3.11 and 3.14 of the Illinois Natural Areas Preservation Act; twice the actual damages if the owner has previously notified the person to cease trespassing; or in any other case, the actual damages, but not less than \$50. If the person operating the vehicle is under the age of 16, the owner of the vehicle and the parent or legal guardian of the minor are jointly and severally liable. For the purposes of this division:

(1) **LAND** includes, but is not limited to, land used for crop land, fallow land, orchard, pasture, feed lot, timber land, prairie land, mine spoil nature preserves and registered areas. **LAND** does not include driveways or private roadways upon which the owner allows the public to drive.

(2) **OWNER** means the person who has the right to possession of the land, including the owner, operator or tenant.

(3) **VEHICLE** has the same meaning as provided under ILCS Ch. 625, Act 5, § 1-217. (ILCS Ch. 720, Act 5, § 21-3) Penalty, see § 130.99

**§ 131.03 DAMAGING VILLAGE PROPERTY.**

(A) (1) It shall be unlawful to:

- (a) Knowingly damages any property of another;
- (b) Recklessly by means of fire or explosive damages property of another;
- (c) Knowingly starts a fire on the land of another;
- (d) Knowingly injures a domestic animal of another without his or her

consent;

(e) Knowingly deposits on the land or in the building of another any stink bomb or any offensive smelling compound and thereby intends to interfere with the use by another of the land or building; or

(f) Damages any property, other than as described in ILCS Ch. 720, Act 5, § 20-1(b), with intent to defraud an insurer; or

(g) Knowingly shoots a firearm at any portion of a railroad train.



(2) When the charge of criminal damage to property exceeding a specified value is brought, the extent of the damage is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding the specified value.

(3) It is an affirmative defense to a violation of divisions (1)(a), (1)(c), or (1)(e) of this section that the owner of the property or land damaged consented to such damage.  
(ILCS Ch. 720, Act 5, § 21-1(1))

(B) For the purposes of this section, **PROPERTY** means anything of value including, but not limited to real estate, money, commercial instruments, written instruments representing or embodying rights concerning anything of value, labor, or services, things affixed to or found on land or part of or affixed to any building, electricity, gas, or water.  
Penalty, see § 130.99

#### § 131.04 JACKROCKS.

(A) A person who knowingly sells, gives away, manufactures, purchases, or possesses a jackrock or who knowingly places, tosses, or throws a jackrock on public or private property commits a Class A misdemeanor.

(B) As used in this section, **JACKROCK** means a caltrop or other object manufactured with one or more rounded or sharpened points, which when placed or thrown present at least one point at such an angle that it is peculiar to and designed for use in puncturing or damaging vehicle tires. It does not include a device designed to puncture or damage the tires of a vehicle driven over it in a particular direction, if a conspicuous and clearly visible warning is posted at the device's location, alerting persons to its presence.

(C) This section does not apply to the possession, transfer, or use of jackrocks by any law enforcement officer in the course of his/her or her official duties.  
(ILCS Ch. 720, Act 5, § 21-1.4) Penalty, see § 130.99