

**ORDINANCE NO. O-22-03**

**AN ORDINANCE OF THE VILLAGE OF CAMPTON HILLS, KANE COUNTY,  
ILLINOIS ADOPTING THE ILLINOIS CRIMINAL CODE**

**WHEREAS**, the Village of Campton Hills, Kane County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, the Village President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois (the "*Corporate Authorities*") may from time to time amend the text of the Village Code of Campton Hills (the "*Village Code*") when it is determined to be in the best interests of the health, safety and welfare of the Village and its residents; and

**WHEREAS**, the Illinois Municipal Code (65 ILCS 5/1-2-1.1) provides that the corporate authorities of each municipality may pass ordinances, not inconsistent with the criminal laws of Illinois, to regulate and prosecute certain criminal offenses; and

**WHEREAS**, the Village President and Board of Trustees of the Village of Campton Hills (the "*Corporate Authorities*") previously adopted an administrative adjudication procedure for minor offenses and violations of the Village Code; and

**WHEREAS**, the Corporate Authorities deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to adopt the Illinois Criminal Code of 2012 (720 ILCS 5/1-1, *et seq.*), as amended, to allow the adjudication of all petty offenses through municipal citations rather than criminal complaints.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois, as follows

**Section 1.** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** Chapter 5 (“*Miscellaneous Offenses*”) of Title 6 (“*Police and Public Safety*”) of the Village Code of Campton Hills, Illinois, is hereby amended by adding the underlined language and deleting the stricken language, to read as follows:

**6-5-1: CRIMINAL CODE ADOPTED:**

Except where an offense would be declared a misdemeanor or felony with a penalty of more than six months incarceration, all of the definitions, requirements, regulations, prohibitions, provisions, and sections of the Illinois Criminal Code of 2012 (720 ILCS 5/1-1, et seq.), as amended, are hereby adopted by the village. Any and all violations thereof shall be considered violations of this chapter, and each such violation shall subject the violator thereof to the procedures and penalties provided in Title 1, Chapter 4 of this Code, but in no case shall such penalty be greater than \$750 per offense.

**6-5-12: OFFENSES ENUMERATED:**

It is hereby declared that any of the following activities are unlawful:

- A. The possession, use, sale, gifting or other distribution of drug paraphernalia as defined by the Illinois statutes, except as authorized under the Cannabis Regulation and Tax Act (410 ILCS 705/1-1, et seq.).
- B. The possession, use, sale, gifting or other distribution of cannabis in violation of the Cannabis Regulation and Tax Act (410 ILCS 705/1-1, et seq.).
- C. The violation of the hours of curfew for persons under such age as established by state statute.
- D. The violation of the pyrotechnic use act, 425 Illinois Compiled Statutes 35/0.01 et seq., including the possession, sale, and use of fireworks in the village, except as expressly authorized by the village board for a community event.

**Section 3.** Chapter 1 (“*Nuisances*”) of Title 5 (“*Health, Sanitation and Environment*”) of the Village Code of Campton Hills, Illinois, is hereby amended by adding the underlined language and deleting the stricken language, to read as follows:

**5-1-1: DEFINITIONS:**

...

**NOXIOUS WEED:** An annual, biennial or perennial plant propagated by seed or vegetative parts, listed herein and/or in the Illinois noxious weed law, which is injurious to public health, crops, livestock, land or other property. Noxious weeds as identified herein and by the Illinois noxious weed law shall include, but are not limited to, the following: marihuana (*Cannabis sativa* L.), Sandbar Willow (*Salix*), Phragmites, Canada thistle (*Cirsium arvense*), perennial sow thistle (*Sonchus arvensis*), musk thistle (*Carduus nutans*), perennial members of the *Sorghum* genus including Johnson grass (*Sorghum halepense*), *Sorghum almum*, and other Johnson grass X sorghum crosses with rhizomes, quack grass (*Agropyron repens*), curled (curly) dock (*Rumex crispus*), corn cockle (*Agrostemma githago*), wild morning glories (*Ipomoea coccinea*, *Ipomoea hederacea*, *Ipomoea pandurata*, *Ipomoea purpurea*), poison ivy (*Rhus radicans*), purple loosestrife (*Lythrum salicaria*), garlic mustard (*Alliaria petiolata*), multiflora rose (*Rosa multiflora*), and burdock (*Arctium minus*).

**NUISANCE:** Anything offensive or obnoxious to the sensibilities of reasonable persons, or any act or activity creating a hazard which threatens the health and welfare of inhabitants of the village, or any activity which, by its perpetuation, can reasonably be said to have a detrimental effect on the property of a person or persons within the community. Nuisance includes, but is not limited to, those activities and/or conditions declared in subsection 5-1-2.

**OCCUPANT:** Any individual living or sleeping in a building, or having possession of space within in a building.

...

**Section 4.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

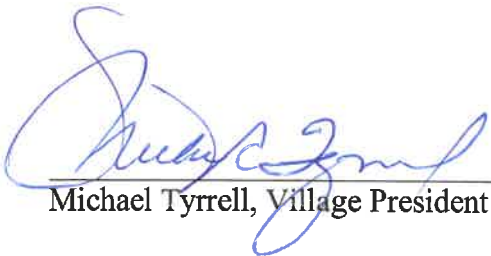
**Section 5.** All ordinances, resolutions, motions or orders in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 6.** This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

Passed this 1 day of February, 2022, pursuant to a roll call vote as follows:

|   | AYES                                | NAYES                    | ABSENT                   | ABSTAIN                  |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Trustee Susan P George  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Trustee Jim McKelvie  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Trustee Mike Millette   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Trustee Ed Muncie   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Trustee Michael O'Dwyer <sup>CHARLES</sup> <sub>Cappell</sub> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Trustee Wendy K. White Eagle                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| President Michael Tyrrell                                     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

APPROVED this 1 day of February, 2022

  
Michael Tyrrell, Village President

(SEAL)

ATTEST:

  
Lynn Baez, Village Clerk