



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title: Discussion of Propose Code Revisions to Title 9 “Public Peace, Morals and Welfare” Chapter 9.09 “Fighting”, Chapter 9.16 “Profanity – Indecent Conduct”, and Chapter 9.20 “Disorderly Conduct”

Presenter: Chief Keegan

Please check appropriate box:

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
<input type="checkbox"/>	Planning & Development	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input checked="" type="checkbox"/>	Liquor Control Commission (12/15/14)

Estimated Cost:		Budgeted:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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If NO, please explain how item will be funded:

Executive Summary:

The Police Department, in tandem with working on Chapter 5.08 “Alcoholic Beverages”, have made changes to the following ordinances in Title 9 “Public Peace, Morals and Welfare”: Chapter 9.09 “Fighting”, Chapter 9.16 “Profanity – Indecent Conduct”, and Chapter 9.20 “Disorderly Conduct”.

The amendments to these ordinances are primarily changes to the fine structure of these violations that can tie into prohibited behaviors under the influence alcohol.

City staff is here tonight to receive any input this commission may have before finalizing these ordinances to go before committee approval to be recommended to City Council for final approval.

Attachments: *(please list)*

Ordinances

Recommendation / Suggested Action *(briefly explain):*

Discussion of propose code revisions to Title 9 “Public Peace, Morals and Welfare” Chapter 9.09 “Fighting”, Chapter 9.16 “Profanity – Indecent Conduct”, and Chapter 9.20 “Disorderly Conduct”

For office use only:

Agenda Item Number: 5.

FIGHTING

Chapter 9.09

FIGHTING

Sections:

9.09.10 Fighting Prohibited

9.09.010 Fighting Prohibited

No person shall physically fight with another person without legal justification. Any person violating this Section shall be punished by a fine of not less than five hundred dollars (\$500.00) *for their first related offense* nor more than seven hundred fifty dollars (\$750.00) for each *subsequent* offense. (Ord. 2012-M-48 § 1; Ord. 2011-M-14 § 1.)

PROFANITY – INDECENT CONDUCT

Chapter 9.16

PROFANITY - INDECENT CONDUCT⁴

Sections:

- | | |
|----------|--|
| 9.16.010 | Bathing or swimming in public place. |
| 9.16.020 | Public urination, defecation prohibited. |

9.16.010 Bathing or swimming in public place.

It is unlawful for any person to swim or bathe at any public place or in a place open to public view unless such person is adequately garbed in a bathing suit or other suitable garment to protect his person from exposure.

(Ord. 1978-M-45 § 1: prior code § 28.017.)

9.16.020 Public urination, defecation prohibited.

It shall be unlawful for any person to urinate or defecate:

- A. in or on a public street, alley, sidewalk, yard, park, building, structure, plaza, public or utility right-of-way, or other public place other than a restroom; or
- B. in public view.

Any person violating this Section shall be punished by a fine of not less than ~~one hundred dollars (\$100.00)~~ *two hundred fifty dollars (\$250.00) for their first offense* nor more than seven hundred fifty dollars (\$750.00) for each *subsequent* offense.

(Ord. 2012-M-48 § 2; Ord. 2009-M-70 § 1.)

DISORDERLY CONDUCT

Chapter 9.20

DISORDERLY CONDUCT⁵

Sections:

9.20.010	Disorderly conduct - Designated - Prohibited.
9.20.020	Intoxication in public place prohibited.
9.20.030	Disturbing lawful assemblages prohibited.
9.20.040	Unlawful assemblages.

9.20.010 Disorderly conduct - Designated - Prohibited.

It is unlawful for a person to commit disorderly conduct. A person commits disorderly conduct when he knowingly:

- A. Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace; or
- B. With intent to annoy another, makes a telephone call, whether or not conversation thereby ensues; or
- C. Enters upon the property of another for a lewd or unlawful purpose; deliberately looks into a dwelling on the property through any window or other opening.

(Ord. 1969-M-3 § 1; prior code § 28.002.)

9.20.020 Intoxication in public place prohibited.

It is unlawful for any person to be in an intoxicated condition *and disorderly* on or in any street, alley or other public place in the City. Any person violating this Section shall be punished by a fine of not less than ~~one hundred dollars (\$100.00)~~ *two hundred fifty dollars (\$250.00) for their first offense* nor more than seven hundred fifty dollars (\$750.00) for each *subsequent* offense.

(Ord. 2012-M-48 § 3; Ord. 2008-M-47 § 1; Prior code § 28.003.)

Emergency Treatment (Exemptions to 9.20.020)

A person who appears to be intoxicated in a public place and who may be in danger to himself or others may be assisted to his home, a treatment facility or other health facility either directly by the police or through an intermediary person. Such person shall be detained for protective custody purposes only, and shall not be cited and/or arrested. The detaining officer may take reasonable steps to protect himself from harm.

9.20.030 Disturbing lawful assemblages prohibited.

It is unlawful for any person to disturb any lawful assemblage or gathering in this city.

(Prior code § 28.009.)

9.20.040 Unlawful assemblages.

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DISORDERLY CONDUCT

It is unlawful to collect, gather, or be a member of any disorderly crowd, or any crowd gathering together for any unlawful purpose.
(Prior code § 28.014.)

**AGENDA
CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING**

**MONDAY, DECEMBER 15, 2014
CITY COUNCIL CHAMBERS @ 4:30 PM
2 E MAIN STREET**

1. Call to Order.
2. Roll Call.
3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on November 17, 2014.
4. Discussion of proposed Liquor Code revisions for Title 5 “Business Licenses and Regulations” 5.08 “Alcoholic Beverages” for recommendation to proceed to Governments Operations Committee.
5. Discussion of proposed code revisions to Title 9 “Public Peace, Morals and Welfare,” Chapter 9.09 “Fighting”, Chapter 9.16 “Profanity – Indecent Conduct”, and Title 9.20 “Disorderly Conduct”.
6. Other Business.
7. Executive Session (5 ILCS 120/2 (c)(4)).
8. Adjournment.