

Chapter 26

OFFENSES AGAINST PUBLIC PEACE, SAFETY and MORALS 2015-16-09

- 26.01 Disorderly Conduct
- 26.02 Resisting or Obstructing a Peace Officer
- 26.03 Battery
- 26.04 Assault
- 26.05 Loitering
- 26.06 Damaging Property
- 26.07 Trespasses
- 26.08 Civil Emergencies
- 26.09 Curfew
- 26.10 Laser Pointers
- 26.11 Animal Litter
- 26.12 Cable Television
- 26.13 Parental Responsibility
- 26.14 Bicycles, Tricycles, Skateboards or Similar Motorized and Non-Motorized Recreational Devices
- 26.15 Sale of Tobacco
- 26.16 Public Indecency
- 26.17 Public Nudity
- 26.18 Theft
- 26.19 Deceptive Practices
- 26.20 Synthetic Alternative Drugs
- 26.21 Drug Paraphernalia
- 26.22 Truancy
- 26.23 Unlawful Possession of Cannabis
- 26.24 Unlawful Use of Village Dog Park
- 26.25 Gambling Prohibited
- 26.26 Weapons
- 26.27 Fireworks
- 26.28 Animal Control

26.01 DISORDERLY CONDUCT

No person shall engage in disorderly conduct in the Village. A person commits disorderly conduct when such person knowingly:

1. Does any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace;
2. Transmits in any manner to the fire department of any municipality or fire protection district a false alarm or fire, knowing at the time of such transmission that there is no reasonable ground for believing that such fire exists;

3. Transmits in any manner to another a false alarm to the effect that a bomb or other explosive of any nature is concealed in such place that its explosion would endanger human life, knowing at the time of such transmission that there is no reasonable ground for believing that such bomb or explosive is concealed in such place;
4. Transmits in any manner to any peace officer, public officer or public employee a report to the effect that an offense has been committed, knowing at the time of such transmission that there is no reasonable ground for believing that such an offense has been committed;
5. Enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it;
6. With the purpose of causing public danger, alarm, disorder, nuisance, a person commits any of the following acts in a public place:
 - A. Commits an act in a violent manner toward another whereby that other is placed in danger of their life or health;
 - B. Commits an act in a violent manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
 - C. Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, health or property of another;
 - D. Interferes with another's pursuit of a lawful occupation by acts of violence;
 - E. Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered to do so by a peace officer or other lawful authority;
 - F. Incites, attempts to incite or is involved in attempting to incite a riot or unlawful disturbance;
 - G. Uses abusive language or threats to any peace officer or any other person when such words have a direct tendency to cause acts of violence. Words merely causing displeasure, annoyance or resentment are not prohibited;
 - H. Makes or causes to be made any loud, boisterous and unreasonable noise or disturbance to the annoyance of any other persons nearby, or near to any public highway, road, street, lane, alley, park, square or common, whereby the public peace is broken or disturbed, or the traveling public annoyed;
 - I. Fails to obey a lawful order to disperse by a peace officer where one or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public health and safety is threatened;
 - J. Uses abusive or obscene language or makes an obscene gesture in public;

- K. Assembles with three or more persons for the purpose of using force or violence to disturb the public peace;
 - L. Appears in any public place and is manifestly under the influence of alcohol or controlled substance, to the degree that such person may endanger themselves or other persons or property, or alarm or disturb other persons in the vicinity.
7. Permits any assembly of people for the purpose of committing any unlawful act or breach of the peace, or any riotous offense or disorderly conduct, in or upon any premises owned or occupied by themselves or under their control or interrupts or disturbs any lawful assembly of people by making any loud or unusual noise, or by rude or indecent behavior, or by profane, obscene or improper discourse or conduct;
 8. Engages in Unlawful Assembly: Unlawful assembly consists of any of the following:
 - A. The use of force or violence disturbing the public peace by two or more persons acting together and without authority of law;
 - B. The assembly of two or more persons to do an unlawful act; or
 - C. The assembly of two or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence.
 9. Disturbs, tends to disturb or aid in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned, possessed or under their control; or
 10. Loiters or strolls in, about or upon any street, alley or other public way or public place, or in any public gathering or assembly, or in or around any store, shop or business or commercial establishment, or on any private property or place without lawful business or conduct himself in a lewd, wanton or lascivious manner in speech or behavior.
 11. Penalty: Any person, firm or corporation violating this any portion of this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

26.02 RESISTING OR OBSTRUCTING A PEACE OFFICER

No person shall resist or obstruct a police officer in the Village. A person who knowingly resists or obstructs the performance by one known to the person to be a police officer of any authorized act within that person's official capacity commits the offense of resisting or obstructing a police officer.

26.03 BATTERY

No person shall commit a battery in the Village. A person commits battery if it is intentional or knowingly, without legal justification and by any means:

1. Causes bodily harm to an individual; or
2. Makes physical contact of an insulting or provoking nature with an individual.

26.04 ASSAULT

No person shall commit an assault in the Village. A person commits an assault when, without lawful authority, such person engages in conduct which places another in reasonable apprehension of receiving a battery.

26.05 LOITERING

A. Loitering Prohibited. It shall be unlawful for any person to loiter in or near any thoroughfare, place open to the public or near any public or private place in a manner under circumstances manifesting the purpose to engage in drug related activity contrary to any of the provisions of this Code or the State of Illinois Criminal Code of 1961, as amended.

B. Among the circumstances which may be considered in determining whether such purpose is “manifested” shall include but not be limited to:

1. Such person is a known unlawful drug user, possessor or seller. For purposes of this provision, a “known unlawful drug user, possessor or seller” is a person who has, within the knowledge of the arresting officer, been convicted in any court within this state of any violation involving the use, possession or sale of any of the controlled substances referred to in the Illinois Criminal Code of 1961, as amended, or such person who has been convicted of any violation of the provisions of said Illinois Criminal Code of 1961, as amended, or substantially similar laws of any political subdivision of this state or of any other state; or a person who displays the physical characteristics of drug intoxication or usage, such as “needle tracks” or a person who possesses drug paraphernalia as defined in the Illinois Municipal Code of 1961, as amended; or
2. Such person is currently subject to an order prohibiting their presence in a high drug activity geographic area; or
3. Such person behaves in a manner as to raise reasonable suspicion that such person is about to engage in or is then engaged in an unlawful drug related activity including, by way of example only, such person acting as a “lookout”; or
4. Such person is physically identified by the officer as a member of a “gang” or association which has, as its purpose, illegal drug activity; or

5. Such person transfers small objects or packages for currency in a furtive fashion; or
6. Such person takes flight upon the appearance of a police officer; or
7. Such person manifestly endeavors to conceal upon himself or herself any object which reasonably could be involved in an unlawful drug related activity; or
8. The area involved is by public repute known to be an area of unlawful drug use and trafficking; or
9. The premises involved have been reported to law enforcement as a place of suspected gang activity.
10. Such person possesses any instrument, article or thing whose customary or primary purpose is for the sale, administration or use of controlled substances such as, but not limited to, crack pipes, push wires, chore boys, hand scales, hypodermic needles, razor blades or other cutting tools.
11. Any vehicle involved is registered to a known unlawful drug user, possessor or seller, or a person for whom there is an outstanding warrant for a crime involving drug-related activity.

C. Penalty: Any person, firm or corporation violating this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

26.06 DAMAGING PROPERTY

A. No person shall damage, befoul, disturb, destroy or deface any Village property or any public or private property without permission of the owner.

B. Prohibited: It shall be unlawful, and is hereby declared a nuisance to place graffiti, or permit graffiti to remain upon any public or private curb stone, flagstone, brick, any portion of any part of any street, or upon any tree, lamp post, telephone pole, utility box, utility pole, stanchion, postal mail receptacle, sign, hydrant, fence, door, wall, window, garage or enclosure, vehicle, bridge, pier or upon any other public or private structure or building.

C. Graffiti Defined: Graffiti is any permanent display of any name, identification, letter, numeral, figure, emblem, insignia, a picture, outline, character, spectacle, delineation, illustration, symbol or any combination thereof, which without authorization is marked, written, drawn, painted, scratched, inscribed or affixed, and which is a different color from the color of the exterior of those objects or structures described above and to which it is affixed.

D. Graffiti Removal: It shall be the duty of the Chief of Police to serve or cause to be served, a notice upon the owner or party in possession of any such object or structure upon which graffiti is present and to demand the abatement of the nuisance within five days. All exterior surfaces shall be kept clean and free of graffiti. Surfaces which have been exposed to graffiti shall be cleaned, painted or in some manner covered, so as to effect the complete removal or the graffiti from that surface and return the surface to its prior condition within 5 days of receipt of the violation notice to the owner unless extenuating circumstances prevent work from being done, in which case the Chief of Police may give an extension for the removal of graffiti.

E. Penalty: Whoever violates any provision of this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to the owner of any property damaged or destroyed.

26.7 TRESPASSES

A. Prohibited: It shall be unlawful for any person to commit a trespass within this Village upon either public or private property.

B. Specifically Enumerated Trespasses; Suppression: Without constituting any limitation upon the provisions of this Section, any of the following acts by a person shall be deemed included among those that constitute trespasses in violation of the provisions of this Section, or from time to time, to prevent or suppress any violation or violations of this Section, the aforesaid enumerated acts so included, being as follows, to-wit: [NEEDS CLARIFICATION]

1. An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to such premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
2. The pursuit of a course of conduct or action incidental to the making of any entry upon the land of another in violation of a notice posted or exhibited at the main entrance to such premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
3. A failure of refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
4. An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.

26.08 CIVIL EMERGENCIES

A. Definitions: For purposes of this Section, a civil emergency is defined as a riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by 3 or more persons acting together without authority of law; or any natural disaster or manmade calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the Village, resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

B. Whenever a civil emergency exists, the Chief of Police shall notify the President, who may declare the existence of a civil emergency by means of a written declaration setting forth the facts which constitute the emergency.

C. After proclamation of a civil emergency the President may order a general curfew applicable to such geographical areas of the Village or to the Village as a whole, as deemed advisable, and applicable during such hours of the day or night as deemed necessary in the interest of public safety and welfare.

D. After the proclamation of a civil emergency the President may also, in the interest of public safety and welfare, make any or all of the following orders:

1. Order the closing of all retail liquor stores, including taverns and private clubs or portions thereof wherein the consumption of intoxicating liquor and beer is permitted.
2. Order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer.
3. Order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
4. Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever.
5. Issue such other orders as are imminently necessary for the protection of life and property.

E. The proclamation herein authorized shall be effective for a period of 48 hours unless sooner terminated by a proclamation of the President indicating that the civil emergency no longer exists. The President shall have the power to re proclaim the existence of a civil emergency at the end of each 48-hour period during the time the civil emergency exists.

F. Upon issuing the proclamation herein authorized, the President shall notify the news media situated within the Village shall cause three copies of the proclamation declaring the existence of the emergency to be posted at the following places within the Village: Village Hall, police station and post office.

G. Emergency Interim Succession: The President is authorized to designate a person or number of persons to act as emergency interim successors to the office in time of civil emergencies. In such cases where the President is unavailable the powers of the office shall be exercised and duties shall be discharged by the designated emergency interim successor or successors in the order so specified by the President. The emergency interim successor shall exercise the powers and discharge the duties of the Office of President until such time as a vacancy which may exist shall be filled in accordance with the Constitution or Illinois Compiled Statutes, or until the President again becomes available to exercise the powers and discharge the duties of the office.

26.09 CURFEW

A. Definitions: The following words and phrases when used in this Section shall, for the purposes of this Section, have the meaning respectively ascribed to them in this Section except where the context clearly indicates a different meaning:

Emergency: An unforeseen combination of circumstances for the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment: Any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

Guardian: A person who, under court order, is the guardian of the person of a minor; or a public or private agency with whom a minor has been placed by a court.

Minor: A person less than 17 years of age.

Operator: Any individual, firm, association, partnership or corporation operating, managing or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent: A person who is (1) a natural parent, adoptive parent or stepparent or another person; or (2) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

Public place: Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops.

Remain: To linger or stay; or fail to leave premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

Serious bodily injury: Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

B. Curfew: Except as provided herein, it shall be unlawful for any person less than 17 years of age to be present in or upon any public road, street, alley or park, or other lands used for public purposes or in any public place of business or amusement in the Village at the following times:

1. Between 12:01 a.m. and 6 a.m. Saturday;
2. Between 12:01 a.m. and 6 a.m. Sunday; and
3. Between 11 p.m. on Sunday to Thursday, inclusive, and 6 a.m. on the following day.

C. Exceptions: The following shall constitute valid exceptions to the operation of the curfew:

1. At any time when accompanied by their parent, guardian or other adult person responsible for or having the legal care, custody and control of the individual, or an authorized adult;
2. If participating in, going to or returning from, without any detour or stop:
 - (a) an emergency as defined herein;
 - (b) lawful employment;
 - (c) attending an official school, religious or other social or recreational activity supervised by adults and sponsored by a unit of government, civic organization or other similar entity that takes responsibility for the attendees;
 - (d) an errand at the direction of a parent or guardian;
 - (e) an activity involving the exercise of First Amendment rights protected by the United States Constitution (or those similar rights protected by the State of Illinois Constitution), such as free exercise of religion, freedom of speech and the right of assembly.
3. Is married or had been married or is an emancipated minor under the Emancipation of Mature Minors Act, as amended (750 ILCS 30/1 *et seq.*).
4. If in a motor vehicle when the travel begins and ends outside the corporate limits of the Village.

D. Establishments: The owner, operator or any employee of an establishment commits an offense if such person knowingly allows a minor to remain upon the premises of the establishment during curfew hours or fails to promptly notify the Police Department that a minor is present on the premises of the establishment during curfew hours and refuses to leave.

E. Enforcement: Before taking any enforcement action under this Section, a police officer shall ask the suspected offender's age and reason for being in the public place or on the premises. The police officer shall not issue a citation or make an arrest under this Section unless the police officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no exception in this Section applies.

F. Penalty: Any person, firm or corporation violating this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

26.10 LASER POINTERS

A. Possession by Minors Prohibited: It shall be unlawful for any person less than 18 years of age to have in his or her possession, except as provided herein, a laser pointer of the following types:

1. A helium neon (HeNe) laser (Class 2) typically operating at a wave length of 632.8 nMe.
2. A diode laser (Class 3A) typically operating at a wave length of 670 nMe.

B. Transfer or Sale to Minor Prohibited: No person shall deliver, sell or otherwise provide a minor with a Class 2 or Class 3A laser pointer as described in this Section unless the minor is accompanied by a parent or legal guardian at the time of such delivery, sale or other transfer.

C. Limited Exception: Possession of a Class 2 or Class 3A laser pointer by a person less than 18 years of age shall be permitted, but only under the direct supervision of the parent or guardian of such person on private property.

26.11 ANIMAL LITTER

A. It shall be unlawful for any person owning, keeping or otherwise having possession or control of a dog or cat to walk said dog or cat, or allow said dog or cat to run at large in or upon any public way or other public place in the Village without having sufficient equipment to remove from the public way or other public place any excrement which may be deposited by said dog or cat.

B. It shall be unlawful for any person owning, keeping or otherwise having possession or control of a dog or cat to allow said dog or cat to deposit any litter upon any public way or other public place in the Village or upon any private property not owned by that person unless that person has the permission of the owner of the property or immediately removes said excrement from the property.

C. Any person violating or failing to comply with any provision of this Section, upon conviction thereof, shall be fined in accordance with Appendix A. Each day that a violation continues shall be deemed a separate offense.

26.12 CABLE TELEVISION

A. No person shall make any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of the cable television system existing in the Village for the purpose of enabling himself or others to receive television signals, radio signals, pictures, programs, sounds or any other information or intelligence transmitted over said cable television system without payment to the owner of the cable television system.

B. No person shall, without the consent of the owner of the cable television system, willfully tamper with, remove or injure any cable, wires or other equipment used for the distribution of television signals, radio signals, pictures, programs, sounds or any other information or intelligence transmitted over said cable television system.

26.13 PARENTAL RESPONSIBILITY

A. It shall be unlawful for any parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian to fail to pay for actual damages for the willful or malicious acts of such minor which cause injury to a person or to property.

B. A parent or legal guardian of an unemancipated minor who resides with such parent or legal guardian shall be liable for actual damages caused by said minor and shall be presumed to have failed to exercise proper parental responsibility and said minor shall be deemed to have acted with the knowledge and permission of the parent or guardian in violation of this Section whenever:

1. Said minor shall be adjudged to be in violation of any said ordinance, law or statute prohibiting willful and malicious acts which cause injury to a person or property.
2. Said parent or legal guardian shall have served upon them a notice in writing that said minor has received a non-judicial sanction from the Police Department or other governmental agency as a result of an admission of guilt by said minor of a violation of an ordinance, law or statute prohibiting willful and malicious acts which caused injury to a person or property and subsequent to receipt of said notice said minor is adjudicated to be in violation of an ordinance, law or statute or received a non-judicial sanction from any governmental agency as a result of an admission of guilt by said minor in violation of an ordinance, law or statute.

C. Recovery of damages shall be pursuant and limited to an amount provided by 740 ILCS 115/5, as amended.

D. This Section shall not affect the recovery of damages in any other cause of action where the liability of the parent or legal guardian is predicated on a common law basis.

E. Any person violating any provision of this Section shall, upon conviction, be fined in accordance with Appendix A. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

26.14 **BICYCLES, TRICYCLES, SKATEBOARDS OR SIMILAR MOTORIZED AND NON-MOTORIZED RECREATIONAL DEVICES**

A. Definitions: The following words and phrases when used in this Section shall, for the purposes of this Section, have the meaning respectively ascribed to them in this Section except where the context clearly indicates a different meaning:

Electric personal assistive mobility device: As defined in 625 ILCS 5.1-117.7, as amended.

Motorized wheelchair: As defined in 625 ILCS 5/1-148.3, as amended.

Personal use vehicle and personal use device: Vehicles, devices or means of transportation or recreation which include, but are not limited to, the following: scooter, bicycle, tricycle, roller blade, roller skate, or other similar device, whether non-motorized or motorized (electric, gasoline engine or other form of external power), mini-bike, pedalcycle, recreational device or vehicle, snowmobile, go-kart, moped, all-terrain vehicles (ATV), golf cart or other such motorized or non-motorized devices or vehicles or modes of transportation.

Village property: Any street right-of-way, Village park, Village parking lot/area or any other public property owned by the Village.

B. Use of Personal Use Vehicles and Devices: Except as provided herein, it shall be unlawful and is hereby declared a nuisance for any person to operate, ride on, be pushed on or traverse on a personal use vehicle or personal use device on any Village property or on any private property without the written permission of the property owner.

C. Exemptions:

1. Motorized wheelchairs and electric personal assistive mobility devices shall be permitted to operate on any Village property so long as they are operated in a safe and orderly manner.
2. Non-motorized tricycles, operated by children accompanied by an adult, shall be permitted in Village parks.

3. Bicycles shall be permitted on Village streets when operated pursuant to 625 ILCS 5/11-1501 *et seq.*
4. Special events that are conducted with a written permit issued by the Chief of Police.
5. Any personal use vehicle or device licensed and registered pursuant to the Illinois Vehicle Code shall be permitted on any Village street or parking lot/area.
6. Any employee of any unit of government may operate any personal use vehicle or device owned by a unit of government in the course of their duties on any Village property.

D. Skateboards:

1. No person shall ride a skateboard in any public or private parking lot or private sidewalk that is posted to prohibit such activity. Said sign shall state:

NO SKATEBOARDING

It shall be the responsibility of the property owner to post their property and maintain said posting. Enforcement of the prohibition on private property shall be provided by the Police Department provided the property owner has entered into an Agreement for Parking Lot Traffic Control, as provided by 625 ILCS 5/11-209, with the Village.

2. Special Events: Special events that are conducted with permission from the Village Board are specifically exempt from this Section.

E. Penalty: Any person, firm or corporation violating any provision of this Section shall be fined in accordance with Appendix A of this Code for each offense and be responsible for the Village's cost of prosecution. A separate offense shall be deemed committed on each day during which the violation occurs or continues. Provided further that the Village's municipal court or the Circuit Court may, in addition to assessing a fine, impose a requirement that the defendant perform some reasonable public service work.

F. Impoundment and Redemption: Any person violating this Section shall be subject to a citation and imposition of a fine as set forth herein. Additionally, any person who has been issued a citation for the same offense and found guilty or pled guilty within the previous 12 months, shall be required to surrender, at the time of issuance of the second citation, the personal use vehicle or personal use device to the police officer or other authorized official who issues the citation. The surrendered personal use vehicle or personal use device shall be impounded and held by the Police Department and shall be returned to the owner only after one of the following conditions has been met:

1. The person against whom the citation was issued shall have paid all outstanding fines related to the citation as well as the fees and costs of the Village in the amount of \$100; and any cost of transportation, towing and/or storage.
2. The person against whom the citation was issued shall have presented to the Village proof that a determination of not guilty (this shall not include verdicts of supervision or conditional discharge) was made for the cited offense.

26.15 SALE OF TOBACCO *2019-20-11*

A. Definitions: The following words and phrases when used in this Section shall, for the purposes of this Section, have the meaning respectively ascribed to them in this Section except where the context clearly indicates a different meaning:

Bidi cigarette: a product that contains tobacco that is wrapped in temburni or tendu leaf or that is wrapped in any other material identified by rules of the Illinois Department of Public Health that is similar in appearance or characteristics to the temburni or tendu leaf.

Electronic Cigarette Product: a device as defined by applicable State or Federal laws, rules or regulations, which device is capable of providing nicotine through vapor or inhalation.

Smoking herbs: all substances of plant origin and their derivatives, including but not limited to broom, calea, California poppy, damiana, hops, ginseng, lobelia, jimson weed and other members of the Datura genus, passion flower and wild lettuce, which are processed or sold primarily for use as smoking materials.

Smokeless tobacco: any finely cut, ground, powdered or leaf tobacco that is intended to be placed in the oral cavity; any tobacco product that is suitable for dipping or chewing.

Tobacco accessories: cigarette papers, pipes, holders of smoking materials of all types, cigarette rolling machines and other items, designed primarily for the smoking or ingestion of tobacco products or of substances made illegal under any statute or of substances whose sale, gift, barter or exchange is unlawful.

Tobacco products: cigars, cigarettes, smokeless tobacco or tobacco.

B. Purchase of Tobacco Products and Electronic Cigarettes Prohibited:

1. No person under 21 years of age shall purchase any tobacco product or electronic cigarette. No person shall sell, purchase for, distribute samples of or furnish tobacco or electronic cigarette products to any person under 21 years of age. Tobacco products may be sold through a vending machine only when such tobacco products are not sold along with non-tobacco products in the vending machine and only in the following locations:
 - a. Factories, businesses, offices, private clubs and other places not open to the general public.

- b. Places to which persons under 18 years of age are not permitted access.
 - c. Places where alcoholic beverages are sold and consumed on the premises.
 - d. Places where the vending machine is under the direct supervision (which means that the owner or employee has an unimpeded line of sight to the vending machine) of the owner of the establishment or an employee over 21 years of age. The sale of tobacco products from a vending machine under direct supervision of the owner or an employee of the establishment is considered a sale of tobacco products by that person.
 - e. Places where the vending machine can only be operated by the owner or an employee over age 21 either directly or through a remote control device if the device is inaccessible to all customers.
2. Penalty: Any person violating any provision herein shall be fined pursuant to Appendix A of this Code and be responsible for the Village's cost of prosecution, including reasonable attorney fees.
- C. Possession of Tobacco Products:
- 1. No person under 18 years of age shall possess any tobacco product or electronic cigarette in any kind of its forms.
 - 2. Penalty: If a minor violates this Section 26.15-C the minor shall be guilty of a petty offense and may be fined pursuant to Appendix A of this Code or sentenced to 15 hours of community service for the first offense. If a second violation occurs within a 12-month period after the first offense, the fine shall be pursuant to Appendix A of this Code and 25 hours of community service. For a third or subsequent violation that occurs within a 12-month period after the first offense, the fine shall be pursuant to Appendix A of this Code and 30 hours of community service. If there is a second or subsequent violation not within a 12-month time period after the first violation, a fine pursuant to Appendix A of this Code or 15 hours of community service shall be assessed. For any violation the violator shall be responsible for the Village's cost of prosecution, including reasonable attorney fees.
- D. Tobacco Accessories and Smoking Herbs:
- 1. Sale to Minors Prohibited: No person shall knowingly sell, barter, exchange, deliver or give away or cause or permit or procure to be sold, bartered, exchanged, delivered or given away tobacco accessories or smoking herbs to any person under 21 years of age.

2. Sale of Bidi Cigarettes: No person shall knowingly sell, barter, exchange, deliver or give away a bidi cigarette to another person, nor shall a person cause or permit or procure a bidi cigarette to be sold, bartered, exchanged, delivered or given away to another person.
3. Sale of Cigarette Paper: No person shall knowingly offer, sell, barter, exchange, deliver or give away cigarette paper or cause, permit or procure cigarette paper to be sold, offered, bartered, exchanged, delivered or given away except from premises or an establishment where other tobacco products are sold.
4. Sale of Cigarette Paper from Vending Machines: No person shall knowingly offer, sell, barter, exchange, deliver or give away cigarette paper or cause, permit or procure cigarette paper to be sold, offered, bartered, exchanged, delivered or given away by use of a vending or coin-operated machine or device. For purposes of this Section, cigarette paper shall not include any paper that is incorporated into a product to which a tax stamp must be affixed under the Cigarette Tax Act (35 ILCS 130/1 *et seq.*) or the Cigarette Use Tax Act (35 ILCS 135/1 *et seq.*).
5. Use of Identification Cards: No person in the furtherance or facilitation of obtaining smoking accessories and smoking herbs shall display or use a false or forged identification card or transfer, alter or deface an identification card.
6. Warning to Minors: Any person, firm, partnership, company or corporation operating a place of business where tobacco accessories and smoking herbs are sold or offered for sale shall post in a conspicuous place upon the premises a sign which there shall be imprinted the following statement: SALE OF TOBACCO ACCESSORIES AND SMOKING HERBS TO PERSONS UNDER 21 YEARS OF AGE OR THE MISREPRESENTATION OF AGE TO PROCURE SUCH A SALE IS PROHIBITED BY LAW. The sign shall be printed on a white card in red letters at least one-half inch in height.
7. Penalty:
 - a. Any person who knowingly violates or shall knowingly cause the violation of any provision of this Section 26.15-D shall be guilty of a petty offense for which the offender shall be fined pursuant to Appendix A of this Code. In addition, the violator shall be responsible for the Village's cost of prosecution, including reasonable attorney fees.
 - b. Any person who knowingly violates or shall knowingly cause the violation of Section 26.15-D shall be guilty of a Class C misdemeanor and shall be fined pursuant to 730 ILCS 5/5-4.5-65(e). The violator shall be responsible for the Village's cost of prosecution, including reasonable attorney fees.
 - c. These fines are in addition to the administrative provisions for suspension, revocation or forfeiture of a license issued pursuant to this Code. Payment

of such fine shall not constitute an admission of guilt or innocence for purposes of such administrative proceedings for suspension, revocation or forfeiture.

E. Accountability: All business owners of the location where a prohibited sale takes place, including individual owners and/or partners of any partnership or officers of any corporation, are accountable for their own individual violations of this Section and for the actions of their employees or agents in violation of this Section that take place while conducting business on behalf of the owner(s) and shall be subject to the penalties provided for in this Section.

26.16 PUBLIC INDECENCY

A. It shall be unlawful to defecate or urinate in or on any public street, park, right-of-way or any other publicly owned property, or in public view.

B. Penalty: Any person violating any provision of this Section shall be fined pursuant to Appendix A of this Code for each offense and be responsible for the Village's cost of prosecution, including reasonable attorneys' fees. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues.

26.17 PUBLIC NUDITY

A. Intent: It is the intent of this Section to protect and preserve the health, safety, welfare and morals of the citizens of the Village by prohibiting a person from intentionally or recklessly appearing or being nude, or causing another person to appear to be nude, in a public place and in other places which may reasonably be expected to be observed by the public within the Village except as herein provided.

B. Definitions: The following words and phrases when used in this Section shall, for the purposes of this Section, have the meaning respectively ascribed to them in this Section except where the context clearly indicates a different meaning:

Breast: A portion of the human female mammary gland (commonly referred to as the female breast) including the nipple and areola (the darker colored area of the breast surrounding the nipple) and an outside area of such gland wherein such outside area is (i) reasonably compact and contiguous to the areola and (ii) contains at least the nipple and the areola and one-fourth of the outside surface area of such gland.

Buttocks: The area at the rear of the human body (sometimes referred to as the gluteus maximus) which lies between two imaginary straight lines running parallel to the ground when a person is standing, the first or top such line being one-half inch below the top of the vertical cleavage of the nates (i.e., the prominence formed by the muscles running from the back of the hip to the back of the leg) and the second or bottom such line being one-half inch above the lowest point of the curvature of the fleshly protuberance (sometimes referred to as the gluteal fold), and between two imaginary straight lines, one on each side of the body (the "outside lines"), which outside

lines are perpendicular to the ground and to the horizontal lines described above and which perpendicular outside lines pass through the outermost point(s) at which each nate meets the outer side of each leg. Notwithstanding the above, buttocks shall not include the leg, the hamstring muscle below the gluteal fold, the tensor fasciae latae muscle or any of the above-described portion of the human body that is between either (i) the left outside perpendicular line and the left inside perpendicular line or (ii) the right inside perpendicular line and the right outside perpendicular line. For the purpose of the previous sentence the left inside perpendicular line shall be an imaginary straight line on the left side of the anus (i) that is perpendicular to the ground and to the horizontal lines described above and (ii) that is one-third of the distance from the anus to the right outside line. (The above description can *generally* be described as covering one-third of the buttocks centered over the cleavage for the length of the cleavage.)

Entity: Any proprietorship, partnership, corporation, association, business trust, joint venture, joint-stock company or other for profit and/or not for profit organization.

Nude: Any person insufficiently clothed in any manner so that any of the following body parts are not entirely covered with a fully opaque covering:

1. The male or female genitals, or
2. The male or female pubic area, or
3. The female breast, or
4. The buttocks. Attire which is insufficient to comply with this requirement includes, but is not limited to, G-Strings, T-Backs, and thongs.

Body paint, body dyes, tattoos, liquid latex whether wet or dried, and similar substances shall not be considered opaque covering. Each female person may determine which one-fourth of her breast surface area (see definition of breast) contiguous to and containing the nipple and the areola is to be covered.

Person: Any live human being aged 10 years of age or older.

Places Provided or Set Apart for Nudity: For purposes of this Section, this shall mean enclosed single sex public restrooms, enclosed single sex functional shower, locker and/or dressing room facilities, enclosed motel rooms and hotel rooms designed and intended for sleeping accommodations, doctor's offices, portions of hospitals, and similar places in which nudity or exposure is necessarily and customarily expected outside of the home and the sphere of privacy constitutionally protected therein. This term shall not be deemed to include places where a person's conduct of being nude is used for the promotion of business or is otherwise commercially exploited.

Public Place: For purposes of this Section, any location frequented by the public, or where the public is present or likely to be present, or where a person may reasonably be expected to be observed by members of the public. Public places include, but are not limited to, streets, sidewalks, parks, beaches, business and commercial establishments (whether for profit or not for profit and whether open to the public at large or where entrance is limited by cover charge or membership requirement); bottle clubs; hotels; motels; restaurants; night clubs; country clubs;

cabarets; meeting facilities utilized by any religious, social, fraternal or similar organization. A premises, or portion thereof such as a hotel room, used solely as a private residence, whether permanent or temporary in nature, shall not be deemed to be a public place.

C. Legislative Findings: In addition and supplemental to the findings and determinations contained in this Section, which are incorporated by reference into this Section, it is hereby found by the Village Board, acting in its legislative capacity for the purpose of regulating the conduct of appearing nude in public places that the acts prohibited herein encourage or create the potential for criminal activity, that actual and simulated nudity and sexual conduct, begets and has the potential for begetting undesirable and unlawful behavior; that sexual, lewd, lascivious and salacious conduct among patrons and employees within establishments results in violation of law and creates dangers to the health, safety, welfare and morals of the public and those who engage in such conduct.

D. Nudity Prohibited in Public Places: It shall be unlawful for any person to knowingly, intentionally or recklessly appear, or cause another person to appear, nude in a public place or in any other place which is readily visible to the public, except as provided herein. It shall also be unlawful for any person or entity maintaining, owning or operating any public place establishment to encourage, suffer or allow any person to appear nude in such public place, except as provided herein.

E. Exemptions: The prohibitions in this Section shall not apply:

1. When a person appears nude in a place provided or set apart for nudity provided (i) such person is nude for the sole purpose of performing the legal function(s) that is customarily intended to be performed within such place provided or set apart for nudity and (ii) such person is not nude for the purpose of obtaining money or other financial gain for such person or for another person or entity, or;
2. When the conduct of being nude cannot legally be prohibited by this Section because it constitutes a part of a bona fide live communication, demonstration or performance by a person wherein such nudity is expressive conduct incidental to and necessary for the conveyance or communication of a genuine message or public expression and is not a mere guise or pretense utilized to exploit the conduct of being nude for profit or commercial gain and as such is protected by the United States or Illinois Constitution or (ii) because it is otherwise protected by the United States or Illinois Constitution.
3. A mother breast feeding her baby in any location, public or private, where the mother is otherwise authorized to be, irrespective of whether the nipple of the mother's breast is uncovered during or incidental to the breast feeding.
4. When the owner or person with permission of the owner is swimming nude in a swimming pond or pool on private property.

F. Enforcement and Penalties: Any person or entity violating any of the provisions of this Section shall be fined pursuant to Appendix A of this Code for each offense plus the cost of prosecution incurred by the Village including reasonable attorneys' fees. Each incident or separate occurrence of an act that violates this Section shall be deemed a separate offense. Continual or repeated violations of this Section shall constitute a public nuisance and the Village may initiate proceedings to abate any such nuisance.

26.18 THEFT

A. Retail Theft: It shall be unlawful to commit the offense of retail theft of property not exceeding \$300. A person commits the offense of retail theft when such person knowingly:

1. Takes possession of, carries away, transfers or causes to be carried away or transferred, any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment with the intention of retaining such merchandise or with the intention of depriving the merchant permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise; or
2. Alters, transfers or removes any label, price tag, marking, indicia of value or any other markings which aid in determining value affixed to any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment and attempts to purchase such merchandise personally or in consort with another at less than the full retail value with the intention of depriving the merchant of the full retail value of such merchandise; or
3. Transfers any merchandise displayed, held, stored or offered for sale, in a retail mercantile establishment from the container in or on which such merchandise is displayed to any other container with the intention of depriving the merchant of the full retail value of such merchandise; or
4. Under-rings with the intention of depriving the merchant of the full retail value of the merchandise; or
5. Removes a shopping cart from the premises of a retail merchandise establishment without the consent of the merchant given at the time of such removal with the intention of depriving the merchant permanently of the possession, use or benefit of such cart; or
6. Represents to a merchant that such person or another is the lawful owner of property, knowing that such representation is false, and conveys or attempts to convey that property to a merchant who is the owner of the property in exchange for money, merchandise credit or other property of the merchant; or
7. Uses or possesses any theft detection shielding device or theft detection device remover with the intention of using such device to deprive the merchant permanently of the possession, use or benefit of any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment without paying the full retail value of such merchandise; or

8. If any person:
 - a. Conceals upon their person or among their belongings, unpaid merchandise displayed, held, stored or offered for sale in a retail mercantile establishment; and
 - b. Removes that merchandise beyond the last known station for receiving payment for that merchandise in that retail mercantile establishment.
 9. Any person who violates any provision of this Section shall be guilty of a Class A misdemeanor and will be fined pursuant to Appendix A of this Code.
 10. Village police officers shall be permitted to photograph and fingerprint individuals suspected of violating this Section at the retail mercantile establishment.
 11. The merchandise shall be photographed for evidence purposes and returned to the merchant. These photographs shall be deemed primary evidence in the prosecution of individuals who violate this Section.
- B. General Theft: It shall be unlawful to commit the offense of theft of property not exceeding \$300. A person commits the offense of theft when such person knowingly:
1. Obtains or exerts unauthorized control over property of the owner; or
 2. Obtains by deception control over property of the owner; or
 3. Obtains by threat control over property of the owner; or
 4. Obtains control over stolen property knowing the property to have been stolen or under such circumstances as would reasonably induce him to believe that the property was stolen; or
 5. Obtains or exerts control over property in the custody of any law enforcement agency which is explicitly represented to him by any law enforcement officer or any individual acting on behalf of a law enforcement agency as being stolen, and
 - a. Intends to deprive the owner permanently of the use or benefit of the property; or
 - b. Knowingly uses, conceals or abandons the property in such manner as to deprive the owner permanently of such use or benefit; or
 - c. Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

6. Any person who violates any provision of this Section shall be guilty of a Class A misdemeanor and will be fined pursuant to Appendix A of this Code.

26.19 DECEPTIVE PRACTICES

A person commits a deceptive practice when such person willfully and with specific intent to deceive or cheat, for the purpose of financial loss to another, or to bring some financial gain to oneself, intends to obtain control over property or to pay for property, labor or services of another, or in satisfaction of an obligation for payment of tax under the Retailers' Occupation Tax Act or any other tax due to the State, and issues or delivers a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository. Failure to have sufficient funds or credit with the depositor when the check or other order is issued or delivered, or when such check or other order is presented for payment and dishonored on each of two occasions at least 7 days apart, is prima facie evidence that the offender knows that it will not be paid by the depositor, and the offender has the intent to defraud. Any person, firm, or corporation who violates this Section shall be subject to a fine found in Appendix A of this Code for each offense and be responsible for the Village's cost of prosecution, including reasonable attorney fees. Each day that a violation continues shall constitute a separate and distinct offense.

26.20 SYNTHETIC ALTERNATIVE DRUGS

A. Definitions: For purposes of this Section, the following definitions shall apply unless the context clearly indicates or requires different meaning:

A product containing a synthetic alternative drug means any product containing a synthetic cannabinoid, stimulant, or psychedelic/hallucinogens, as those terms are defined herein such as, but not limited to, the examples of brand names or identifiers listed on Exhibit A of this Chapter.

Synthetic cannabinoid means any laboratory-created compound that functions similar to the active ingredient in marijuana, tetrahydrocannabinol (THC), including, but not limited to, any quantity of a natural or synthetic material compound, mixture, preparation, substance and their analog (including isomers, esters, ethers, salts, and salts of isomers) containing a cannabinoid receptor agonist, such as:

JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole)
JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1 naphthalenylmethanone
JWH-018 (1-pentyl-3-(1-naphthoyl)indole)
JWH-019 (1-hexyl-3-(naphthalene-1-oyl)indole)
JWH-073 (naphthalene-1-yl-(1-butylindol-3-yl)methanone)
JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
JWH-098 (4-methoxynaphthalen-1-yl-(1-pentyl-2methylindol-3-yl)methanone)
JWH-122 (1-Pentyl-3-(4 methyl-1-naphthoyl)indole)
JWH-164 (7-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone
JWH-203 (2-(chlorophenyl)-1-(1-pentylindol-3-yl)ethanone)

JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone)
 JWH-251 (1-penyl-3-(2-methylphenylacetyl)indole)
 JWH-398 (1-penyl-3-(4-chloro-1-naphthoyl)indole)
 HU-210 (6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol
 HU-308 ((1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl] methanol)
 HU-331 ((3-hydroxy-2-[1R,6R]-3-methyl-6-(1-methylethenyl) cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione)
 CP 55,940 (2-[1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl) (cyclohexyl)-5-(2-methyloctan-2-yl)phenol)
 WIN 55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone)
 RCS-4 ((4-methoxyphenyl)(1-pentyl-1-H-indol-3-yl)methanone)
 RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenyl)enone)

Synthetic stimulant means any compound that mimics the effects of any federally controlled Schedule I substance such as cathinone, methcathinone, MDMA and MDEA, including, but not limited to, any quality of a natural or synthetic materials, compound, mixture, preparation, substance and their analog (including salts, isomers, and salts of isomers) containing substances which have a stimulant effect on the nervous system, such as:

3-Fluoromethcathinone
 4-Fluoromethcathinone (other name, fledphedrone)
 3,4-Methylenedioxy-methcathinone (other name, methylone, MDMC)
 3,4-Methylenedioxypropylvalerone (other name, MDPV)
 4-Methylmethcathinone (other names, mephedrone, 4-MMC)
 4-Methoxymethcathinone (other names, Methedrone, bk-PMMA, PMMC)
 4-Ethylmethcathinone (other name, 4-EMC)
 Ethcathinone
 Beta-keto-N-methylbenzodioxolylpropylamine (other names, butylone, bk-MBDB)
 Naphthylpropylvalerone (other names, naphyrone, NRG-1)
 N,N-dimethylcathinone (other name, metamfepramone)
 Alpha-pyrrolidinopropiophenone (other name, alpha-PPP)
 4-methoxy-alpha-pyrrolidinopropiophenone (other name, MOPPPP)
 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (other name, MDPPP)
 Alpha-pyrrolidinovalerophenone (other name, alpha-PVP)
 6,7-dihydro-5H-indeno(5,6-d)-1-3-dioxal-6-amine (other name, MDAI)

Any compound that is structurally derived from 2-amino-1-phenyl-1-propanone by modification or substitution in any of the following ways:

in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, or halide substitutes, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
 at a 3-position with an alkyl substituent;
 at the nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups;
 or by inclusion of the nitrogen atom in a cyclic structure.

Synthetic psychedelic/hallucinogen means any compound that mimics the effects of any federally controlled Schedule I substance, including, but not limited to, any quality of a natural or synthetic material, compound, mixture, preparation, substance and their analog (including salts, isomers, esters, ethers of salts of isomers) containing substances which have a psychedelic/hallucinogenic effect on the central nervous system and/or brain, such as:

2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);
2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C);
2-(4-Iodo-2,5-dimethoxyphenyl) ethanamine (2C-I);
2-(4-Ethylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-2);
2-(4-(Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4)
2-(2,5-Dimethoxyphenyl) ethanamine (2C-H);
2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N)
2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P).

B. Sale or Delivery: It shall be unlawful for any person to sell, offer for sale, or deliver any product containing a synthetic cannabinoid, stimulant, or psychedelic/hallucinogen.

C. Possession: It shall be unlawful for any person to knowingly possess a product containing a synthetic cannabinoid, stimulant, or psychedelic/hallucinogen.

D. Use: It shall be unlawful for any person to be under the influence of a synthetic cannabinoid, stimulant, or psychedelic/hallucinogen.

E. Penalties: Whoever violates any provision of this Section shall be fined pursuant to Appendix A of this Code for each offense and be responsible for the Village's cost of prosecution including attorneys' fees incurred by the Village. Each day that a violation continues shall be considered a separate offense. Upon a finding or plea of guilty or liable, the violator shall be responsible for the cost of lab testing the substance.

26.21 **DRUG PARAPHERNALIA** *Amended, 2019-20-18*

A. Definitions: The following words and phrases when used in this Section shall, for the purposes of this Section, have the meaning respectively ascribed to them in this Section except where the context clearly indicates a different meaning:

Cocaine spoon: A spoon with a bowl so small that the primary use for which it is reasonably adapted or designed is to hold or administer cocaine or other powdered substances, and which is so small as to be unsuited for the typical, lawful uses of a spoon. A cocaine spoon may or may not be merchandised on a chain and may or may not be labeled as a "cocaine spoon" or "coke spoon."

Controlled substance: Any drug, substance, or immediate precursor enumerated in the schedules of Article II of 720 ILCS 570/101 *et seq.*, as amended (commonly known as the Illinois Controlled Substances Act).

Drug paraphernalia: All equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance as defined in 720 ILCS 600/2(d) and 720 ILCS 570/202, 204, 206, 208, 210 and 212, as amended, or a synthetic alternative drug as defined in Section 26.20. It includes, but is not limited to:

- a. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance or a synthetic alternative drug can be derived;
- b. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substance or a synthetic alternative drug;
- c. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or a synthetic alternative drug;
- d. Testing equipment used, intended for use or signed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances or a synthetic alternative drug;
- e. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or a synthetic alternative drug;
- f. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances or a synthetic alternative drug;
- g. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining a synthetic alternative drug;
- h. Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances or a synthetic alternative drug;
- i. Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or a synthetic alternative drug;
- j. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or a synthetic alternative drug;
- k. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing cocaine or any controlled substance or synthetic alternative drug into the human body, such as:
 - i. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
 - ii. Water pipes;

- iii. Carburization tubes and devices;
- iv. Smoking and carburization masks;
- v. Roach clips, meaning objects used to hold burning material that has become too small or too short to be held in the hand;
- vi. Carburetion pipes;
- vii. Electric pipes;
- viii. Air-driven pipes;
- ix. Chillums;
- x. Bongs; and
- xi. Ice pipes or chillers.

In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- i. Statements by an owner or by anyone in control of the object concerning its use;
- ii. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substances;
- iii. The proximity of the object, in time and space, to a direct violation of this Section;
- iv. The proximity of the object to controlled substances;
- v. The existence of any residue of controlled substances on the object;
- vi. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intent to use the object to facilitate a violation of this Section; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this Section, shall not prevent a finding that the object is intended for use or designed for use as drug paraphernalia;
- vii. Instructions, oral or written, provided with the object concerning its use;
- viii. Descriptive materials accompanying the object which explain or depict its use;
- ix. National and local advertising concerning its use;
- x. The manner in which the object is displayed for sale;

- xi. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
- xii. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;
- xiii. The existence and scope of legitimate uses for the object in the community; and
- xiv. Expert testimony concerning its “use.”

Person: An individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, or association.

B. It shall be unlawful for any person to possess, sell, offer for sale, display, furnish, supply, or give away any cocaine spoon or any drug paraphernalia.

C. The prohibition contained in this Section shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research teaching institutions, clinical laboratories, medical doctors, osteopathic physicians, dentists, chiropractors and podiatrists, veterinarians, pharmacists or embalmers in the normal lawful course of their respective businesses or professions, nor to common carriers or warehouses or their employees engaged in the lawful transportation of such paraphernalia, nor to public officers or employees while engaged in the performance of their official duties, nor to persons suffering from diabetes, asthma or any other medical condition requiring self injection.

D. Penalty: Whoever violates any provision of this Section shall be fined pursuant to Appendix A of this Code for each offense and be responsible for the Village’s cost of prosecution, including attorneys’ fees incurred by the Village and the cost of lab testing the substance. Each day that a violation continues shall be considered a separate offense. Each day any violation or any provision of this Section shall continue shall constitute a separate violation.

26.22 TRUANCY

A. For purposes of this Section, the term “truant” is (1) any person between the ages of 7 and 17 who is subject to compulsory school attendance and who is absent, without valid cause, from school attendance during a regular school day or any portion thereof or during a required summer school program established pursuant to 105 ILCS 5/10-22.33B; and (2) any person who is 16, 17 or 18 years of age and enrolled in a public school and who is absent, without valid cause, from school attendance during a regular school day or any portion thereof or during a required summer school program.

The following children are not considered truant:

- 1. Any child attending a private or parochial school where children are taught the branches of education taught to children or corresponding age and grade in the

public schools, and where the instruction of the child in the branches of education is in the English language;

2. Any child who is not enrolled in a public school and is instructed by a legal guardian in a manner equal or superior to that obtainable in the public schools;
3. Any child who is physically or mentally unable to attend school, such disability being certified to the appropriate school district truancy officer or the County Regional Office of Education truancy officer, by a licensed physician or by a Christian Science practitioner residing in Illinois and listed with the Christian Science Journal; or who is excused for temporary absence for cause by the principal or teacher of the school which the child attends. The exemptions in this Section do not apply to any female who is pregnant or the mother of one or more children, except where a female is unable to attend school due to a complication arising from her pregnancy and the existence of such complication is certified to the school district truancy officer or County Regional Office of Education truancy officer by a competent physician;
4. Any child necessarily and lawfully employed according to the provisions of the law regulating child labor may be excused from attendance at school by the school district Superintendent of Schools or by the Regional Superintendent of Schools, on certification of the facts by and the recommendation of the school district Board of Education. If a part-time continuation school is run in the school district, children so excused shall attend the continuation school at least 8 hours each week;
5. Any child over 12 and under 14 years of age while in attendance at confirmation classes;
6. Any child absent from school on a particular day or days or at a particular time of day for the reason that s/he is unable to attend classes or to participate in any examination, study or work requirements on a particular day or days or at a particular time of day, because the tenets of his/her religion forbid secular activity on a particular day or days or at a particular time of day; and
7. Emergency or unforeseen absences due to illness or other causes beyond the control of the person so absenting himself or herself from school without parental or legal guardian permission shall not constitute truancy if permission for such absence has been obtained from the parent or legal guardian and such permission is submitted to the proper school authorities within 24 hours of such absence.

B. Truancy Prohibited: Upon a complaint signed by an authorized school district official, it shall be unlawful for any person to be truant. Any person who is truant shall be guilty of the offense of truancy and be subject to the penalties hereinafter set forth in this Section.

C. Permitting Minor to be Truant Prohibited: It is unlawful for a parent, legal guardian or other person to knowingly permit a person in his or her custody or control to violate this Section.

D. Penalty: Upon a complaint being signed by an authorized school district official, any person, firm or corporation violating any provision of this Section shall be fined pursuant to Appendix A of this Code. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues. For a second or subsequent offense, a parent or legal guardian shall be subject to a fine pursuant to Appendix A of this Code.

26.23 POSSESSION OF CANNABIS *Amended 2019-20-18*

A. Definitions: For purposes of this Section, cannabis is defined as in 720 ILCS 550/3(a), as amended.

B. Possession Prohibited: It shall be unlawful for any person who is under the age of 21 to possess any substance containing cannabis within the corporate limits of the Village. Further, it shall be unlawful for any person to possess any substance containing cannabis within the corporate limits of the Village in the following circumstances:

1. in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
2. on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
3. in any correctional facility;
4. in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed container and reasonably inaccessible while the vehicle is moving;
5. in a private residence that is used at any time to provide licensed childcare or other similar social service care on the premises;
6. in any part of a building owned in whole or in part, or leased, by the Village; or
7. in any other manner prohibited by state statutes, as they may be amended from time to time.

C. Possession Limited:

1. Other than as set forth in Section 26.23-B, it shall be unlawful for any person who is 21 years of age or older and a resident of the State of Illinois to cumulatively possess within the corporate limits of the Village:
 - (i) more than 30 grams of cannabis flower;
 - (ii) more than 500 milligrams of THC contained in a cannabis-infused product; or,
 - (iii) more than 5 grams of cannabis concentrate.

Notwithstanding the foregoing, it shall not be unlawful for registered qualifying patients under the Compassionate Use of Medical Cannabis Pilot Program Act

(410 ILCS 130/1 *et seq.*) to possess more than 30 grams of any cannabis produced by cannabis plants grown under 10-5(b) of the Cannabis Regulation and Tax Act, provided any amount of cannabis produced in excess of 30 grams of raw cannabis or its equivalent must remain secured within the residence or residential property in which it was grown.

2. Other than as set forth in Section 26.23-B, it shall be unlawful for any person who is 21 years of age or older and not a resident of the State of Illinois to cumulatively possess within the corporate limits of the Village:
 - (i) more than 15 grams of cannabis flower;
 - (ii) more than 250 milligrams of THC contained in a cannabis-infused product; or,
 - (iii) more than 2.5 grams of cannabis concentrate.

D. Cultivation Prohibited: It shall be unlawful for i) any person who is under the age of 21, or ii) any person who is 21 years of age or older and not a registered qualifying patient under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*), to cultivate cannabis plants within the corporate limits of the Village. Further, it shall be unlawful for any person to cultivate cannabis plants within the corporate limits of the Village in any other manner prohibited by state statutes, as they may be amended from time to time.

E. Cultivation Limited: It shall be unlawful for any person who is 21 years of age or older and a registered qualifying patient under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*) to cultivate cannabis plants within the corporate limits of the Village:

1. unless the person has been a resident of the State of Illinois for more than 30 days before cultivation;
2. in excess of 5 plants that are more than 5 inches tall per household without a cultivation center or craft grower license;
3. outside of an enclosed, locked space;
4. using cannabis seeds purchased from somewhere other than a dispensary for the purpose of home cultivation and seeds may not be given or sold to any other person;
5. in a location where they are subject to ordinary public view (within the sight line with normal visual range of a person, unassisted by visual aids, from a public street or sidewalk adjacent to real property, or from within an adjacent property);
6. without reasonable precautions to ensure the cannabis plants are secure from unauthorized access, including unauthorized access by a person under 21 years of age;
7. on non-residential property and property that is not lawfully in possession of the cultivator or without the consent of the person in lawful possession of the property.
8. in a dwelling, residence, apartment, condominium unit, enclosed, locked space, or piece of property which has not been divided into multiple dwelling units and contains in excess of 5 plants at any one time; or,

9. unless residing at the residence where the cannabis plants are located, except that a registered qualifying patient’s authorized agent may tend to the cannabis plants if attending to the residence for brief periods, such as when the qualifying patient is temporarily away from the residence.

A registered qualifying patient who cultivates more than the allowable number of cannabis plants, or who sells or gives away cannabis plants, cannabis, or cannabis-infused products produced under this Section, is liable for penalties as provided by law, including the Cannabis Control Act, in addition to loss of home cultivation privileges as established by rule.

F. Medical Use of Cannabis: Notwithstanding the foregoing, it shall not be unlawful for any registered qualifying patients to possess cannabis consistent with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*), as amended, the terms of which are incorporated herein.

G. Public Use of Cannabis: It shall be unlawful for any person to use cannabis:

1. in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
2. on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act;
3. in any correctional facility;
4. in any motor vehicle;
5. in a private residence that is used at any time to provide licensed childcare or other similar social service care on the premises;
6. in any public place or privately owned parking lot or walkway where retail business is conducted (as used in this Section, “public place” means any part of a building or property owned in whole or in part, or leased, by the Village, parks, and sidewalks);
7. knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Pilot Program Act.
8. in any other manner prohibited by state statutes, as they may be amended from time to time.

H. Public Display Of Cannabis: It shall be unlawful for any person to display cannabis in any public place (as used in this Section, “public place” means any part of a building or property owned in whole or in part, or leased, by the Village, parks, and sidewalks).

I. Violation; Penalty: Whoever violates any provision of this Section 26.23 shall be fined as follows: not less than \$200 and not more than \$300 for a first offense; not less than \$400 and not more than \$600 for a subsequent offense. Each day that a violation continues shall be considered a separate offense.

26.24 UNLAWFUL USE OF VILLAGE DOG PARK, 2015-16-09

A. It shall be unlawful for any person, firm or corporation to permit any dog to access and use any land designated as a dog park without first having obtained a permit from the Village for the dog. Each person, firm or corporation holding a permit shall display the permit sticker visibly in the back windshield of their vehicle while at the dog park and shall present such permit to any Village employee upon request.

B. It shall be unlawful to bring more than two dogs listed on a permit into any land designated as a dog park at any one time.

C. Penalty: Any person, firm or corporation violating any portion of this Section shall be fined in accordance with Appendix A for each offense and shall be responsible for the Village's cost of prosecution, including reasonable attorney's fees. Each day that a violation continues shall be considered a separate offense. Nothing in this Section shall be construed to prevent or preclude the Village from pursuing any remedy that it may have at law or in equity to enforce the provisions of this Section or to suspend or revoke a permit.

26.25 GAMBLING PROHIBITED 2015-16-11

No gambling of any sort shall be permitted in the Village except as authorized in Chapter 8, Section 8.34.

26.26 WEAPONS 2021-22-9

A. Weapons: Unless authorized by law, no person shall wear under their clothing, or conceal about their person, or display in a threatening like manner, any dangerous or deadly weapon including, but not limited to any pistol, revolver, sling shot, knuckles, any bowie or similar knife, or any knife with a switchblade or device whereby the blade or blades can be opened by a button, pressure on the handle or other mechanical contrivance.

B. Discharge of Firearms: No person shall discharge any firearms in the Village, except in a regularly established, licensed shooting gallery within the Village and provided that this section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his or her duty, nor to any citizen from discharging a firearm when lawfully defending or protecting person or property, nor to any citizen engaged in legal hunting in accordance with the Illinois Wildlife Code and applicable state law.

In addition to those firearms defined by the State Statutes, for purposes of this Section, firearms shall include pump air rifles, CO2 pellet guns and any other device capable of discharging a projectile if used with intent to inflict harm to person or property or to assault or threaten harm to a person or property or when used in a reckless manner.

C. Display and Sale of Specified Weapons: No pawnbroker, second-hand dealer or other person engaged in business in the Village shall display or place on exhibition in any show window or other window facing upon any street, any pistol, revolver or other firearm,

with a barrel less than 12 inches in length, or any brass or metal knuckles, or any club loaded with lead or other weight, or any blackjack or billy club. Weapons displayed for sale shall be incapable of firing. In non-business hours said weapons shall be stored in a secured and locked vault, safe or security box.

D. Brandishing or Concealing Dangerous Weapons: Except as permitted in Section E below, no person shall carry in a threatening or menacing manner, without authority of law, any dangerous weapon including but not limited to any pistol, revolver, dagger, derringer, dirk, razor, dangerous knife, stiletto, knuckles, slingshot or any object containing noxious or deleterious liquid, gas or substance or other dangerous weapon, or any device manufactured and designed to be substantially similar in appearance or conceal the weapon on or about the person or vehicle.

E. The provisions of this chapter as it relates to carrying a handgun shall not apply to a person who is a licensee under and whose weapon, activity and conduct is in conformance with the Firearm Concealed Carry Act, ILCS Ch. 430, Act 66, §§ I *et seq.*, and Illinois law.

F. Penalty: Any person, firm or corporation violating this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

26.27 FIREWORKS 2021-22-9

A. Sale of Fireworks: No person shall sell or offer for sale any fireworks, including aerial or ground displays, in the Village.

B. Use. Explosion of Fireworks: No person shall use or explode any fireworks, including aerial or ground displays, in contravention of state law and the Village noise ordinance.

C. Penalty: Any person, firm or corporation violating this Section shall be fined in accordance with Appendix A for each offense and be responsible for the Village's cost of prosecution. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

26.28 ANIMAL CONTROL 2021-22-9

Every owner of any animal shall exercise proper care and control of his animal to prevent it from becoming a public nuisance. It shall be deemed a nuisance and therefore unlawful to permit the following:

- a. To allow any animal to run at large in the Village at any time. Animals running loose may be impounded and turned over to the McHenry County Health Department, Animal Control Division.

- b. Except as provided in 720 ILCS 5/48-8, to permit any dog to enter a public park unless restrained by a leash except within parks district designated as dog parks.
- c. To allow any place where any animal is or may be kept to become unclean or unsanitary. Unsanitary as herein defined shall mean a condition which is likely to attract vermin or rodents or endanger the public health or welfare of the surrounding area.
- d. To allow excessive, continuous or untimely barking, howling, whining or other noise causing annoyance and discomfort to surrounding neighbors so as to disturb the reasonable use and enjoyment of their property.
- e. To permit any animal to attack or molest passersby, chase vehicles, attack persons or other domestic animals, or trespass upon school grounds or private property in any such manner as to damage the property, or deposit excretory matter on property other than that of the owner.
- f. Create noxious or offensive odors.
- g. To allow said dog or cat to deposit any excrement upon any public way or other public place in the Village or upon any private property not owned by that person unless that person has the permission of the owner of the property or immediately removes said excrement from the property.
- h. To fail to provide adequate food, shelter, water and medical care compliant with Illinois law.
- i. Any person violating or failing to comply with any provision of this Section, upon conviction thereof, shall be fined in accordance with Appendix A. Each day that a violation continues shall be deemed a separate offense.

EXHIBIT A

2010	Green Monkey Chronic Salvia	K3 Mango
8-Ball	Heaven Improved	K3 Original
Aztec Gold	Heavenscent Suave	K3 Original Improved
Aztec Midnight Wind	Humboldt Gold	K3 Strawberry
Tezcatlipoca	Jamaican Gold	K3 Sun
Back Draft	K1 Gravity	K3 Sun Improved
Bad 2 the Bone	K1 Orbit	K3 Sun Legal
Banana Cream Nuke	K2	K3 XXX
Bayou Blaster	K2 Amazonian Shelter	K4 Bubble Bubble
Black Diamond	K2 Blonde	K4 Gold
Black Mamba	K2 Blue	K4 Purple Haze
Black Magic Salvia	K2 Blueberry	K4 Silver
Blueberry Hayze	K2 Citron	K4 Summit Remix
Bombay Blue	K2 Cloud 9	K Royal
Buzz	K2 Kryptonite	Kind Spice
C3	K2 Latte	Legal Eagle
C4	K2 Mellon	Legal Eagle Apple Pie
C4 Herbal Incense	K2 Mint	Love Potion 69
Caneff	K2 Orisha Max	Love Strawberry
Cherry Bomb	K2 Orisha Regular	Magic Dragon Platinum
Chronic Spice	K2 Orisha Super	Magic Gold
Chill X	K2 Orisha Black Magic Max	Magic Silver
Cill Out	K2 Orisha White Magic Super	Magic Spice
Citrus	K2 Peach	Mega Bomb
Colorado Chronic	K2 Pina Colada	Mid-Atlantic Exemplar (K2 Summit)
D-Rail	K2 Pineapple	Midnight Chill
Da Block	K2 Pineapple Express	MNGB Almond/Vanilla
Dark Night II	K2 Pink	MNGB Peppermint
Demon	K2 Pink Panties	MNGB Pinata Colada
Diamond Spirit	K2 Sex	MNGB Spear Mint
Dragon Spice	K2 Silver	MNGB Tropical Thunder
Dream	K2 Solid Sex on the Mountain	Mojo
Earthquake	K2 Standard	Moe Joe Fire
Eruption Spice	K2 Strawberry	Mr. Smiley's
Euphoria	K2 Summit	MTN-787
exSES	K2 Summit Coffee Wonk	Mystery
Ex-SES Platinum	K2 Thai Dream	Naught Nights
EX-SES Platinum Blueberry	K2 Ultra	New Improved K3 Cosmic Blend
EX-SES Platinum Cherry	K2 (unknown variety)	New Improved K3 Dynamite
EX-SES Platinum Strawberry	K2 Watermelon	New Improved K3 Kryptonite
EX-SES Platinum Vanilla	K3	New K3 Earth
Fire Bird Ultimate Strength	K3 Blueberry	New K3 Heaven
Cinnamon	K3 Cosmic Blend	New K3 Improved
Forest Humus	K3 Dusk	New K3 Sea Improved
Freedom	K3 Grape	New-Kron Bomb
Fully Loaded	K3 Heaven Improved	Nitro
Funky Monkey	K3 Heaven Legal	Ocean Blue
Funky Monkey XXXX	K3 Kryptonite	Paradise
G Four	K3 Legal	p.e.p. pourri Love Strawberry
G Greenies Caramel Crunch	K3 Legal – Earth (Silver)	p.e.p. pourri Original Spearmint
Genie	K3 Legal – Original (Black)	p.e.p. pourri Twisted Vanilla
Gold Spirit Spice	K3 Legal – Sea (Silver)	
Greenies Strawberry	K3 Legal – Sun (Black)	

p.e.p. pourri X Blueberry	SYN Spearmint #2
Pink Tiger	SYN Suave
Potpourri	SYN Swagg
Potpourri Gold	SYN Vanilla
POW	SYN Vanilla #2
Pulse	Texas Gold
Rasta Citrus Spice	Time Warp
Rebel Spice	Tribal Warrior
Red Bird	Unknown cigarette
S1. S Werve	Ultra Cloud 10
Samurai Spirit	Utopia
Sativah	Utopia-Blue Berry
Scope Vanilla	Voodoo Child
Scope Wilberry	Voodoo Magic
Sence	Voodoo Remix
Shanti Spice	Voo Doo Remix (black package)
Shanti Spice Blueberry	Voo Doo Remix (orange package)
Silent Black	Winter Boost
Skunk	Who Dat
Smoke	Who Dat Herbal Incense
Smoke Plus	Wicked X
Space	Wood Stock
Spice Artic Synergy	XTREME Spice
Spice Diamond	Yucatan Fire
Spice Gold	Zombie World
Spice Silver	
Spice Tropical Synergy	
Spicey Regular XXX Blueberry	
Spicey Regular XXX Strawberry	
Spicey Regular XXX Vanilla	
Spicylicious	
Spicey Ultra Strong XXX Strawberry	
Spicey Ultra Strong XXX Vanilla	
Spicey XXX	
Spike 99	
Spike 99 Ultra	
Spike 99 Ultra Blueberry	
Spike 99 Ultra Cherry	
Spke 99 Ultra Strawberry	
Spike Diamond	
Spike Gold	
Spike Maxx	
Spike Silver	
Spike Warrior	
Stinger	
Summer Skyy	
Super Kush	
Super Summit	
Swagger Grape	
SYN Chill	
SYN Incense Smooth	
SYN Incense Spearmint	
SYN Incense LimonLime	
SYN Lemon Lime	
SYN Lemon Lime #2	
SYN Smooth	
SYN Spearmint	