

CHAPTER 130: GENERAL PROVISIONS

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§130.01 DEFINITIONS.

For the purposes of this title, the following words and phrases shall have the following meanings ascribed to them respectively.

ACT. The taking of action or a failure or omission to take action. (ILCS Ch. 720, Act 5, §2-2)

ANOTHER. A person or persons other than the offender. (ILCS Ch. 720, Act 5, §2-3)

CONDUCT. An act or a series of acts, and the accompanying mental state. (ILCS Ch. 720, Act 5, §2-4)

OFFENSE. A violation of a penal statute of this Village or state. (ILCS Ch. 720, Act 5, §2-12)

§130.02 INTENT.

A person intends, or acts intentionally or with intent, to accomplish a result or engage in conduct described by the section defining the offense, when his conscious objective or purpose is to accomplish that result or engage in that conduct. (ILCS Ch. 720, Act 5, §4-4)

§130.03 KNOWLEDGE.

(A) A person knows, or acts knowingly or with knowledge of:

- (1) The nature or attendant circumstances of his conduct, described by the section defining the offense, when he is consciously aware that his conduct is of such nature or that such circumstances exist. Knowledge of a material fact includes awareness of the substantial probability that the fact exists.
- (2) The result of his conduct, described by the section defining the offense, when he is consciously aware that such result is practically certain to be caused by his conduct.

(B) Conduct performed knowingly or with knowledge is performed willfully, within the meaning of a statute using the latter term, unless the section clearly requires another meaning.

(ILCS Ch. 720, Act 5, §4-5)

§130.04 RECKLESSNESS.

A person is reckless or acts recklessly, when he consciously disregards a substantial and unjustifiable risk

that circumstances exist or that a result will follow, described by the section defining the offense; and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation. An act performed recklessly is performed wantonly, within the meaning of a section using the latter term, unless the statute clearly requires another meaning. (ILCS Ch. 720, Act 5, §4-6)

§130.05 NEGLIGENCE.

A person is negligent, or acts negligently, when he fails to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, described by the statute defining the offense; and such failure constitutes a substantial deviation from the standard of care which a reasonable person would exercise in the situation. (ILCS Ch. 720, Act 5, §4-7)

§130.06 ATTEMPT.

- (A) *Elements of the offense.* A person commits an attempt when, with intent to commit a specific offense, he does any act which constitutes a substantial step toward the commission of that offense.
- (B) *Impossibility.* It shall not be a defense to a charge of attempt that because of a misapprehension of the circumstances it would have been impossible for the accused to commit the offense attempted.
- (C) A person convicted of an attempt may be fined not to exceed the maximum provided for the offense attempted. If such fine exceeds that set forth in §130.99 below, however, the Village shall enforce said offense under the provisions of state law. (ILCS Ch. 720, Act 5, §8-4) Penalty, see §130.99

§130.99 PENALTY.

Whoever violates any provisions of this title for which another penalty is not specifically provided shall be fined not less than \$25.00 nor more than \$500.00 and shall be responsible for the Village's cost of prosecution, including but not limited to attorney fees, court costs and other costs and expense incurred by the Village thereto. (Amd. Ord. 15-02 passed 3/16/15)

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