

ORDINANCE # 2024-8-1

**AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 1, SECTION 8 –  
DISTURBING THE PEACE**

WHEREAS, the President and Board of Trustees of the Village of Aviston deems it appropriate to amend Chapter 9, Article 1, Section 8, Disturbing the Peace.

THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Aviston, Clinton County, Illinois as follows:

Disturbing the Peace is hereby amended to include the following:

**9-1-8 DISTURBING THE PEACE**

It shall be unlawful for any person to willingly disturb the peace and quiet of any business, house of worship, neighborhood, or family in the Village.

- (A) No person shall recklessly or willingly cause inconvenience, annoyance or alarm to another, by doing any of the following:
1. Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
  2. Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person;
  3. Insulting, taunting or challenging another under circumstances in which such conduct is likely to provoke a violent response;
  4. Hindering or preventing the movement of persons on a public street, road, highway or right-of-way, or to, from, within or upon public property, so as to interfere with the rights of others and by any act which services no lawful and reasonable purpose of the offender;
  5. Creating a condition which is physically offensive to the persons or which presents a risk of physical harm to persons or property by any act which serves no lawful and reasonable purpose of the offender.
- (B) No person, while voluntarily intoxicated, or under the influence of intoxicating beverages or substances, shall do either of the following:
1. In public or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary or reasonable sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others;
  2. Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

(C) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated purposes of subsection ((b) of this section.

(D) Any person(s) in violation of this Section shall be fined seven hundred fifty dollars (\$750).

A motion was made by Kyle Markus, second by Matt Kohnen to approve this ordinance as presented.

AYES: M. Kohnen, K. Peek, K. Markus

NAYS:

ABSENT: K. Eversgard, C. Albers, M. Netemeyer

ABSTAIN:

Passed and approved this 5<sup>TH</sup> day of August, 2024.

ATTEST:

  
Jennifer Jansen, Village Clerk

  
Mike Kampwerth, Village President