

ORDINANCE 2025-12-2

AN ORDINANCE ADOPTING THE RULES OF PROCEDURE, ESTABLISHING AND RECORDING RULES FOR PUBLIC COMMENT AT VILLAGE MEETINGS

WHEREAS, the Village of Aviston (hereinafter "Village"), is a non-home rule municipal corporation; and

WHEREAS, the Illinois Open Meetings Act 5 ILCS 120/1 et. Seq., ("OMA") requires that any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body; and

WHEREAS, the Village Board recognizes the right to Freedom of Speech and has historically always encouraged public comment and other Village meetings; and

WHEREAS, the Village Board desires and believes it is in the best interest of the Village to adopt rules and procedures for public comment at Village meetings.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF AVISTON, CLINTON COUNTY, ILLINOIS, A NON-HOME RULE MUNICIPALITY, AS FOLLOWS:

SECTION 1: Recitals. The Village Board finds the facts and statements contained in the preambles to this Ordinance are true and correct and are hereby adopted as part of this Ordinance.

SECTION 2: Adoption. The Village Board adopts the following rules regulating public comment and participation at Village meetings, including any meeting of the Village Board, Committees, Planning and Zoning Board or any other committee or body authorized to meet by the Village. These rules supersede and previous rules of procedure, and are hereby stated as follows:

- (A) **Background:** Pursuant to the Open Meetings Act, 5 ILCS 120/2.06(g), any person shall be permitted the opportunity to address public officials under the rules established and recorded by the public body. Public participation and comments at meetings of the Village of Aviston are limited to the portion of the Village meeting as provided for in the meeting agenda and shall be permitted in accordance with the provisions of this section.
- (B) **Manner of Addressing Public Officials:** The presiding officers shall determine the order of turn in which members of the public address and comment at any Village meeting. All individuals being called shall speak so he/she can be heard in an audible tone of voice. Such comments by any one person shall be limited to five (5) minutes

in any Village Board meeting, or three (3) minutes in any other Village meeting, unless an extension of time is granted at the presiding officer's discretion. Citizens shall not yield unused time to other speakers. The presiding officer shall have the right at any time to close comment by that person, when, in the presiding officer's discretion, such input violates the provision of these rules, or is otherwise irrelevant, repetitious or disruptive. A total period of time not to exceed twenty (20) minutes for any Village Board meeting, or fifteen (15) minutes for any other Village meeting will be devoted to public comment. This amount of time shall be extended only upon a motion and second the Village Board or Committee, and a majority vote in favor thereof. Any person who is not able to address the public body due to time constraints will be encouraged to attend a subsequent meeting to address the public body or provide written comments.

(C) Redundancy: If numerous persons wish to comment on a single topic, the presiding officer may recognize a specific number of individuals who wish to speak in favor of, against or wish to make general comments regarding the topic. The Village Board Committee shall not be required to allow every person who wishes to address the issue to do so, but as many views as possible are encouraged to be heard. Any person who is not able to speak during the time for public comment shall be allowed and encouraged to present his or her views to the Village Board or Committee in writing.

(D) Decorum: While making public comment during any Village meeting, members of the public shall address the entire public body, and shall not attempt to address or enter into dialog with individual members of the public body. Any person who used profanity, or engages in threatening, inappropriate, offensive, slanderous or disorderly behavior, shall be deemed out-of-order by the presiding officer and his or her time for public comment shall end.

An individual who violates any of these rules specified herein may be removed from the Village meeting at the discretion of the presiding officer.

SECTION 3: Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain to be valid in any one or more of its several applications. All valid applications that are severable from the invalid applications shall remain in full force and effect.

SECTION 4: Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Aviston prior to the effective date of this ordinance.

SECTION 5: Effective Date. This Ordinance shall be in full force and effective immediately from and after its passage, and approval provided by law.

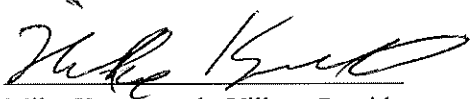
PASSED AND APPROVED by the Board of Trustees and Village President of Aviston, Illinois and deposited and filed in the office of the Village Clerk on the 1st day of December, 2025, the vote being taken by yeas and nays and entered upon the legislative record as follows:

Yeas: *M. Kohnen, K. Peck, M. Neumeyer, K. Markus, G. Rakors*

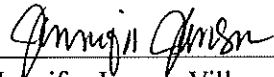
Nays: *K. Leach*

Absent:

Abstain:


Mike Kampwerth, Village President

ATTEST:


Jennifer Jansen, Village Clerk