

CITY OF MOUNT CARROLL

ORDINANCE NO. 2016-06-2

**AN ORDINANCE AUTHORIZING THE USAGE OF GOLF CARTS AND
NON-HIGHWAY VEHICLES ON CITY STREETS**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MOUNT CARROLL
THE 14TH DAY OF JUNE 2016

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Carroll, Carroll County, Illinois this 14th day of July 2016

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WHEREAS, Section 11-1426.1(d) of the Illinois Motor Vehicle Code, to wit: 625 ILCS 5/11-1426.1(d), provides that a municipality may authorize by ordinance or resolution, the operation of non-highway vehicles on roadways under its jurisdiction, provided that the unit of local government has determined that public safety will not be jeopardized by such operation; and

WHEREAS, Section 11-1426.1(d) of the Illinois Motor Vehicle Code further provides that the unit of local government may restrict the types of non-highway vehicles which are authorized to be used on its streets; and

WHEREAS, Section 11-1426.1(d) of the Illinois Motor Vehicle Code requires that before a unit of local government permits the operation of non-highway vehicles on its roadways, it must consider the volume, speed, and character of traffic on the roadway and determine whether non-highway vehicles may safely travel on or cross the roadway; and

WHEREAS, the City Council of the City of Mt. Carroll, Illinois has determined that non-highway vehicles may safely operate on the roadways subject to the jurisdiction of the City of Mt. Carroll, Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. CARROLL, ILLINOIS that non-highway vehicles may be operated on the roadway located within the corporate limits of the City of Mt. Carroll, Illinois, which are subject to its jurisdiction as follows:

Operation of Non-Highway Vehicles

Section 1. Preamble. The operation of non-highway vehicles for use of transportation of persons upon the roadways subject to the jurisdiction of the City of Mt. Carroll, Illinois is allowed in accordance with the provisions of this ordinance.

Section 2. Definitions.

- (A) Golf Cart. A vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the playing of golf or maintaining the condition of the grounds on a public or private golf course.

- (B) Non-Highway Vehicle. A “non-highway vehicle: means a motor vehicle not specifically designed to be used on a public highway, including:
- (1) An all terrain vehicle as defined by Section 1-101.8 of the Illinois Motor Vehicle Code;
 - (2) A golf cart, as defined by Section 1-123.9 of the Illinois Motor Vehicle Code;
 - (3) An off-highway motorcycle as defined by Section 1-153.1 of the Illinois Motor Vehicle Code; and
 - (4) A recreational off-highway vehicle, as defined by Section 1-168.8 of the Illinois Motor Vehicle Code.
- (C) Utility Terrain Vehicle. A self propelled, electronically powered four-wheeled motor vehicle or a self propelled gasoline powered four wheeled motor vehicle with an engine displacement under one thousand two hundred (1,200) cubic centimeters which is capable of attaining one (1) mile a speed of twenty (20) miles per hour but not more than twenty-five (25) miles per hour and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.
- (D) City Streets. “City streets” means any public right of way, roadway, or street located within the corporate limits of the City of Mt. Carroll, Illinois and subject to the jurisdiction of the City of Mt. Carroll, Illinois.

Section 3. Operation of Non-Highway Vehicles. No person shall operate a non-highway vehicle upon the streets and roadways subject to the jurisdiction of the City of Mt. Carroll, Illinois unless such person meets the following requirements:

- (A) The operator must be 21 years of age or older;
- (B) The operator must possess a current valid driver’s license issued by the State of Illinois or the operator’s state of residence, or possess a driver’s license issued by federal authorities;
- (C) The operator must be insured in accordance with the laws of the State of Illinois providing for liability insurance.
- (D) The non-highway vehicle is inspected by the Mt. Carroll police department or its designee and the vehicle certified that it meets all requirements for equipment as forth in the city’s inspection list, as amended from time to time.
- (E) The person to be the operator of any non-highway vehicle on the city streets is certified as an operator by the Mt. Carroll police department or its designee.

- (F) Payment of an annual permit fee of Twenty Dollars (\$20.00) for the first vehicle and Fifteen Dollars (\$15.00) for each additional vehicle for each family unit. A family unit shall be defined as those persons residing in a single residence. A decal or sticker shall be issued for each vehicle certified to be operated upon the city's streets and will be issued upon the payment of the annual fee. The decal or sticker must be displayed on the non-highway vehicle and is not transferable from one vehicle to a different vehicle.

Section 4. Equipment. All golf carts and non-highway vehicles must be equipped as follows:

- (A) Brakes and brake lights
- (B) Tires
- (C) Approved Slow Moving emblem on the rear of each vehicle in accordance with 625 ILCS 5/12-709.
- (D) Headlight(s) that emits a white light that is visible from a distance of five hundred (500) feet to the front which is illuminated when the vehicle is in operation.
- (E) Tail light/lamp that emits a red light visible from a distance of not less than one hundred (100) feet from the rear of the vehicle which is illuminated when the vehicle is in operation.
- (F) Seat belts for all occupants which must be engaged and in use when the vehicle is in motion.
- (G) Turn signals
- (H) An orange rotating light install on all vehicle used between sundown and sunrise.
- (I) Orange/red flags mounted on both sides of the vehicle mounted seven (7) feet from ground level and measuring not less than the twelve (12) by twelve (12) inches in size.
- (J) Additional requirements upon amendment of the Illinois Motor Vehicle Code.

Section 5. Miscellaneous.

- (A) Operators of non-highway vehicles must obey all traffic laws of the State of Illinois and the City of Mt. Carroll.
- (B) Operators must be 21 years of age or older and must possess a valid driver's license.
- (C) Non-highway vehicles shall be operated on city streets and shall not be operated on highways subject to the jurisdiction of the State of Illinois, to wit: Illinois Route 78 (Clay Street); Illinois Route 64 and Illinois Route 40, nor county highways, except to cross at intersections with city streets.
- (D) Non-highway vehicles may not be operated at speeds in excess of twenty (20) miles per hour.
- (E) No person shall operate or been in physical control of a non-highway vehicle on a city roadway while under the influence of alcohol or drugs in violation of 625 ILCS 5/11-500 through 5/11-502 inclusive.
- (F) Non-highway vehicles may not be operated on city sidewalks, parks, or parking areas except for snow removal.
- (G) Operators must have in their possession a copy of his/her application/permit on their person during the operation of the non-highway vehicle.

Section 6. Permits.

- (A) No person shall operate a non-highway vehicle upon the city streets without first obtaining a permit from the City Clerk. Permits shall be issued for a period on one (1) year and renewed annually at a cost of Twenty Dollars (\$20.00) for the first vehicle in a family unit and Fifteen Dollars (\$15.00) for each additional vehicle in a family unit.
- (B) Applications for permits shall be obtained from the City Clerk and shall be filed with the City Clerk with proof of liability insurance on the non-highway vehicle for which the permit is requested.
- (C) The application shall include the following information:
 - (1) Name and address of the applicant;
 - (2) Illinois driver's license number;
 - (3) Name of liability insurance carrier and a copy of the declaration of coverage issued by the carrier insuring the vehicle;

- (4) Make, model, serial number and description of vehicle for which the permit is sought;
- (5) An executed waiver of liability signed by the applicant releasing the City of Mt. Carroll from any liability for any claim and agreeing to hold the City harmless and indemnify it for any claim resulting from the operation of the non-highway vehicle on the City's streets;
- (6) Such other information requested by the City.

Section 7. Inspections. No permit shall be issued by the City Clerk until the non-highway vehicle sought to be permitted is inspected by the Mt. Carroll police department or its designee. All non-highway vehicles shall be in compliance with the ordinance and with the Illinois Motor Vehicle Code as applicable.

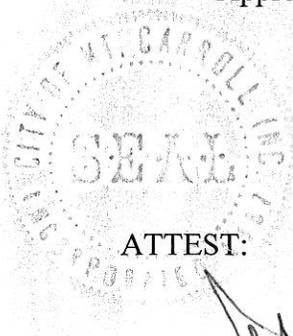
Section 8. Violations/Penalty Any violation of this ordinance is punishable by a fine of not less than Seventy Five Dollars (\$75.00) and the suspension or revocation of the violator's permit to operate a non-highway vehicle upon the city streets of Mt. Carroll.

Section 9. Restrictions. Permits shall not be issued for all terrain vehicles.

Section 10. Applicability. This Ordinance shall be in full force and affect upon its passage, approval and publication as required by law and its approval by the Department of Transportation of the State of Illinois.

Passed this 14th day of June, 2016.

Approved this 14th day of June, 2016.



ATTEST:

J.A. Cull
CITY CLERK

Carl R. Zies
MAYOR