

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2017-MC06

**AN ORDINANCE AMENDING THE VILLA GROVE
MUNICIPAL CODE TO REGULATE GOLF CARTS**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS TWELFTH DAY OF JUNE, 2017

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS THIS THIRTEENTH DAY OF JUNE 2017.

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2017-MC06

June 12, 2017

**AN ORDINANCE AMENDING THE CITY OF VILLA GROVE
MUNICIPAL CODE TO REGULATE GOLF CARTS**

WHEREAS, the City of Villa Grove, Douglas County, Illinois, (the "City") is a duly organized and existing Municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the City and the City previously enacted its Code of Ordinances; and

WHEREAS, the City of Villa Grove is charged with the health safety and welfare of its citizens which extends to public safety on the City roadways; and

WHEREAS, 625 ILCS 5/11-1426.1 and other provisions authorize the City to regulate the public right of ways and provide for certain licensing; and

WHEREAS, the City Council at a duly held public meeting held this date has determined and that it is appropriate and necessary for the public safety for the citizens of the City of Villa Grove to regulate and license the use of Golf Carts and Recreational Off-Highway Vehicles and similar modes of transportation as described under this Ordinance; and

WHEREAS, having determined Golf Carts and Recreational Off-Highway Vehicles as fuel efficient transportation in the City, the City desires to allow for their use and the City desires to provide for this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: Incorporation Clause. The Mayor and City Council of the City of Villa Grove, Illinois hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance.

SECTION 2: Ordinance Adopted. Be it hereby ordained by the City Council and Mayor of the City of Villa Grove, Illinois that Chapter 71 of the Villa Grove Code of Ordinances is hereby amended to additionally include Sections 71.132 through 71.136 relating to **Golf Carts and Recreational Off-Highway Vehicles** as follows:

71.132 GENERALLY. Golf carts specifically defined and qualified herein shall be allowed on City streets under the conditions as stated herein.

71.133 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply:

GOLF CART. As defined herein means a vehicle specifically designed and intended for the purposes of transporting one (1) or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf.

RECREATIONAL OFF-HIGHWAY VEHICLE. As defined herein means any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.

ALL-TERRAIN VEHICLE. As defined herein means any motorized off-highway device designed to travel primarily off highway, 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, traveling on 3 or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.

CITY STREETS. Means any of the streets within the boundaries of the City of Villa Grove, Illinois.

71.134 REQUIREMENTS.

All persons wishing to operate a Golf Cart or a Recreational Off-Highway Vehicle on the City Streets must ensure compliance with the following requirements:

- (A) Proof of current liability insurance.
- (B) Must be certified with the City and inspected by the Chief of Police and/or his/her designee.
- (C) Must display City decal on the rear of the vehicle.
- (D) Must have a current, valid Illinois driver's license.
- (E) Golf carts must be equipped as follows:
 - (1) Horn;
 - (2) Brakes and brake light;
 - (3) Turn signals;
 - (4) A steering wheel apparatus;
 - (5) Tires;
 - (6) Rearview mirror;
 - (7) State approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - (8) Headlight that emits a white light visible from a distance of five hundred (500) feet to the front which must illuminate when in operation;
 - (9) Tail lamp that emits a red light visible from at least one hundred (100) feet from the rear which must be illuminated when in operation;
 - (10) Any additional requirements which may be amended to 625 ILCS 5/11-1426.1 or the Illinois Motor Vehicle Code.
- (F) Must obey all traffic laws of the State of Illinois.

- (G) Must be operated only on the City streets, except where prohibited.
- (H) May not be operated on State highways and County roads except at designated crossing points. Designated crossing points shall only include any street intersecting with U.S. Route 130 which features an electronic stop light.
- (I) Must not be operated in excess of posted speed limit and, regardless, may not exceed thirty-five (35) miles per hour.
- (J) A person operating or who is in actual physical control of a Golf Cart or Recreational Off-Highway Vehicle as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 - 11-502).
- (K) Golf Carts and/or Recreational Off-Highway Vehicles shall not be operated on sidewalks other than parking areas except when authorized by the City Council, Mayor or City Chief of Police for special events.
- (L) Each Golf Cart and/or Recreational Off-Highway Vehicles may transport only as many individuals as is the lesser of the number of seats or as its manufacturer designates. No individuals may ride on any other portion of the Golf Cart and/or Recreational Off-Highway Vehicles.

71.135 PERMITS.

- (A) No person shall operate a qualified Golf Cart and/or Recreational Off-Highway Vehicle without first obtaining a permit from the Chief of Police and/or his/her designee as provided herein. The Police Department may issue such an Annual Permit for any date approved of and designated by the City Council. The cost of the permit is **Twenty-Five Dollars (\$25.00)**. Insurance coverage is to be verified to be in effect by the Police Department when obtaining and renewing a permit.

- (B) Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
 - (1) Name and address of applicant;
 - (2) Name of liability insurance carrier;
 - (3) The serial number, make, model and description of golf cart;
 - (4) Signed Waiver of Liability by applicant releasing the City and agreeing to indemnify and hold the City harmless from any and all future claims resulting from the operation of their Golf Carts and/or Recreational Off-Highway Vehicles on City Streets;
 - (5) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - (6) Such other information as the City may require;

- (C) No permit shall be granted unless the following conditions are met:
 - (1) The vehicle must be inspected by the designated representative to ensure that the vehicle is safe to operate on City streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code;
 - (2) A physically handicapped applicant must submit a certificate signed by the physician, certifying that the applicant is able to safely operate a qualified Golf Cart and/or Recreational Off-Highway Vehicles on City Streets;
 - (3) The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.

- (D) The City may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Article or there is evidence that permittee cannot safely operate a qualified Golf Cart and/or Recreational Off-Highway Vehicle on the designated roadways.

- (E) Failure to abide by this Ordinance (other than failure to secure a permit provided herein) shall result in a Fine of \$100.00 with each infraction of this Ordinance constituting a separate offense bearing a separate fine.

- (F) The City Clerk shall be authorized to issue a permit on only such days as may be approved by the City Council.
- (G) Special Permits shall be granted for a period of seventy-two hours (72 hours) for the date designated on the permit. There shall be a \$25.00 fee that shall be applied to the General Fund.
- (H) No permits shall be issued for All-Terrain Vehicles. Their use in the public right of way is outright prohibited.
- (I) Notwithstanding any other provisions, the within restrictions and requirements shall not apply to such vehicles operated and/or owned by the City of Villa Grove.

71.136 VIOLATION.

Any failure of an individual to obtain or otherwise secure a permit provided herein when operating a Golf Cart and/or Recreational Off-Highway Vehicles upon the streets of the City shall subject the violator to a fine of \$250.00.

SECTION 3: Invocation of Authority. This Ordinance is enacted pursuant to the authority granted to this City by 625 ILCS 5/11-14.26.1 (d), other statutory authority and by the Constitution of the State of Illinois Compiled Statutes.

SECTION 4: State Law Adopted. All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

SECTION 5: Approval and Execution of Documents. The City Mayor, and City Clerk are hereby authorized and directed to execute and/or publish documents necessary to carry out and give effect to the purpose and intent of this Ordinance.

SECTION 6: Other Actions Authorized. That the Mayor, City Clerk and City Employees are hereby authorized and directed to do all things necessary, essential, or convenient to carry out and give effect to the purpose and intent of this Ordinance.

SECTION 7: Acts of City Officials. That all acts and doings of the officials of the City, past, present and future which are in conformity with the purpose and intent of this Ordinance, are hereby in all respects, ratified, approved, authorized and confirmed.

SECTION 8: Headings. The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation of construction of any substantive provisions of this ordinance.

SECTION 9: Severability. The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the City Council that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

SECTION 10: Superseder and Publication. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the City as provided by the Illinois Municipal Code, as amended.

SECTION 11: Effective Date. This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this twelfth day of June, A.D., 2017, by a roll call vote as follows:

Allen, Bruce D. nay

Hunt, Ronald H. y/a

Blaney, Thelma I. y/a

Leon, Michael S. y/a

Eversole-Gunter, Cassandra A.

Stipp, Robert L. absent

Griffith, Darrel M. nay

APPROVED:

Cassandra A. Eversole-Gunter
CASSANDRA A. EVERSOLE-GUNTER
Mayor

ATTEST:

Michelle L. Osborne
MICHELLE L. OSBORNE
City Clerk

SEAL

