

## ORDINANCE NO. 2016-945

### AN ORDINANCE PROVIDING FOR THE REGULATION AND OPERATION OF GOLF CARTS, NEIGHBORHOOD VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES

BE IT ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS:

SECTION 1: THAT THE FOLLOWING IS HEREBY ADOPTED AS CHAPTER 24 – MOTOR VEHICLE CODE ARTICLE VIII REGULATION AND OPERATION OF GOLF CARTS, NEIGHBORHOOD VEHICLES AND RECREATIONAL OFF HIGHWAY VEHICLES:

#### **24-8-1: DEFINITIONS:**

##### A. Terms Defined:

**VILLAGE STREETS:** Only those village streets designated on Exhibit A attached to the ordinance codified herein and incorporated herein by reference, located within the boundaries of the Village.

**COUNTY ROADS:** Include any roads outside the boundaries of the village limits.

**GOLF CART:** Defined in 625 Illinois Compiled Statutes 5/1-123.9 and means a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course. See also subsection B of this section.

**NEIGHBORHOOD VEHICLE:** A self-propelled, electric powered, four (4) wheeled motor vehicle (or a self-propelled, gasoline powered, 4 wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters) that is capable of attaining in one mile a speed of more than twenty (20) miles per hour, but not more than twenty five (25) miles per hour, and which conforms to federal regulations under title 49 CFR part 571.500. See also subsection B of this section.

**RECREATIONAL OFF HIGHWAY VEHICLE:** Shall be defined as provided in 625 Illinois Compiled Statutes 5/1-168.8 and shall mean any motorized off highway device designed to travel primarily off highway, sixty four inches (64") or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawn mowers. See also subsection B of this section.

**STATE ROADS:** Illinois Route 51.

- B. Exclusions: For purposes of this chapter, a "golf cart", a "recreational off highway vehicle" and a "neighborhood vehicle" specifically does not include all-terrain vehicles, off highway motorcycles and any other vehicle which is not described within the foregoing definitions of "golf carts", "neighborhood vehicles" or "recreational off highway vehicles".

**24-8-2: REQUIREMENTS:** All persons operating a golf cart, neighborhood vehicle or recreational off highway vehicle on the designated streets of the city must comply with the following requirements:

A. Proof of ownership.

B. Proof of liability insurance.

- C. Must display village registration on rear of vehicle.
- D. Must be inspected by the Chief of Police or his designated representative.
- E. Must be equipped with seat belts, a windshield, horn, brakes, turn signals, a steering wheel apparatus, tires, a rearview mirror, red reflectorized warning devices in the rear, red reflectorized warning devices in front, a slow moving vehicle emblem on the rear of the vehicle, a headlight that emits a white light visible from a distance of five hundred feet (500') to the front, a tail lamp that emits a red light visible from at least one hundred feet (100') from the rear, and brake lights. When operated on a roadway, a golf cart, neighborhood vehicle or a recreational off highway vehicle shall have its headlight and tail lamps lighted.
- F. Must obey all traffic laws of the State of Illinois and the Village of Cobden.
- H. Can be driven on only those streets designated on exhibit A attached to the ordinance codified herein.
- I. Must have a valid driver's license.
- J. Must not exceed twenty five (25) miles per hour or the posted speed limit.
- K. Crossing of the state highway will only be allowed at East Maple Street, South Front Street, North Walker Street, North Centennial Street, and Locust Street.
- L. Golf carts, neighborhood vehicles and recreational off highway vehicles shall not be operated in inclement weather nor when visibility is impaired by weather, smoke, fog, or other conditions, or between the hours of 10:00 p.m. and 6:00 a.m..
- M. Each driver and passenger of a golf cart, neighborhood vehicle or recreational off highway vehicle shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the child passenger protection act.
- N. A person who drives or is in actual physical control of a golf cart, neighborhood vehicle or recreational off highway vehicle on a roadway while under the influence of alcohol or drugs is subject to sections 11-500 through 11-502 of Illinois Compiled Statutes.
- O. Golf carts, neighborhood vehicles and recreational off highway vehicles may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.
- P. Golf carts, neighborhood vehicles or recreational off highway vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois department of transportation (Illinois Route 51) or the county highway department.

### **24-8-3: PERMITS:**

- A. No person shall operate a qualified non-highway vehicle without first obtaining a permit from the Village Clerk as provided herein (Exhibit B). Permits shall be granted for a period of ONE (1) YEAR and shall be renewed annually on January 1<sup>st</sup> of each and every successive year. The cost of the permit shall be THIRTY-FIVE DOLLARS (\$35.00) or as otherwise established by the Village Board, which permit fee shall not be pro-rated if purchased after January 1<sup>st</sup>. Permits may be transferrable during the same calendar year to a later purchased non-highway vehicle, owned by the same original permittee, upon the payment of FIVE DOLLARS (\$5.00) per transfer. Insurance coverage shall be verified by the Chief of Police or his designate prior to issuing or renewing a permit. Non-highway vehicles used by governmental entities in the Village of Cobden shall be exempt and not required to obtain permits pursuant to this Ordinance.

B. Every application for a permit shall be made on a form supplied by the Village and shall contain the following information:

1. The name and address of applicant.
2. Name of liability insurance carrier as required for passenger motor vehicles by the State of Illinois.
3. The serial number, make, model and description of non-highway vehicle as described herein; and
4. Photocopy of applicable liability insurance coverage specifically for the vehicle to be operated pursuant to the permit;
5. Photocopy of the operator's current driver's license; and
6. Such other information as the Village may require.

C. No permit shall be granted unless the following conditions are met:

1. The vehicle must be inspected by the Chief of Police or designee to ensure that the vehicle is safe to operate on Village streets and is in full compliance with this ordinance.
2. Any physically-handicapped applicant, as determined pursuant to the sole discretion of the Chief of Police, must submit a certificate signed by a licensed physician in good standing, certifying that the applicant is able to safely operate a qualified motorized golf cart, neighborhood vehicle or recreational off highway vehicle on the roadways designated.
3. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Compiled Statutes regarding mandatory minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

D. A golf cart, neighborhood vehicle or recreational off highway vehicle will be allowed to be driven to the Police Department to have the vehicle inspected and permitted, if the requestor has called ahead and arranged with the chief of police (or designee) a specific meeting time.

#### **28-8-4: ENFORCEMENT:**

- A. The Village may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this chapter or if there is evidence that the permit holder cannot safely operate the motorized golf cart, neighborhood vehicle or recreational off highway vehicle on the designated roadways.
- B. Every person operating a golf cart, neighborhood vehicle or recreational off highway vehicle pursuant to permit hereunder on designated village streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the state highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts, neighborhood vehicles or recreational off highway vehicles.
- C. Any person who violates any provision of this chapter shall upon conviction be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and the costs of prosecution. A second conviction shall result in suspension of permit, to be reinstated only by the Village Board of Trustees.

D. Upon conviction of operating a golf cart, neighborhood vehicle or recreational off highway vehicle on a state highway, other than crossing at the designated locations, shall result in a fine no less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) plus court costs. A first conviction shall result in the suspension of permit for the remainder of the calendar year.

SECTION 2. THAT ALL ORDINANCES AND PARTS OF ORDINANCE IN CONFLICT HEREWITH ARE EXPRESSLY REPEALED.

SECTION 3. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION IN PAMPHLET FORM, AS PROVIDED BY THE ILLINOIS COMPILED STATUTES, CHAPTER 65; SECTION 5/1-2-4.

PASSED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, ON THIS 17TH DAY OF OCTOBER, 2016.

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Karen M. Winzenburger, Village Clerk  
Cobden, Illinois

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
Jean A. Britt					
Patrick C. Brumleve					
Alma Gomez					
Dennis Maze					
Elvis Pearson					
David Stewart					
Paul Z. Tomazzoli					

APPROVED BY THE VILLAGE PRESIDENT OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, THIS 17TH DAY OF OCTOBER, 2016.

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Paul Z. Tomazzoli, Village President  
Cobden, Illinois

ATTEST:

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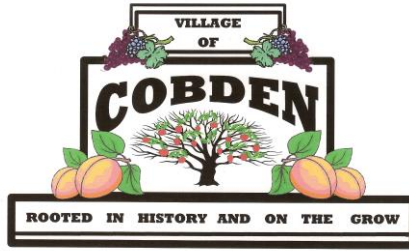
Karen M. Winzenburger, Village Clerk  
Cobden, Illinois

**EXHIBIT "A"**

**ATTACHMENT FOR ORDINANCE NO. 2016-945**

Village streets shall mean all those streets located within the boundaries of the Village of Cobden, Illinois except for Illinois Route 51.

EXHIBIT B



GOLF CART, NEIGHBORHOOD VEHICLE, OFF-ROAD RECREATIONAL VEHICLE PERMIT APPLICATION

Owner Name: \_\_\_\_\_ Owner Phone Number: \_\_\_\_\_

Owner Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Owner Driver's License Number: \_\_\_\_\_ State Issued: \_\_\_\_\_

VEHICLE INFORMATION

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Color: \_\_\_\_\_ Electric or Gas \_\_\_\_\_

Proof of Ownership: \_\_\_\_\_ Proof of Insurance: \_\_\_\_\_
Type of Proof Company & Policy Number

I certify the above information is true and correct. I also certify that this vehicle is insured with the company named above and I will maintain liability insurance throughout the registration period.

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Inspector Use Only:

REQUIRED INSPECTION ITEMS:

- Seat Belts, Windshield, Horn, Brakes, Turn Signals, Steering Wheel Apparatus, Tires, Rearview Mirror, Headlight, Tail lamp, Brake Lights, Slow Moving Vehicle Emblem, Red Reflectorized Warning Devices.

NOTES: \_\_\_\_\_

Inspector Printed Name: \_\_\_\_\_

Inspector Signature: \_\_\_\_\_ Date of Inspection: \_\_\_\_\_

Annual Permit Fee of \$35 paid: Check #: \_\_\_\_\_ Cash: \_\_\_\_\_ Date Paid: \_\_\_\_\_

Received by: \_\_\_\_\_

Date Permit Expires: December 31, \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

The Village of Cobden is an equal opportunity provider and employer. Esta institución es un proveedor de servicios con igualdad de oportunidades.