

**VILLAGE OF WAYNE CITY, ILLINOIS
GOLF CART AND UTILITY TERRAIN VEHICLE ORDINANCE**

ORDINANCE NO. 580

WHEREAS, pursuant to the Illinois Vehicle Code, the VILLAGE OF WAYNE CITY, ILLINOIS has the authority to formulate rules and policy concerning the operation of certain non-highway vehicles and low-speed vehicles on its streets (See 625 ILCS 5/11-1426.1 and 625 ILCS 5/11-1462.2);

WHEREAS, the Board of Trustees of the VILLAGE OF WAYNE CITY, ILLINOIS has determined that Golf Carts (as that term is defined in 625 ILCS 5/1-123.9 and hereinafter referred to as “Golf Carts”) and Utility Terrain Vehicles (also known as a “Recreational Off-Highway Vehicle” and as that term is defined in 625 ILCS 5/1-168.8 and hereinafter referred to as “Utility Terrain Vehicles”) may safely travel on its streets that are under and not exceeding a posted speed limit of 35 miles per hour within the confines of the VILLAGE OF WAYNE CITY, ILLINOIS;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WAYNE CITY, ILLINOIS, WAYNE COUNTY, ILLINOIS as follows:

Section 1: The forgoing recitals are incorporated herein as findings of the BOARD OF TRUSTEES of the VILLAGE OF WAYNE CITY, ILLINOIS.

Section 2: The VILLAGE OF WAYNE CITY, ILLINOIS, after considering the volume, speed, and character of traffic on all roadways with a posted speed limit of 35 miles per

hour or less and under the jurisdiction of the VILLAGE OF WAYNE CITY, ILLINOIS, hereby determines that the public safety will not be jeopardized for Golf Carts and Utility Terrain Vehicles (that are equipped pursuant to Section 9 below) to travel upon such roadways with a posted speed limit of 35 miles per hour or less and under the jurisdiction of the VILLAGE OF WAYNE CITY, ILLINOIS;

Section 3: All-terrain vehicles, as defined by Section 1-101.8 of the Illinois Vehicle Code and Off-highway Motorcycles, as defined by Section 1-153.1 of the Illinois Vehicle Code are prohibited from being operated upon the streets under the jurisdiction of the VILLAGE OF WAYNE CITY, ILLINOIS;

Section 4: Golf Carts and Utility Terrain Vehicles are permitted to be operated on all roadways with a posted speed limit of 35 miles per hour or less and under the jurisdiction of the VILLAGE OF WAYNE CITY, ILLINOIS, but only after the owner of the Golf Carts and Utility Terrain Vehicles first obtain a permit from the VILLAGE OF WAYNE CITY, ILLINOIS, and only after the Golf Carts and Utility Terrain Vehicles pass an inspection as described herein and subject to the Operational Rules set forth in Section 11 below;

Section 5: Signs: Appropriate signs shall be posted that indicate that Golf Carts and Utility Terrain Vehicles are permitted on such roadways in the VILLAGE OF WAYNE CITY, ILLINOIS. Such signs shall be posted at: entries of the village at Route 15 from the West and from the East, Industrial Drive and Section Line Road, and at Route 242 from the South;

Section 6: Permits: No person shall operate a Golf Cart or Utility Terrain Vehicle upon the roadways of the VILLAGE OF WAYNE CITY, ILLINOIS without first obtaining a

permit. To obtain a permit, the person shall complete an Application, pay the Permit fee of \$35, pay an Inspection fee of \$15 and pass an Inspection of the Golf Cart or the Utility Terrain Vehicle to be conducted by the VILLAGE OF WAYNE CITY, ILLINOIS Police Department Chief of Police (or his or her designee) (hereinafter, the "Police Chief") to ensure that the Golf Cart or the Utility Terrain Vehicle is safe and has the Required Equipment (as described below). The Application shall be given to the Police Chief at the time of the Inspection. Likewise, all fees shall be paid to the Police Chief by cash, cashier's check or money order payable to the Village of Wayne City, Illinois at the time of the Inspection. Upon receipt of the required fees, the Police Chief shall issue and tender a receipt to the Applicant. The Applicant shall provide to the Police Chief proof of liability insurance as required by law and said insurance shall be valid at the time of the Application for a period of at least 6 months thereafter. Permits shall be granted for a period of one (1) year and renewed annually.

Section 7: Application: Before any Permit is issued by the VILLAGE OF WAYNE CITY, ILLINOIS, an Application shall be made on the forms as provided by the VILLAGE OF WAYNE CITY, ILLINOIS and shall contain the following information:

- (1) Name and address of applicant;
- (2) Name of liability insurance carrier;
- (3) Serial number, make, model and description of the Golf Cart or Utility Terrain Vehicle;
- (4) Proof of insurance coverage specifically for the vehicle to be operated pursuant to the Permit;
- (5) Photocopy of the applicant's current driver's license;

Such other and further information as the VILLAGE OF WAYNE CITY, ILLINOIS may require.

Section 8: Required Equipment. No Golf Cart or Utility Terrain Vehicle may be operated on any street under the jurisdiction of the VILLAGE OF WAYNE CITY, ILLINOIS, unless said vehicle is equipped with the following:

- (1) Brakes;
- (2) A steering wheel or a handle-bar type steering apparatus;
- (3) Four or more tires;
- (4) A rearview mirror;
- (5) A headlight that emits a white light visible from a distance of 500 feet to the front;
- (6) A tail lamp that emits a red light visible from at least 100 feet from the rear;
- (7) Brake lights;
- (8) Turn signals or use hand signals;
- (9) No use of LED light bar or off-road light; and
- (10) A windshield (unless the driver and each passenger wears eye protection);

Section 9: Inspection:

(a) Before any Permit is issued by the VILLAGE OF WAYNE CITY, ILLINOIS, the vehicle shall be inspected by the Police Chief, who will determine if the Golf Cart or the Utility Terrain Vehicle is safe for operation on public roadways and has the Required Equipment (as set forth in Section 9 above). The cost of said Inspection is \$15. Golf Carts or Utility Terrain Vehicles, shall be inspected every year prior to a permit being issued and show proof of

insurance before Licenses are renewed. After the initial payment and issuance of a permit for subsequent years, Licensees are only required to pay a \$35 renewal fee.

(b) A Golf Cart or Utility Terrain Vehicle will be allowed to be driven to the VILLAGE OF WAYNE CITY, ILLINOIS Police Department for vehicle inspection if the requestor has called ahead and arranged with the Police Chief a specific meeting time.

(c) When all requirements of Sections 7 through 10 are complete and the Police Chief has determined that the Golf Cart or Utility Terrain Vehicle is equipped with the appropriate equipment, a Plate and a Permit Sticker shall be issued by the Police Chief and given to the Applicant;

Section 10: Operational Rules. The following rules apply to the operation of all Golf Carts and Utility Terrain Vehicles on the roadways of the VILLAGE OF WAYNE CITY, ILLINOIS:

- (1) Any Golf Cart or Utility Terrain Vehicle operated within the VILLAGE OF WAYNE CITY, ILLINOIS must acquire and display on the vehicle a Plate and current Permit sticker issued by the VILLAGE OF WAYNE CITY, ILLINOIS after said vehicle has passed an inspection by the Police Chief, all required paperwork has been submitted to the Police Chief and all fees and costs have been paid;
- (2) Any individual who operates a Golf Cart or a Utility Terrain Vehicle within the VILLAGE OF WAYNE CITY, ILLINOIS, must possess a valid Illinois driver's license and must be 16 years of age or older;
- (3) All passengers under 16 years old must wear a helmet if the Golf Cart or Utility Terrain Vehicle does not have a cab or roll bar. Each driver shall comply with the Child Passenger Protection Act (625 ILCS 25/1 et seq.) for each passenger that is a child above

8 years of age and subject to the Act.

(4) Each passenger 8 years and younger of a Golf Cart and Utility Terrain Vehicle shall wear a properly adjusted and fastened seat safety belt;

(5) The vehicle shall have its headlights and tail lamp lights turned on and lighted at all times while the vehicle is operated on the roadway;

(6) The vehicle shall travel on the roadway in the same direction as traffic;

(7) No Golf Cart and Utility Terrain Vehicle shall be operated on any publicly owned property except for public streets and parking areas within the VILLAGE OF WAYNE CITY, ILLINOIS, which are designed for the use of automobiles. No Golf Cart or Utility Terrain Vehicle may be operated on any public sidewalk or on any part of a public park or cemetery other than the park or cemetery's designated driving or parking areas;

(8) Any Golf Cart or Utility Terrain Vehicle operator shall not use any pull rope or chain or any other device in any fashion to either tow or be towed within the the VILLAGE OF WAYNE CITY, ILLINOIS nor shall said Golf Cart or Utility Terrain Vehicle be used to push any implement or other vehicle, except for a snow plow or other apparatus that conforms to said vehicle;

(9) No individual shall operate and no owner shall permit another person to operate such a vehicle on the VILLAGE OF WAYNE CITY, ILLINOIS roadways unless the vehicle is covered by liability insurance policies required by law and said insurance is in effect at the time of the Application for a period of at least 6 months. Proof of such liability insurance coverage shall be carried on said driver or in the vehicle at all times while the vehicle is operated on the roadways of the VILLAGE OF WAYNE CITY,

ILLINOIS;

(10) No Golf Cart or Utility Terrain Vehicle shall be operated between the hours of 11:00 p.m. and 5:00 a.m.

(11) The Plate and Sticker issued by the Police Chief for the Golf Cart or Utility Terrain Vehicle shall be kept secure and visible on the vehicle at all times that it is operated.

(12) All owners and operators of all Golf Carts and Utility Terrain Vehicles that are being operated on roadways within the VILLAGE OF WAYNE CITY, ILLINOIS shall comply with all VILLAGE OF WAYNE CITY, ILLINOIS ordinances.

Section 11: Village of Wayne City Police Department - Police Fund. All fees collected, including the permit fee, the inspection fee and any fines collected from the circuit court or any municipal court from the enforcement of this Ordinance shall be deposited in the Village of Wayne City Police Department Police Fund.

Section 12: State Law: Any individual operating a Golf Cart or Utility Terrain Vehicle within the VILLAGE OF WAYNE CITY, ILLINOIS shall be subject to all laws of the State of Illinois concerning the Rules of the Road and as set forth in the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.). Pursuant to 625 ILCS 5/11-1426.1(f), any person who drives or is in actual physical control of a Golf Cart or a Utility Terrain Vehicle on a roadway while under the influence is subject to Sections 11-500 through 11-502 of the Illinois Vehicle Code. Pursuant to 625 ILCS 5/11-1426.1(g), any person who operates a Golf Cart or a Utility Terrain Vehicle on a street, highway, or roadway shall be subject to the mandatory insurance requirements of Article VI of Chapter 7 of the Illinois Vehicle Code.

Section 13: Penalties:

- (1) Any violation of this ordinance shall be punished by a fine of not less than \$100 for a first offense, \$250 for a second offense, and \$500 and impounded for a third offense. Any violation of this ordinance or any statute of the State of Illinois, occurring from the operation of any Golf Cart or Utility Terrain Vehicle in the VILLAGE OF WAYNE CITY, ILLINOIS may result in revocation or suspension of a Permit issued under this ordinance;
- (2) In the event of a first offense, a fine and/or revocation or suspension of a Permit may occur. In the event of a second offense within 12 months of the date of the prior offense, the same shall result in a fine and immediate revocation of the Permit issued. At any time upon the investigation and by the recommendation of the Police Chief, the VILLAGE OF WAYNE CITY, ILLINOIS, may suspend or revoke a permit granted hereunder upon a finding by the Police Chief of the VILLAGE OF WAYNE CITY, ILLINOIS that there is evidence that the individual cannot or will not safely operate said vehicle or that said vehicle is not in compliance with this ordinance. Upon such revocation or suspension, the Police Chief shall provide notice of such revocation or suspension to the individual by regular mail or personal delivery.

Section 14: The President and Village Clerk are hereby authorized respectively to execute and attest such other documents as may be necessary for the enactment and enforcement of this Ordinance.

Section 15: This Ordinance shall be in full force and effect from and after its passage by a vote of the corporate authorities now holding office, and approval, in the manner provided by law.

AYES: Simpson, Piper, Noe, McKinney, Austin, Wood

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Staci Choate
STACI CHOATE, Village Clerk

APPROVED this 2nd day of December, 2019.

Rocky Hedden
ROCKY HEDDEN, President

ATTEST:

Staci Choate
STACI CHOATE, Village Clerk