

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS
ORDINANCE NO. 2016-O- _____

AN ORDINANCE AMENDING THE
TOLONO MUNICIPAL CODE TO REGULATE GOLF CARTS

PASSED BY THE BOARD OF TRUSTEES AND
APPROVED BY THE PRESIDENT OF THE BOARD OF TRUSTEES
VILLAGE OF TOLONO, ILLINOIS
THIS 20th DAY OF SEPTEMBER, 2016

Published in pamphlet form by authority of the President and the Board of Trustees of the Village of Tolono, Champaign County, Illinois this 20th day of September, 2016.

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WHEREAS: A. The Village of Tolono is charged with the health safety and welfare of its citizens which extends to public safety on the Village roadways; and

B. 625 ILCS 5/11 -1426.1 and other provisions authorize the Village to regulate the public right of ways and provide for certain licensing; and

C. The Board of Trustees at a duly held public meeting previously determined and hereby reaffirms that it is appropriate and necessary for the public safety of the citizens of the Village of Tolono to regulate and license the use of Golf Carts and Recreational Off-Highway Vehicles and similar modes of transportation as described under this Ordinance on the date(s) designated by the Board of Trustees; and

D. The Village previously adopted an Ordinance regulating Golf Carts and desires to amend same as provided herein; and

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

NOW THEREFORE BE IT HEREBY ORDAINED by the President and the Board of Trustees of the Village of Tolono, Illinois:

Title 11 of the Tolono Municipal Code of Tolono, Illinois, as amended, is hereby amended to additionally include “Section 11.29 Golf Carts and Recreational Off-Highway Vehicles” as attached hereto, identified as Exhibit A, and by reference incorporated herein.

All other provisions not otherwise amended shall remain in full force and effect.

BE IT FURTHER ORDAINED by the President and Board of Trustees of the Village of Tolono, Illinois, that:

This ordinance is effective this date upon, from and after its passage. The Clerk of the Village of Tolono is hereby directed to publish this ordinance in pamphlet form.

Passed by the Board of Trustees and approved by the Village of Tolono, Illinois, at a regular meeting held this 20th day of September, 2016.

APPROVED:

Jeff Holt, President

ATTEST:

Village Clerk

Exhibit A

“SECTION 11.29 GOLF CARTS”

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

11.29.020 DEFINITIONS.

(A) A “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.

(B) A “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.

(C) A “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.

(D) “Village Streets” means any of the streets within the boundaries of the Village of Tolono, Illinois.

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

(A) Proof of current liability insurance.

(B) Must be certified with the Village and inspected by the Chief of Police and/or his/her designee.

(C) Must display Village decal on the rear of the vehicle.

(D) Must have a current, valid Illinois drivers 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 Village 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 45 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 Village Board President or Village 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.

11.30.040 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 Village Board of Trustees. 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 Village and shall contain the following information:

- (11) Name and address of applicant;
- (12) Name of liability insurance carrier;
- (13) The serial number, make, model and description of golf cart;
- (14) Signed Waiver of Liability by applicant releasing the Village and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from the operation of their Golf Carts and/or Recreational Off-Highway Vehicles on Village Streets;
- (15) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
- (16) 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 designated representative to ensure that the vehicle is safe to operate on Village 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 Village Streets;
- (3) The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.

(D) The Village 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 Village Clerk shall be authorized to issue a permit on only such days as may be approved by the Village Board of Trustees.
- (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 Fun Day 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 Village of Tolono.

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