

ORDINANCE NO. 22-020

AN ORDINANCE REGULATING THE OPERATION OF CERTAIN
GOLF CARTS, LOW SPEED VEHICLES AND OTHER NON-HIGHWAY VEHICLES
WITHIN THE CITY OF MONMOUTH

WHEREAS, the City of Monmouth is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Monmouth as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including but not limited to, the power to legislate for the protection of the public health, safety and welfare; and

WHEREAS, Section 11-1426.1 of the Illinois Vehicle Code (625 ILC 5/11-1426.1) authorizes that City to allow the operation of non-highway vehicles on roadways under its jurisdiction if the City finds that public safety would not be jeopardized; and

WHEREAS, before allowing the operation of non-highway vehicles on its roadways, Section 11-1426.1 of the Vehicle Code requires the City to consider the volume, speed, and character of traffic on the roadways on which non-highway vehicles are to be allowed; and

WHEREAS, the City Council and Public Safety Officials the City of Monmouth has studied and considered the volume, speed and character of traffic on the City's streets, alleys and roadways and has concluded that allowing the operation of non-highway vehicles on public streets, alleys and roadways within the City in the manner set forth herein will not jeopardize public safety; and

WHEREAS, the City Council of the City of Monmouth finds that the operation of certain non-highway vehicles on the public streets, alleys and roadways within the City will not jeopardize public safety.

BE IT, THEREFORE, ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONMOUTH, ILLINOIS, as follows:

Section 1:

CHAPTER 80 GOLF CARTS

- 80.1 Definitions
- 80.2 Operation of Non-Highway Vehicles
- 80.3 Registration; Fees
- 80.4 Application of Traffic Laws
- 80.5 Penalty

SECTION 80.1 DEFINITIONS. As used in this Article, the following terms shall have the meanings indicated below.

A. GOLF CART: 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.

B. ILLINOIS VEHICLE CODE: Chapter 625, Act 5 of the Illinois Compiled Statues (625 ILCS 5/1-101 et seq.) as amended or replaced from time to time.

C. NON-HIGHWAY VEHICLE: A motor vehicle not specifically designed to be used on a public highway, including (1) golf carts, (2) all-terrain vehicles, as defined by section 1-101.8 of the Illinois Vehicle Code, (3) off-highway motorcycles, as defined by Section 1-153.1 of the Illinois Vehicle Code, and (4) recreational off-highway vehicles, as defined by section 1-168.8 of the Illinois Vehicle Code.

D. PERMITTED NON-HIGHWAY VEHICLE: A motor vehicle as defined by section 1-168.8 of the Illinois Vehicle Code, provided said motor vehicle has two (2) or more non-straddle seats or a bench seat(s) and a steering wheel, not having handlebars. Not all Non-Highway Vehicles shall be Permitted Non-Highway Vehicles.

E. LOW SPEED VEHICLES: A low speed vehicles (LSV) as defined by Section 1426.1 of the Illinois Vehicle Code provided that said LSV meets the additional requirements of this ordinance.

SECTION 80.2 OPERATION OF NON-HIGHWAY VEHICLES

A. The use and operation of Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles, as defined in Section 80.1 A., D. and E. above, on the public streets, roadways and alleys of the City shall be permitted, subject to the provisions of this Article. The operation of

any non-highway vehicle other than Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on public streets, roadways, and alleys within the City is strictly prohibited.

B. No person may operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on any public street or roadway where the posted speed limit is more than 30 miles an hour.

C. In addition to the foregoing, no person may operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on any portion of the following streets:

1. Broadway
2. Main Street
3. South Sunny Lane
4. West 11th Ave.
5. South D St. – from West 11th Ave. to West 6th Ave.
6. West 6th Ave. – from South C St. to South Main St.
7. Highways 34 and 67
8. Harlem Ave. from Highway 34/67 to North 6th St.
9. North 11th St from Broadway to Highway 34
10. Public Square
11. North 6th Street and North 6th Street Road (from Broadway to the northern city limits)
12. Any roadway designated as a truck route except for South D St. north of West 6th Ave.

Crossing of the above streets is permitted.

D. No person may operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles pursuant to this Article unless he or she has a valid driver's license issued in his or her name by the Illinois Secretary of State or a foreign jurisdiction.

E. No person may operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles pursuant to this Article unless said Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles are equipped, at a minimum, with the following equipment: a windshield; seat belt; brakes; a steering wheel; tires; a rearview mirror; red reflectorized warning devices in the front and rear; and a slow moving emblem (as required of other vehicles in Section 12-709 of the Illinois Vehicle Code) on the rear of the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles; a headlight that emits a white light visible from a distance of 500 feet to the front; a tail lamp that emits a red light visible from at least 100 feet from the rear; brake lights, and turn signals.

F. No person may operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on a sidewalk or other public area designated for pedestrian use.

G. No person shall operate, and no owner shall permit another person to operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on a city streets unless: 1) the Golf Cart, Permitted Non-Highway Vehicle and Low speed vehicle is covered by a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601); and 2) the operator of the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles carries with him proof of liability insurance as required by Section 7-602 of -the Illinois Vehicle Code (625 ILCS 5/7-602).

SECTION 80.3 REGISTRATION; ANNUAL INSPECTION; FEES

A. No person shall operate Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on a public street, roadway or alley within the City without first registering the same with the Police Department in the manner herein provided. The owner shall furnish the Police Department with his or her name and address, the make and serial number of the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles, and any other information as the Police Department may require, including an insurance card for said Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles. An annual inspection fee of \$50.00 for each Golf Cart, Permitted Non-Highway Vehicle and Low speed vehicle shall be required upon said Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles.

B. Any individual seeking to register a Golf Cart, Permitted Non-Highway Vehicle and Low speed vehicle pursuant to this Section shall be required to demonstrate to the Police Department that the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicle complies with the minimum equipment standards set forth in Section 80.2 E. hereof.

C. Upon annual registration of a Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles and payment of the registration fee provided for herein, the Police Department shall issue to the owner a registration sticker to be firmly attached to the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles in such a manner as the Chief of Police shall prescribe.

D. The annual registration fee for any Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles shall be One Hundred (\$100.00) Dollars, which shall be due at the time of registration and shall be valid until the following April 30th (there shall be no prorated registration fee) when said registration shall be renewed if the owner intends to drive the Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles within the city limits for the City of Monmouth. Said annual registration fee is in addition to the Annual Inspective Fee

referred to in Section 80.3 A. All Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles must prominently display a registration sticker issued by the City of Monmouth, on its front or rear windshield.

E. In addition to any fines or penalties set forth in Section 80.5 below, any person found to be in violation of any of the provisions of this Article or of Section 11-1426.1 of the Illinois Vehicle Code two or more times within a twelve (12) month period shall be subject to revocation of the registration of any Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles registered to such individual pursuant to this Chapter. No registration shall be revoked except by the City Administrator, after duly noticed hearing held by him or his designee. No refund of the registration fee will be granted in the event of a revocation, and no Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles may be registered or operated by such individual for a period of one year following the revocation. After the period of revocation has passed such individual may again register his or her Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles with the City by providing the information and paying the fee set forth in this Section.

SECTION 80.4 APPLICATION OF TRAFFIC LAWS. Every person operating a Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles upon a public street, roadway, or alley within the City shall be subject to all of the provisions of this Title, as well as the laws of this state applicable to the operation of Golf Carts, Permitted Non-Highway Vehicles and Low speed vehicles on public streets and roadways, including but not limited to the provisions of Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1).

SECTION 80.5 PENALTY. Any person or the owner of any vehicle regardless of the driver, found to be in violation of any of the provisions of this Chapter shall be subject to a fine of no less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each such violation. Every day that a violation occurs shall constitute a separate offense.

Section 2:

In all other respects, Chapter 80 of the Monmouth Code of Ordinances previously enacted shall remain in full force and effect.

Section 3:

This ordinance shall be in full force and effect ten (10) days after this due publication in pamphlet form, passage and approval thereof as provided by law.

PASSED this _____ day of _____, A.D., 2022.

APPROVED this _____ day of _____, A.D., 2022.

MAYOR

ATTESTED:

CITY CLERK

Ayes: _____

Nays: _____

Absent or not voting: _____