

ORDINANCE NO. 090811

FILED
AUG 14 2008
Willa M. Cluskey
COUNTY CLERK & RECORDER
SALINE COUNTY

AN ORDINANCE AUTHORIZING THE OPERATION OF QUALIFIED GOLF CARTS, UTILITY-TERRAIN VEHICLES (not intended for 4 wheelers) ON STREETS UNDER THE JURISDICTION OF THE VILLAGE OF GALATIA, ILLINOIS.

WHEREAS, the **Village Of Galatia** has determined that the operation of qualified golf carts, utility terrain vehicles, **(not intended for 4 wheelers)** should be allowed under certain conditions on the streets under the jurisdiction of the Village of Galatia; and

WHEREAS, the **Illinois Vehicle Code Section 625 ILCS 5/11-1428(e)** authorizes municipalities, by ordinance to permit qualified golf carts to operate in the streets under the jurisdiction of the municipality; and

WHEREAS, the **Illinois Vehicle Code Section 625 ILCS 5/11-1426(d)** authorizes municipalities by ordinance to permit qualified utility terrain vehicles as defined therein as "Neighborhood Vehicles" to be operated on the streets under the jurisdiction of the municipality if public safety would not be jeopardized:

WHEREAS, the **Village of Galatia** has considered the volume, speed and character of the traffic on the streets within its jurisdiction and has determined that, subject to the conditions stated herein and the provisions of **625ILCS 5/11-1428(e) and 625 ILCS 5/11 (d)**, has determined the qualified golf carts and utility-terrain vehicles, as defined herein, may safely operate on the streets within the jurisdiction of the village.

WHEREAS, the **Village of Galatia** shall enact an ordinance which shall allow qualified **golf carts and utility-terrain vehicles (not intended for 4 wheelers)** to operate on municipal streets upon the terms and conditions stated herein.

BE IT ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF GALATIA, ILLINOIS AS FOLLOWS:

A. **Golf carts and utility-terrain vehicles (not intended for 4 wheelers)**, as defined and qualified herein shall be allowed on village streets under the condition as stated herein.

B. Definitions:

1. A "**Golf Cart**" is defined as a motorized vehicle with three or four wheels that is not designed to be operated at a speed more than twenty-

five miles per hour (25 m.p.h.) whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.

2. **“Utility-Terrain Vehicle”(not intended for 4 wheelers)** shall mean a self-propelled, electrically powered four-wheel motor vehicle or a self-propelled gasoline or diesel powered four wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters which is capable of attaining in one mile speed of more than **15 miles per hour** but not more than **25 miles per hour** and which conforms to the federal regulations under **Title 49 C.F.R. Part 571.500**
3. **“Village Streets”** means any of the streets within the boundaries of the **Village of Galatia**.

C. Requirements:

All persons wishing to operate a golf cart or a utility-terrain vehicle on the village streets must ensure compliance with the following requirements:

1. Proof of **current liability insurance**.
2. Must be certified with the **village** and have the vehicles certified with the **village** by inspection by the **Chief of Police or designated representative**.
3. Must comply with the published **“Rules Concerning Alternate Transportation For the Village of Galatia”** as periodically updated.
4. Must have the **village decal** on the rear of the vehicle.
5. Must have current, valid **Illinois drivers license**.
6. Golf carts must be equipped as follows:
 - a. **Horn;**
 - b. **Brakes and Brake Lights;**
 - c. **Turn Signals;**
 - d. **A Steering Wheel Apparatus;**
 - e. **Tires;**
 - f. **Rearview Mirror;**
 - g. **Approved “Slow Moving Vehicle” emblem** on the **rear** of the vehicle (625 ILCS 5/12-709):
 - h. **Headlight** that emits a white light visible from a distance of **300 feet** to the front of which illuminated when in operation;
 - i. **Tail Lamp** that emits red light visible from at least **100 feet** from the rear which must be illuminated when in operation;
 - j. Any additional requirements which may be amended to **65 ILCS5/11-1428 or the Illinois Vehicle Code**.
7. Utility-terrain Vehicles must be equipped as follows:
 - a. **Brakes and Brake Lights;**
 - b. **Turn Signals on the front and rear;**

- c. **A steering wheel apparatus;**
 - d. **Tires;**
 - e. **Rearview Mirror;**
 - f. **Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);**
 - g. **Headlight that emits a white light visible from a distance of 300 feet to the front of which illuminate when in operation.**
 - h. **Tail Lamp that emits red light visible from at least 100 feet from the rear which must be illuminated when in operation.**
 - i. **Any additional requirements which may be amended to 625 ILCS 5/11 -1426 or the Illinois Vehicle Code.**
8. **Must obey all traffic laws of the State of Illinois and the Village of Galatia.**
 9. **Must be 18 years of age.**
 10. **Must be operated only on village streets, except where prohibited.**
 11. **May not be operated on Illinois State Route 34 except to cross highway at any intersection.**
 12. **Must not be operated in excess of posted speed limit and, with respect to utility terrain vehicles may not exceed 25 miles per hour.**
 13. **A person operating or is in actual physical control of a golf cart or utility terrain 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)**
 14. **Golf carts and utility-vehicle shall not be operated on sidewalks or in village parks other than parking areas.**
 15. **Golf carts and utility-terrain vehicles may not be operated on streets and highways and roads under the jurisdiction of Illinois Department of Transportation (Illinois State Route 34)**

D. PERMITS:

1. **No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from city clerk as provided herein. Permits shall be granted for a period of one (1) year and renewed annually. The cost of the permit is \$35.00. Insurance coverage to be**

verified by the Police Department when obtaining or renewing a permit.

2. Every application for a permit shall be made on a form supplied by the **village** and shall contain the following:
 - a. Name and address of **applicant**;
 - b. Name and Liability **insurance carrier**;
 - c. The **serial number, make, model and description of golf cart or utility-terrain vehicle**;
 - d. **Signed Waiver of Liability** by applicant releasing the **Village of Galatia** and agreeing to indemnify and hold the **village** harmless from any and all future claims resulting from any and all future claims resulting from the operation of their golf cart or utility terrain vehicle on the **Village of Galatia** streets;
 - e. **Photocopy of applicable liability insurance coverage card** specifically for the vehicle to be operated pursuant to the permit;
 - f. Such other information as the **village** may require.
3. No permit shall be granted unless the following conditions are met:
 - a. The vehicle must be inspected by the **Village Chief of Police (or designee)** to insure that the vehicle is safe to operate on city streets and is in compliance with this **ordinance** and with the **State of Illinois Motor Vehicle Code**;
 - b. A physically handicapped applicant must **submit a certificate signed by a physician** certifying that the applicant is able to safely operate a qualified golf cart or utility-terrain vehicle on village streets.
 - c. The applicant must provide **evidence of insurance** in compliance with provisions of the Illinois Statutes regarding **minimum liability insurance** for passenger motor vehicle to be operated on the roads of the State of Illinois
4. The **village** may **suspend or revoke a permit** granted hereunder upon finding that the holder there of has violated any provision of this ordinance or there is evidence that permittee cannot safely operate a qualified golf cart or utility-terrain vehicle on the designated roadways

E. VIOLATIONS:

Any person who violates any provisions of this **ordinance** shall be guilty of a **petty misdemeanor** and shall be punished by a **fine of \$75.00**. Any second or subsequent offense shall result in the revocation of the permit

for a period of not less than three (3) nor more than five (5) years. To the extent that any **violation of this ordinance** also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to **criminal prosecution**.

F. MISCELLANEOUS

1. In the event that a court of competent jurisdiction declares any particular provision of this **ordinance** to be invalid or unenforceable, the remaining provisions of this ordinance shall be construed to be valid and enforceable. The invalidity of any part of this ordinance shall not affect any part of parts thereof.
2. This ordinance shall be in full force and effect from and after passage and approval as provided by law.
3. Any ordinance, or portion thereof, of the **Village of Galatia** which is contrary to this ordinance shall be deemed to be repealed.

Adopted, Ordained and Approved this 11th day of August, 2008

David Harrawood
David Harrawood, Mayor

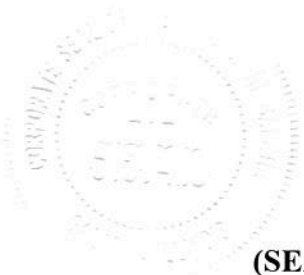
ATTEST:

Sharon Talandis
Sharon Talandis, Village Clerk

CERTIFICATION

I, Sharon Talandis, Village Clerk of the Village of Galatia, Saline County, Illinois do hereby certify the foregoing Ordinance # 080811 is the true and correct original ordinance passed and approved by the Galatia Village Board at the regular meeting duly convened on Aug. 08, 2008.

Sharon Talandis
Sharon Talandis, Village Clerk



(SEAL)