

CITY OF OGLESBY

ORDINANCE NO. 1081-091619

AN ORDINANCE AUTHORIZING GOLF CARTS/NEIGHBORHOOD VEHICLES
FOR USE WITHIN THE CORPORATE LIMITS OF THE CITY OF OGLESBY

ADOPTED BY THE CITY COUNCIL OF
THE CITY OF OGLESBY
THIS 16th DAY OF SEPTEMBER, 2019

Published in pamphlet form by authority of the City Council of the City of Oglesby, LaSalle County, Illinois, this 16th day of September, 2019.

STATE OF ILLINOIS)
) SS.
COUNTY OF LASALLE)

I, Amy Eitutis, certify that I am the duly elected and acting municipal clerk of the City of Oglesby, LaSalle County, Illinois.

I further certify that on the 16th day of September, 2019, the corporate authorities of the above municipality passed and approved Ordinance No. 1081-091619, entitled "An Ordinance Authorizing Golf Carts/Neighborhood Vehicles for Use Within the Corporate Limits of the City of Oglesby", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No 1081-091619, including the ordinance and cover sheet thereof, was prepared and a copy of such ordinance was posted in the municipal building, commencing on the 16th day of September, 2019, and continuing for at least ten days thereafter. Copies of the ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated in Oglesby, Illinois, this 16th day of September, 2019.



Municipal Clerk



AN ORDINANCE AUTHORIZING GOLF CARTS/NEIGHBORHOOD VEHICLES
FOR USE WITHIN THE CORPORATE LIMITS OF THE CITY OF OGLESBY.

WHEREAS, the City of Oglesby desires to create an ordinance allowing the use of golf carts within the corporate limits of the City of Oglesby, subject to the restrictions contained in this ordinance; and

WHEREAS, the corporate authorities of the City of Oglesby deem it to be in the best interests of the public health, safety, and welfare of the residents of the City of Oglesby to allow golf carts/neighborhood vehicles to be operated on certain streets in the City of Oglesby; and

WHEREAS, the City of Oglesby has been approached by local merchants and other community representatives who believe that the use of golf carts/neighborhood vehicles may be a potential economic development tool for further utilization of Oglesby businesses; and

WHEREAS, Section 11-80-2 (65 ILCS 5/11-80-2) of the Illinois Municipal Code grants to the corporate authorities of each municipality the power to regulate the use of streets or other municipal property.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMISSIONERS OF THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:

1. The recitals contained in the preamble to this ordinance are incorporated by reference as if set out in full herein.

2. There shall be added to Title 10, VEHICLES AND TRAFFIC a new chapter, Chapter 10.60 entitled GOLF CARTS/NEIGHBORHOOD VEHICLES which shall provide as follows:

Section 10.60.010 GOLF CARTS/NEIGHBORHOOD VEHICLES defined and permitted.

A "golf cart," as defined herein, means a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs, supervising the play of golf or maintaining the condition of the grounds on a public or private golf course.

A "Neighborhood Vehicle," as defined herein means any road-ready electric or gas powered four wheel vehicle which a maximum possible speed of 25 mph. This term includes reference to golf carts.

"City Streets" mean any of the streets within the boundaries of the City of Oglesby which have a posted maximum speed of 30 mph and is not a State

Highway.

The operation of golf carts/neighborhood vehicles (max. 25 mph) shall be permitted on streets under the jurisdiction of the City of Oglesby and/or with its intersection controlled by a traffic light or four-way stop sign upon or across any highway under the jurisdiction of the State of Illinois as set forth in Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1).

Section 10.60.020 COMPLIANCE WITH ILLINOIS VEHICLE CODE.

The operation of golf carts/neighborhood vehicles within the city shall be in accordance with all provisions of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.), including without limitation Section 11-1426.1 thereof (625 ILCS 5/11-1426.1). All golf carts/neighborhood vehicles must have, at a minimum, (i) the equipment and other items set forth in Section 11-1426.1 (e) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1 (e)) and (ii) a Type 1 or Type 2 seat belt assembly conforming to 59 C.F.R. 571.209 at each designated seating position.

No golf carts/neighborhood vehicle may be operated on a roadway unless it is "road ready" and equipped as follows:

- a) brakes and brake light;
- b) steering wheel apparatus;
- c) tires;
- d) rearview mirrors;
- e) approved "slow moving" emblem on the rear of the vehicle (625 ILCS 5/12-709);
- f) red reflector warning devices in front and rear;
- g) headlights that emit a white light visible from at least 100 feet from the rear, which must be illuminated when in operation;
- h) tail lamps that emit a red light visible from at least 100 feet from the rear, which must be illuminated when in operation;
- i) a golf cart/neighborhood vehicle must have its headlights and tail lamps lighted at all times when in operation as required by Section 12-201 of the Illinois Vehicle Code;
- j) windshields;
- k) horn with 250 feet of hearing distance;
- l) requirement of lap seat belt for drivers and passengers; and
- m) any additional requirements which may be amended.

Each driver and passenger of a golf cart/neighborhood vehicle operated on a street within the city shall wear a properly adjusted and fastened seat belt; except that a child less than eight years of age shall be protected in the same manner as such children are required to be protected when riding in motor vehicles under the Child Passenger Protection Act (625 ILCS 25/1 et seq.).

Section 10.60.030 PERMITS

No person shall operate a golf cart/neighborhood vehicle within the city without first obtaining a permit, or being listed as an additional operator under a permit, as provided herein. Permits shall expire on April 30 of each year. The cost of the permit shall be as set forth in this ordinance. Applications for a permit shall be made on a form supplied by the city, shall be executed by the applicant and each additional operator and shall contain the following:

- a) Name and address of applicant;
- b) Name and address of any additional operators;

- c) Name of liability insurance carrier and policy number;
- d) The serial number, make, model and description of golf cart;
- e) Signed waiver of liability by applicant releasing the City of Oglesby and its employees, and agreeing to indemnify and hold the city harmless from any and all future claims resulting from the operation of their golf cart/neighborhood vehicle on the Oglesby streets;
- f) Such other information as the city may require; and
- g) No permit shall be granted unless the following conditions are met:

- i) The vehicle must be inspected and approved by the Oglesby City Clerk's office;
- ii) A physically handicapped applicant or operator must submit a certificate by a physician, certifying that the applicant is able to safely operate a golf cart/neighborhood vehicle on city streets;
- iii) The applicant must provide evidence of insurance in compliance with the the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois;
- iv) The applicant must provide a copy of the driver's license of the applicant and each operator.
- v) All city permit fees are paid and up to date.

Permits may be renewed upon demonstration of compliance with the requirement for initial issuance of a permit and the payment of the permit fee. The cost of the permit is \$50.00.

Section 10.60.040 ADDITIONAL REQUIREMENT

The following requirements shall apply to the operation of golf carts/neighborhood vehicles within the City of Oglesby.

- a) The applicant and all operators must be at least 18 years of age.
- b) A city decal evidencing that a permit has been obtained shall be prominently displaced on the rear of the golf cart/neighborhood vehicle.

Section 10.60.050 VIOLATIONS

The City of Oglesby may choose to immediately suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Ordinance of there is evidence that permittee cannot safely operate a qualified golf cart/neighborhood vehicle on designated roadways.

Any person who violates any provision of this ordinance shall be guilty of a petty offense and shall be punished by a fine not to exceed \$500.00. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than one (1) year nor more than three (3) 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 be subject to criminal prosecution.

Golf carts/neighborhood vehicles shall be subject to impoundment to the same extent as other vehicles as set forth in Chapter 10.56 REGULATIONS, IMPOUNDMENT AND TOWING OF VEHICLES, of Title 10, VEHICLES AND TRAFFIC, of the Oglesby City Code.

Section 10.60.060

The operator of a golf cart/neighborhood vehicle on public roadways must obey all traffic laws of the State of Illinois and the City of Oglesby.

Golf carts/neighborhood vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation including State Highway 351 (Columbia Avenue) and that portion of Walnut Street lying west of Columbia Avenue (including County Highway 23/Richard Moyle Sr. Highway lying west of Columbia Avenue) except to cross the street or highways at approved intersections.

A person operating or who is in actual physical control of a golf cart/neighborhood vehicle as described herein on a roadway while under the influence of alcohol, other drug or drugs, intoxication compound or compounds or any combination thereof is subject to Section 1-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 through 11-502).

3. After passage, approval, and publication in pamphlet form as provided by law, this ordinance shall be in full force and affect as of October 1, 2019.


PASSED AND ADOPTED at a regular meeting of the City Council of the City of Oglesby, LaSalle County, Illinois, this 16th day of September, 2019, by an aye and nay roll call vote as follows:

CARRIE LIJEWSKI	<u> X </u> AYE; _____ NAY; _____ ABSENT; _____ PASS
JASON CURRAN	<u> X </u> AYE; _____ NAY; _____ ABSENT; _____ PASS
THOMAS ARGUBRIGHT	<u> X </u> AYE; _____ NAY; _____ ABSENT; _____ PASS
JAMES CULLINAN	<u> X </u> AYE; _____ NAY; _____ ABSENT; _____ PASS
DOMINIC RIVARA	<u> X </u> AYE; _____ NAY; _____ ABSENT; _____ PASS

APPROVED:



Dominic Rivara, Mayor



Amy Eituttis, City Clerk