

ORDINANCE NO. 857

**AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON STREETS
WITHIN THE VILLAGE OF TEUTOPOLIS AND REPEALING ORDINANCE NO. 835**

WHEREAS, residents of the Village of Teutopolis have requested that the Village permit the use of golf carts for transportation within the Village; and

WHEREAS, 625 ILCS 5/11-1426.1, *et seq.*, authorizes Illinois municipalities to regulate and allow golf cart usage within Illinois municipalities under certain circumstances and upon certain conditions; and

WHEREAS, the Board of Trustees of the Village has considered the volume, speed and character of traffic on the Village streets, and has determined that the usage authorized by this ordinance will not jeopardize the public safety; and

WHEREAS, the Board of Trustees of the Village has determined that golf carts may safely operate within the Village under certain circumstances and conditions; and

WHEREAS, it is the intent of this ordinance to regulate the use of golf carts within the corporate limits of the Village as provided by law.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, as follows:

Section 1: DEFINITIONS.

(1) The term "golf cart" shall have the meaning defined in 625 ILCS 5/1-123.9, namely, 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 maintain the condition of the grounds on a public or private golf course; provided, however, that the term shall not include an all-terrain vehicle as defined in 625

ILCS 5/1-101.8, nor an off-highway motorcycle as defined by 625 ILCS 5/1-153.1, nor a recreational off-highway vehicle as defined by Section 1.168.8, nor a vehicle capable of attaining speeds exceeding 20 miles per hour

(2) The term "Village street" means any street within the corporate limits of the Village, to the exclusion of state roads and county roads.

(3) The term "state road" means any highway under the jurisdiction of the State of Illinois, including U.S. Route 40.

(4) The term "county road" means any highway under the jurisdiction of Effingham County, Illinois, including the State Aid Road between State Street and Illinois Route 33.

Section 2: RULES AND REGULATIONS. Except as provided in this ordinance, it is unlawful for any person to drive or operate a golf cart upon any Village street, state road or county road within the Village. A person operating a golf cart on the Village streets, state roads or county roads must insure compliance with the following requirements, *i.e.*:

(1) Shall be subject to the mandatory insurance requirements specified by the Illinois Motor Vehicle Code for passenger vehicles.

(2) Must have a valid driver's license to operate a motor vehicle, issued by the State of Illinois or any other state.

(3) Must display the permit hereinafter mentioned in a visible location on the golf cart.

(4) Must be equipped with brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in 625 ILCS 5/12.709) on the rear of the golf cart, a headlight that emits a white light visible for a distance of at least 500 feet from the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, turn signals, horn, windshield, approved seat belts for the driver and all passengers, and a triangular orange flag displayed at the top of a six foot pole

mounted to the rear bumper..

(5) When operated on a roadway, a golf cart must have its headlight and tail lamps lighted as required by 625 ILCS 5/12-201.

(6) Must obey all traffic laws of the State of Illinois and Village of Teutopolis.

(7) Must be operated by a person of 21 years of age or older.

(8) May not be operated upon U.S. Route 40, except as stated herein.

(9) Any modification to the golf cart suspension may not exceed 6 inches in height.

(10) Must not exceed a speed of 20 miles per hour.

(11) Golf carts may only be operated on designated Village Streets from sunrise to sunset. They shall not be operated in inclement weather, nor when visibility is impaired by weather, smoke, fog, or other conditions limiting visibility, nor at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(12) A person who drives or is in the actual physical control of a golf cart on a Village street, state road or county road while under the influence of alcohol, drugs or intoxicating compounds is subject to 625 ILCS 5/11-501 through 625 ILCS 5/11-502, inclusive.

(13) Golf carts shall not be operated on sidewalks, or in parks or other public places within the Village, other than in designated parking areas.

(14) Golf carts may not be operated on state roads or county roads except to cross (i) Main Street at its intersection with Pearl Street, or (ii) Main Street at its intersection with Columbus Street. The Village will insure that proper signage is erected to designate the authorized crossing points.

Section 3. PERMITS.

(1) No person shall operate a golf cart without obtaining a permit from the Village Clerk as provided herein. Permits shall be granted for a period of one (1) calendar year and may

be renewed annually. A fee of \$50.00 shall be payable to the Village for a permit. The existence of the required insurance coverage shall be verified by the Village Clerk when issuing or renewing the permit.

(2) Every application for a permit shall be on a form supplied by the Village and shall contain the following information:

- (i) The name and address of the applicant.
- (ii) The name of the liability insurance carrier.
- (iii) The serial number, make, model and description of the golf cart.
- (iv) A signed waiver of liability by the applicant, releasing the Village of Teutopolis from any and all future claims resulting from the operation of the applicant's golf cart within the Village.
- (v) A photostatic copy of the liability insurance coverage card issued by the insurance carrier specifically applicable to the golf cart.
- (vi) Such other information as the Village may reasonably require to ensure compliance with this ordinance.

(3) No permit shall be granted unless the following conditions are met:

- (i) The golf cart must be inspected by the Village Chief of Police, or his designee, to insure that the vehicle is safe to operate on Village streets and is in compliance with the requirements of this ordinance.
- (ii) A physically handicapped applicant requiring a golf cart modified with hand controls must submit a certificate signed by a physician that the handicapped applicant is able to safely operate a motorized golf cart in compliance with this ordinance..

The Village Board may suspend or revoke a permit granted hereunder upon a finding that

the holder thereof has violated any of the provisions of this ordinance, or if there is evidence that the holder thereof cannot safely operate the motorized golf cart on the designated roadways.

Any person who violates any provisions of this ordinance shall be guilty of a petty offense and shall be punished by a fine of not less than \$25.00 and not more than \$100.00. In addition, a penalty may be imposed requiring any such person to perform some reasonable public service work such as, but not limited to, picking up litter in public parks or along public roads or the maintenance of public facilities.

Section 4. That all ordinances, or parts thereof, previously adopted and inconsistent herewith, are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Section 6. Passed and adopted by the Board of Trustees of the Village of Teutopolis, Effingham County, Illinois, on May 6, 2015, by the following vote:

Ayes: 6

Nays: 0

Absent: 0

Approved May 6, 2015.

Greg Hess
Village President

Attest:
Sharon Wise
Village Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF EFFINGHAM)

I, Sharon Will, Clerk of the Village of Teutopolis, Effingham County, Illinois, do hereby certify that I am the keeper of the records, files and seal of said Village. I do also certify that the foregoing is a true and complete copy of:

Ordinance No. 857, " AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON STREETS WITHIN THE VILLAGE OF TEUTOPOLIS AND REPEALING ORDINANCE NO. 835."

The aforesaid Ordinance was passed by the President and Board of Trustees of the Village by aye and nay vote at a meeting of the Board of Trustees held on May 6, 2015, as the same appears from the records and files in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Teutopolis, Illinois, on May 6, 2015.

Sharon Will
Village Clerk

(SEAL)

STATE OF ILLINOIS)
) ss.
COUNTY OF EFFINGHAM)

CERTIFICATE

I, Sharon Will, Clerk of the Village of Teutopolis, Effingham County, Illinois, do hereby certify that I am the keeper of the records, files and seal of said Village.

I further certify that on May 6, 2015, the President and Board of Trustees of such municipality passed and approved Ordinance No. 851, entitled " AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON STREETS WITHIN THE VILLAGE OF TEUTOPOLIS AND REPEALING ORDINANCE NO. 835" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 851 was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on May 7, 2015, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at Teutopolis, Illinois, on May 6, 2015.

Sharon Will
Village Clerk

(SEAL)