

VILLAGE OF HINCKLEY

ORDINANCE NO. 2016-05

**An Ordinance Regulating the Use of Golf Carts within the Village Limits of
Hinckley, Illinois**

**PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF HINCKLEY, DEKALB COUNTY, ILLINOIS
THIS 6th DAY OF September, 2016.**

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF HINCKLEY, DEKALB COUNTY, ILLINOIS
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BE IT ORDAINED by the President and Board of Trustees of the Village of Hinckley, DeKalb County, Illinois, as follows:

WHEREAS, the Village of Hinckley ("Village") is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Illinois Vehicle Code, Section 625 ILCS 5/11-1426.1 authorizes municipalities to enact ordinances regulating certain non-highway vehicles operating within its jurisdiction; and,

WHEREAS, upon due consideration of the traffic volume, speed, and character of traffic on Village roadways, the Village finds that it is in the best interest of the health, safety, and welfare of its residents to allow golf carts to travel on certain designated roadways within the Village and to enact an ordinance regarding the same.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinckley, DeKalb County, Illinois as follows:

SECTION ONE: Definitions

A. For purposes of this article, a "golf cart" is defined in § 625 ILCS 5/1-123.9 and 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, supervising the play or maintaining the condition of the grounds on a public or private golf course.

B. For purposes of this article, a "golf cart" specifically does not include all-terrain vehicles, off-highway motorcycles and any other vehicle which is not described within the foregoing definitions of "golf carts".

C. "Village streets" shall mean only those village streets designated in Exhibit "A" attached hereto and incorporated herein, by this referenced, located within the boundaries of the Village of Hinckley.

D. "State roads" shall mean all roads under the State's jurisdiction, include Illinois Route 30.

E. "Township roads" and "County roads" shall mean any roads under the jurisdiction of the township and/or county road districts, respectively, and shall include any roads outside the boundaries of the Village limits under such jurisdiction.

SECTION TWO: Requirements

All persons operating a golf cart on the designated streets of the Village must comply with the following requirements:

- A. Proof of liability insurance as is required by Article VI, Chapter 7 of the Illinois Vehicle Code.
- B. All golf carts must be registered with the Village and proof of such registration must be displayed on the rear of the vehicle.
- C. Each golf cart must be inspected by Village Police Chief or designated representative.
- D. Each golf cart must be equipped with seatbelts, a windshield, brakes, turn signals, a steering wheel apparatus, tires, a rearview mirror, red reflectorized warning devices in the rear, a slow moving vehicle emblem (as required by other vehicles in § 625 ILCS 5/12-709) on the rear of the vehicle or triangular orange flag at the top of a 6 foot pole on rear of cart, a headlight that emits a white light visible from a distance of five hundred (500) feet to the front, a tail lamp that emits a red light visible from at least one hundred (100) feet from the rear, and brake lights. When operated on a roadway in low light conditions or after dusk, a golf cart shall have its headlight and tail lamps lighted.
- E. Must obey all traffic laws of the State of Illinois and the Village of Hinckley.
- F. Must be 18 years of age or older.
- G. Can be driven on only those streets designated as Village streets as defined in Section 1(C) of this Ordinance, with the exception of crossing a state highway as defined in Section 1(D) and further described in Section 2(J) of this Ordinance, or use of State Route 30 from View Street to Wahlgren Street during daylight hours only.
- H. The driver of said golf cart must have a valid driver's license.
- I. The golf cart may only be driven on Village streets with a posted speed limit of 35 miles per hour or less, and the speed of said golf cart must not exceed 25 miles per hour.
- J. Crossing of State highways will only be allowed at perpendicular angles of 90 degrees with the exception of Section 2(G) of this Ordinance.
- K. Golf carts shall not be operated in inclement weather nor when visibility is impaired by

weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet.

L. A person who drives or is in actual physical control of a golf cart or recreational off-highway vehicle on a roadway while under the influence of alcohol or drugs is subject to the Illinois Vehicle Code Sections § 625 ILCS 5/11-500, § 625 ILCS 5/11-501, and § 625 ILCS 5/11-502.

M. Golf carts may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.

N. Golf carts may only be authorized on Village Streets as set forth in this Ordinance. Golf carts may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (Illinois Route 30) or any County Highway Department or Township Road District. Exceptions are defined under Sections 2(G) and 2(J) of this ordinance.

SECTION THREE: Permits

A. No person shall operate a motorized golf cart without obtaining a permit from the Village Clerk as provided herein. Permits shall be granted for a period of one (1) year and may be renewed annually beginning May 1 of each year. The cost of a permit is Thirty Five Dollars (\$35.00). Insurance coverage is to be verified in effect by the Village Clerk when renewing the permits.

B. Every application for a permit shall be made on a form supplied by the Village and shall contain the following information:

- The name and address of applicant.
- Name of liability insurance carrier
- The serial number, make, model and description of the golf cart.
- Signed waiver of liability by applicant releasing the Village from any and all future claims resulting from the operation of their golf cart pursuant to this article or any other Ordinance of the Village of Hinckley.
- Photostatic copy of applicable liability insurance coverage card specifically for the golf cart to be operated on Village Streets.
- Such other information as the Village may require.

C. No permit shall be granted unless the following conditions are met:

- The golf cart must be inspected by the Chief of Police (or designee) to insure that the vehicle is safe to operate on Village Streets and is in compliance with the requirements of this Article.
- Any handicapped applicant must submit a certificate signed by a physician that he is a

handicapped applicant and is able to safely operate a motorized golf cart on the roadways designated.

- The applicant must provide evidence of insurance in compliance with the provisions of Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

D. A golf cart will be allowed to be driven to the police department to have the vehicle inspected and permitted, if the requestor has called ahead and arranged with the Chief of Police (or designee) a specific meeting time.

SECTION FOUR: Enforcement

A. The Village may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this article or if there is evidence that the permit holder cannot safely operate the motorized golf cart on the designated roadways.

B. Every person operating a golf cart pursuant to permit hereunder on designated Village streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the State highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts.


C. Any person who violates any provision of this article shall upon conviction be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and the costs of prosecution. A second conviction shall result in suspension of permit for the remainder of the calendar year.

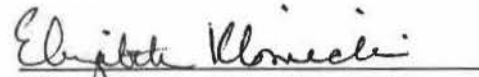
D. Upon conviction of operating a golf cart on a state highway, other than crossing at the designated locations (as defined in "Requirements" section G and J of this ordinance), shall result in a fine no less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) plus court costs. A first conviction shall result in suspension of permit for the remainder of the calendar year.

SECTION FIVE: Effective Date:

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Hinckley, DeKalb County, Illinois this 6th day of September, 2016.


President of the Board of Trustees
of the Village of Hinckley, DeKalb
County, Illinois

ATTEST: 
Village Clerk of the Village of
Hinckley, DeKalb County, Illinois

	Aye	Nay	Absent	Abstain
Trustee Joseph Diedrich	—	—	X	—
Trustee Nancy Nelson	—	X	—	—
Trustee Dale Clark	X	—	—	—
Trustee Mike Constant	X	—	—	—
Trustee Mark Wrzeciona	—	—	X	—
Trustee Jeff Nier	X	—	—	—
President James Roderick	—	—	—	—