



ORDINANCE NO. #O19-06-02

AN ORDINANCE CREATING CHAPTER 10.46 - "GOLF CARTS AND LOW SPEED VEHICLES"
BY AMENDING "TITLE 10 – VEHICLES AND TRAFFIC" OF THE CODE OF ORDINANCES
OF THE VILLAGE OF CARY

ADOPTED BY THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF CARY THIS 18th DAY OF JUNE, 2019

Published in pamphlet form by
authority of the Mayor and
Board of Trustees of the Village
of Cary, McHenry County, Illinois
this 18th day of June 2019

WHEREAS, the Village is authorized to enact certain ordinances and make rules and regulations proper or necessary in accordance with the Illinois Municipal Code (65 ILCS 5/1-2-1); and,

WHEREAS, the Illinois Vehicle Code (625 ILCS 5/11- 1426.1 – Operation of Non-Highway Vehicles on Streets, Roads, and Highways) authorizes municipalities to regulate Non-Highway Vehicle use of their streets, roads, and highways under its jurisdiction; and,

WHEREAS, the Illinois Vehicle Code (625 ILCS 5/11- 1426.2 – Operations of Low-Speed Vehicles on Streets) authorizes municipalities to regulate Low-Speed Vehicles use of the streets, roads, and highways under its jurisdiction; and,

WHEREAS, staff members of the Village of Cary conducted a study of the traffic (speed, volume and categories of vehicles) and characteristics of the roadways and determined that the public safety will not be jeopardized by allowing such vehicles to be operated upon certain streets and roadways within the Village; and,

WHEREAS, the exercise of the powers granted to the Village of Cary through both the Illinois Municipal Code and Illinois Vehicle Code can address the requests made by the residents of the Village and ensure public safety; and,

WHEREAS, the Mayor and Village Board of Trustees have determined amendment to the Municipal Code is in the best interest of the Village of Cary.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Cary as follows:

SECTION 1: That the above recitals are incorporated as if fully set forth herein.

SECTION 2: That the Code of Ordinances of the Village Of Cary is hereby amended by adding a new chapter designated and titled "Chapter 10.46 – Golf Carts and Low-Speed Vehicles" to the current provisions of "Title 10 – Vehicles and Traffic of the Municipal Code", said new Chapter to immediately follow the current "Chapter 10.44 – Pedestrians", of said Title 10, said new Chapter 10.46 to read in its entirety as follows:

CHAPTER 10.46. – GOLF CARTS AND LOW SPEED VEHICLES

Sec. 10.46.010. – Golf Carts.

Only properly equipped golf carts as defined and provided for by the Illinois Vehicle Code may be operated on specifically designated Village of Cary streets or roadways.

Sec. 10.46.020. - Operators.

Only an individual that possesses a valid driver's license issued by the State of Illinois or any other foreign jurisdiction may operate a golf cart or low speed vehicle upon any designated Village street or roadway. Any such person must also comply with the mandatory insurance requirements under the Illinois Vehicle Code.

Sec. 10.46.030 – Low Speed Vehicles

Only low speed vehicles that conform to the requirements set forth in 49 CFR part 571.205 may be operated on any Village street or roadway with a posted speed limit of 30 miles per hour or less. Operation of a low speed vehicle also requires compliance with the mandatory insurance requirements of the Illinois Vehicle Code.

Sec. 10.46.040 – Designated streets and roadways authorized for the operation of golf carts

Properly equipped golf carts may only be operated on roadways with posted speed limits of 35 mph or less. Further, golf carts may only operate on the following Village of Cary streets or roadways:

- A. Cary Avenue east of Cary Point Drive
- B. Marquette Avenue
- C. Mildred Avenue

Sec. 10.46.050 – Application of Illinois Vehicle Code to operation of golf carts or low speed vehicles

Operators of golf carts or low-speed vehicles must comply with the rules governing the operation of motor vehicles specified at Sections 11-1426.1 and 11-1426. 2 in the Illinois Vehicle Code while driving upon any Village street or roadway.

SECTION 3: That the Code of Ordinances of the Village Of Cary is hereby further amended by adding a new chapter designated and titled "Chapter 10.46 – Golf Carts and Low-Speed Vehicles" to the Table of Contents of by amending the current Title 10 – Vehicles and Traffic of the Municipal Code in the Table of Contents , to add those provisions shown in italics and underscored below, to read as follows:

CODE OF ORDINANCES OF THE VILLAGE OF CARY

Title 10 - VEHICLES AND TRAFFIC

CHAPTER 10.04. - DEFINITIONS

CHAPTER 10.08. - RULES OF THE ROAD

CHAPTER 10.12. - TRAFFIC CONTROL

CHAPTER 10.16. - STREETS AND INTERSECTIONS

CHAPTER 10.24. - VEHICLE EQUIPMENT AND CONDITION

CHAPTER 10.26. - REGULATING SIZE AND WEIGHT OF VEHICLES

CHAPTER 10.32. - PARKING

CHAPTER 10.33. - CARY SQUARE TRAFFIC REGULATIONS

CHAPTER 10.34. - SAINTS PETER AND PAUL SCHOOL AND CHURCH PROPERTY TRAFFIC
REGULATIONS

CHAPTER 10.40. - MOTORCYCLES

CHAPTER 10.44. - PEDESTRIANS

CHAPTER 10.46 – GOLF CARTS AND LOW SPEED VEHICLES

Sec. 10.46.010. - Golf carts.

Sec. 10.46.020. - Operators.

Sec. 10.46.030 - Low speed vehicles.

Sec. 10.46.040 - Designated streets and roadways authorized for the operation of golf carts.

Sec. 10.46.050 - Application of Illinois Vehicle Code to operation of golf carts or low-speed
vehicles.

CHAPTER 10.48. - BICYCLES

CHAPTER 10.50. - TOWING AND IMPOUNDMENT OF VEHICLES

CHAPTER 10.52. - PENALTY

CHAPTER 10.54. - SNOWMOBILES

SECTION 4: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed as to the provisions of this Chapter 10.46 to the extent of such conflict.

SECTION 5: If any part or parts of this Ordinance shall be held invalid for any reason such decision shall not affect the validity of the remaining part or parts of this Ordinance.

SECTION 6: This Ordinance shall be in full force and effect 10 days from and after its passage and approval and its publication in pamphlet form, according to law.

PASSED THIS 18th DAY OF JUNE, 2019

AYES: Betz, Collier, Kraus, McAlpine, Weinhammer, Covelli

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED THIS 18th DAY OF JUNE, 2019



Mark Kownick, Mayor

ATTEST:


Susan Greene, Deputy Village Clerk