

ORDINANCE NO. 03-13-09-17**ORDINANCE ADDING CHAPTER 10.32 ENTITLED
“GOLF CARTS AND LOW-SPEED VEHICLE OPERATION ON VILLAGE STREETS”
TO TITLE 10 ENTITLED “VEHICLES AND TRAFFIC”**Recitals

- A. The Illinois Vehicle Code, Chapter 625, Act 5, of the Illinois Compiled Statutes (“Code”) grants the Village the authority to authorize a person to drive and operate Golf Carts and Low Speed Vehicles on Village Streets. Section 11-1426.2 authorizes low-speed vehicles and Section 11-1426.1 authorizes golf carts.
- B. The Village has determined that the public safety will not be jeopardized by enacting this Chapter and Golf Carts and Low-Speed Vehicles may safely operate on Village Streets if they comply with the State requirements.
- C. This chapter is adopted in the interest of public safety and transportation efficiency.
- D. All persons operating Golf Carts and Low-Speed Vehicles must be observant of, and attentive to, the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians.
- E. All persons who operate or ride in Golf Carts and/or Low-Speed Vehicles on Village Streets do so at their own risk and peril.
- F. The Village disclaims any liability under any theory of liability for permitting golf carts and Low-Speed Vehicles to be operated on Village Streets.

BE IT ORDAINED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF TAMPICO, WHITESIDE COUNTY, ILLINOIS, as follows:

SECTION I: Title 10 is hereby amended to add Chapter 10.32 which chapter shall be entitled Non-Highway Vehicle Operation on Village Streets and shall state in its entirety as follows:

A. DEFINITIONS. For purposes of this Chapter, the following terms shall have the definitions as set forth herein:

1. Low Speed Vehicle. For purposes of this chapter, a Low-Speed Vehicle means a vehicle authorized by State law in Section 11-1426.2 of the Code as amended and currently defined in the Code as any four-wheeled vehicle with a maximum speed greater than 20 miles per hour, but not greater than 25 miles per hour that conforms with the Federal motor vehicle safety standards set forth in 49 C.F.R. Part 571.500.

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2. Golf Cart. For purposes of this Chapter, a Golf Cart means a vehicle authorized by State law in Section 11-1426.1 of the Code as amended and currently defined in the Code as 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 maintaining the condition of the grounds on a public or private golf course.

3. Village Streets. The portion of any street, alley or roadway, improved, designed, or ordinarily used for vehicle travel or parking, located within the boundaries of the Village of Tampico, Illinois.

4. Code. The Illinois Vehicle Code in Chapter 625 Act 5 of the Illinois Compiled Statutes.

5. Neighborhood Vehicle. Neighborhood Vehicle, when used herein shall mean collectively a Golf Cart and Low-Speed Vehicle as each are defined herein.

B. REQUIREMENTS. A person may operate a Neighborhood Vehicle on the Village Streets if the person and Neighborhood Vehicle comply with all the following requirements and conditions:

1. Neighborhood Vehicles shall be certified by the Chief of Police, after inspection by a Village designated representative. If the vehicle is certified by the Chief, a permit shall be issued by the Chief evidenced by a decal which shall be affixed to the rear of the vehicle.

2. All permits shall expire on January 1st of each year, unless renewed.

3. Comply with the published “Rules Concerning Operation of Neighborhood Vehicles on Village Streets” as determined by the Mayor and Village Council.

4. Must have current, valid driver’s license issued to the operator and the operator must be at least sixteen (16) years of age.

5. No Neighborhood Vehicles shall be operated on any Village Street unless equipped with all of the following in good operating condition:

- (a) Brakes and brake lights;
- (b) Turn signals;
- (c) Steering wheel apparatus;

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- (d) Tires;
 - (e) Rearview mirror;
 - (f) “Slow Moving Vehicle” emblem on the rear of the vehicle as required by Section 12-709 of the Code;
 - (g) Red reflectorized warning device in the front and rear;
 - (h) Headlight that emits a white light visible from a distance of 500 feet to the front which will illuminate when in operation;
 - (i) Tail lamp that emits red light visible from at least 100 feet from the rear which must illuminate when in operation;
 - (j) Slow moving vehicle flag on a pole affixed to the Neighborhood Vehicle.
6. Comply with the mandatory insurance requirements under Article VI of Chapter 7 of the Code; and must possess proof of liability insurance meeting those requirements.
 7. Any other applicable requirements of the Code as may be amended from time to time.
 8. Yield to the right of way to all other vehicles and pedestrians at all times;
 9. Wear a seat belt if the Neighborhood Vehicle is equipped with a seat belt. Children must be properly seated, with seatbelts for children under 6 years of age, while said Neighborhood Vehicle is in motion, and may not be transported in a negligent manner.
 10. Obey all traffic laws of the State of Illinois and the Village of Tampico.
 11. A Golf Cart or Neighborhood Vehicle operating at any time between one-half hour before sunset and one-hour hour before sunrise must be equipped with head lamps and tail lamps and the head lamps and tail lamps must be lighted.
 12. Operation is prohibited on sidewalks or Village parks other than parking areas.
 13. A Neighborhood Vehicle may not be operated in excess of 25 miles per hour or the posted speed limit, whichever is lower.

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14. Neighborhood Vehicles shall be allowed to cross a State highway or a County roadway if the operator of the vehicle makes a direct crossing at an intersection, and:

(a) the crossing is made at an angle of approximately 90 degrees to the direction of the street, road or highway at a place where no obstruction prevents a quick and safe crossing;
(b) the Neighborhood Vehicle is brought to a complete stop before attempting a crossing;

(c) the operator of Golf Cart or Neighborhood Vehicle yields the right of way to all pedestrian and vehicle traffic which constitutes a hazard.

15. The operator and the Neighborhood Vehicle shall be subject to inspection by the Chief of Police or a representative of the police department at any time.

16. A Neighborhood Vehicle shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog or other condition, or at any time when light is insufficient to clearly see persons or vehicles on the Village Streets at a distance of 500 feet, in an unsafe or reckless manner, or in violation of any provision of this chapter.

17. Any person who operates a Neighborhood Vehicle on the streets of the Village of Tampico must adhere to all applicable State Laws concerning the possession and use of alcoholic beverages and all other illegal drugs, as well as all other state traffic laws.

18. Neighborhood Vehicle Drivers must yield the right-of-way to overtaking vehicles at all times.

19. The maximum occupancy of Neighborhood Vehicles traveling on Village Streets shall be one person per bucket seat or two people per bench seat.

C. PERMITS.

1. No person shall operate a Neighborhood Vehicle without first obtaining a permit from the Chief of Police as provided herein. Permits shall be granted for a period of one year. The cost of a permit shall be determined by the Mayor and Village Council and set forth in a schedule of fees which shall be maintained on file and available for public inspection in the office of the Village Clerk and which may be established and changed from time to time by a majority vote of the Mayor and Village Council. Insurance coverage shall be verified by the police department when issuing or renewing a permit.

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

- (a) Name and address of applicant;
- (b) Name of liability insurance carrier and policy number;
- (c) The serial number, make, model and description of the Neighborhood Vehicle;
- (d) Signed waiver of liability by applicant releasing the Village of Tampico and its officers, Mayor, Commissioners and employees and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from the operation of their Neighborhood Vehicle on the Village Streets;
- (e) Photocopy of applicable liability insurance coverage card 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 Chief of Police (or designee) to insure that the Neighborhood Vehicle is safe to operate on Village Streets and is in compliance with this Chapter and the 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 Neighborhood Vehicle on Village streets;
- (c) The applicant must provide evidence of insurance in compliance with the provisions of all applicable Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois;

4. The Village may suspend or revoke a permit granted hereunder upon a determination by the Chief of Police in his or her sole discretion, that the holder thereof has violated any provision of this Chapter or the Code or that the holder cannot safely operate a qualified Neighborhood Vehicle on Village Streets.

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D. PENALTY. Any person who violates any provisions of this Chapter or any person who operates a Neighborhood Vehicle in violation of any provisions of this Chapter shall be punished by a fine of not less than \$100.00 nor more than \$750.00 for each offense. Any second or subsequent offense shall result in a revocation of the authority to operate a Neighborhood Vehicle on Village streets for a period of not less than three years. The length of the revocation shall be determined by the Mayor and Village Council. In addition, all court costs, which shall include all costs incurred by the Village in prosecuting the case, shall be recoverable from anyone convicted of a violation of this chapter.

E. SIGNAGE. The Village shall erect appropriate signs required by any applicable law or regulation and such other signs the Village determines appropriate. Operators shall obey all signage.

SECTION II: This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the Mayor and Village Council of the Village of Tampico, Whiteside County, Illinois, on the 17th day of September, 2013, and deposited and filed in the office of the Village Clerk in said Village on that date pursuant to roll call vote as follows:

Elected Trustees - 5

AYES: 5

NAYES: 0

ABSENT: 0

Kathy A. Leathers
 Village Clerk of the Village of Tampico,
 Illinois

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Approved by the Mayor of the Village of Tampico, Illinois, this 17th day of
September, 2013.

Kristine L. Hill
Mayor of the Village of Tampico, Illinois

ATTEST:

Kathy A. Leathers
Village Clerk of the Village of Tampico, Illinois

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