

ORDINANCE NO. 536

AN ORDINANCE PROVIDING FOR THE USE AND REGULATION OF  
GOLF CARTS WITHIN THE VILLAGE OF GRIDLEY, MCLEAN COUNTY,  
ILLINOIS

WHEREAS, Section 11-1426.1 of the Illinois Vehicle Code, *625 ILCS 5/11-1426.1* enables the Village to authorize by ordinance or resolution, the operation of properly equipped neighborhood vehicles and golf carts as defined therein on roadways under the jurisdiction of the Village, subject to restrictions and limitations imposed by said statute and any further restrictions imposed by the Village of Gridley, and

WHEREAS, as required by said statute, the Village Board of Trustees has considered the volume, speed and character of traffic on roadways under the jurisdiction of the Village having a posted speed limit of 30 miles per hour or less and has determined that the public safety will not be jeopardized by the operation of properly equipped golf carts on said roadways in accordance with said statute and this Ordinance, and

WHEREAS, the Village Board of Trustees has determined that it is in the public interest to allow the operation of properly equipped neighborhood vehicles and golf carts on roadways under the jurisdiction of the Village having a posted speed limit of 30 miles per hour or less in accordance with said statute and this Ordinance, and that Chapter 6, Article 6 of the Revised Ordinances of the Village of Gridley should be amended as hereinafter provided.

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

That the existing Chapter 6 of the Revised Ordinances of the Village of Gridley shall be amended with the addition of Article 6 as follows:

**SECTION 1. Neighborhood Electric Vehicles and Golf Carts**

**1. Definition of Neighborhood Electric Vehicles and Golf Carts.**

As used in this Ordinance, the term “neighborhood vehicle” shall have the definition as currently set forth in Section 11-1426.1 and 1-148.3m of the Illinois Vehicle Code, *625 ILCS 5/11-1426.1* and *625 ILCS 5/1-148.3m* and shall be equipped with all safety systems and equipment as required by said statute. Additionally, the term “golf cart” shall have the definition as currently set forth in Section 11-1426.1 and 1-123.9 of the Illinois Vehicle Code, *625 ILCS 5/11-1426.1* and *625 ILCS 5/1-123.9*. To be operated

on a roadway, neighborhood vehicles and golf carts must have, at a minimum, brakes, steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the golf cart, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible at least 100 feet from the rear, brake lights, turn signals, a windshield and any and all other safety equipment required to be installed and operational on such vehicles as set forth in Section 11-1426.1 cited above. "All-terrain vehicles" (ATV's) and "Low-speed vehicles" as defined in the Illinois Vehicle Code are not authorized on Village streets and alleys.

## **2. Operation of Neighborhood Electric Vehicles and Golf Carts.**

Subject to the requirements of Sections 11-1426.1 of the Illinois Vehicle Code, *625 ILCS 5/11-1426.1*, which are hereby adopted by the Village, and to the provisions of this article, drivers 18 years of age or older and properly licensed to operate motor vehicles on the roadways of the Village shall be authorized to operate neighborhood vehicles and golf carts on the roadways of the Village having a posted speed limit of 30 miles per hour or less. A neighborhood vehicle or golf cart meeting the definition under said Section 11-1426.1 shall be permitted to cross a State highway only at an intersection controlled by a traffic light or a 4-way stop sign and where the State highways has a speed limit of 35 miles per hour or less at the place of crossing. Such vehicles shall not be allowed on Village sidewalks, and shall not be allowed on Village streets or alleys between sundown and sunup.

## **3. Annual Registration of Neighborhood Vehicles and Golf Carts.**

No neighborhood vehicle or golf cart shall be operated on any street or alley of the Village unless the owner(s) thereof shall have first registered such vehicle with the Village in accordance with the following:

- (a) Registration of neighborhood vehicles and golf carts shall be administered by the Chief of Police and his designees, and applications for registration shall be made on a form prescribed by the Village, said form to include a statement under oath or penalties of perjury that the neighborhood vehicle or golf cart proposed to be registered meets the definition under this article, and shall be accompanied by an annual registration fee of \$35.00 and proof of liability insurance for said

neighborhood vehicle having at least the same limits as required from time to time for motor vehicles under the mandatory insurance law of the State of Illinois.

- (b) Registered neighborhood vehicles and golf carts shall be issued a sticker which shall be affixed to the vehicle in a prominent visible location as directed by the Chief of Police, or his designees.
- (c) Registrations shall be effective for a period of one year from the date of issuance and shall be renewed annually in the same manner as the original registration.
- (d) Registrations shall not be transferable in the event of change of ownership.
- (e) Registrations shall be subject to revocation by the Chief of police in the event of a violation of the requirements of Section 11-1426.1 of the Illinois Vehicle Code, 625 *ILCS 5/11-1426.1*, or any of the provisions of this Article. A revocation shall be made in writing and shall set forth the provision(s) of statute or ordinance found to be violated. Revocations may be appealed in writing to the Village Board of Trustees fourteen (14) days from the issuance of the revocation, and if appealed, the Village Board of Trustees shall hold a public hearing at which the affected owner may appear, present witnesses and evidence, and be represented by an attorney. The Village Board of Trustees shall uphold the revocation if it determines by a preponderance of the evidence presented at the hearing that the violation which was the basis for the revocation occurred. During the appeal process, the revocation shall remain in full force and effect.
- (f) In the event a registration is revoked due to a failure to maintain the required liability insurance or a failure to maintain the condition of the neighborhood vehicle or golf cart in compliance with this article, including but not limited to, maintaining the required safety systems, the Chief of Police, in his discretion, may reinstate the registration upon documentation of reinstatement of the required insurance or of the repair or modification of the neighborhood vehicle or golf cart necessary to cure any deficiencies, as applicable, if the Chief of Police determines that the violation was not intentional and is not likely to recur.

#### **4. Inspection of Neighborhood Vehicles and Golf Carts.**

Neighborhood vehicles and golf carts registered, or proposed to be registered, pursuant to this article shall be subject to inspection by the Chief of Police, or his designees, at any

time to determine that said vehicle meets, and continues to meet, the definition thereof as set forth in this article, particularly the provisions for maintenance in operating condition of required safety systems and equipment.

**5. Mandatory Insurance.**

The owner of any neighborhood vehicle or golf cart registered under this article shall continuously maintain liability insurance for said vehicle having at least the same limits as required from time to time for motor vehicles under the mandatory insurance law of the State of Illinois.

**6. Operation Limited to Licensed Drivers.**

No person under the age of 18 years or who is not properly licensed to operate motor vehicles on the roadways of the Village shall operate a neighborhood vehicle or golf cart within the Village, and the provisions of Section 6-107 of the Illinois Vehicle Code, 625 *ILCS 5/6-107* providing for graduated licenses for young drivers shall be fully applicable to the operation of such vehicles.

**7. Other Laws, Regulation and Ordinances.**

Neighborhood vehicles and golf carts shall be operated at all times in accordance with the provision of the Illinois Vehicle Code, the rules of the road contained therein, and any other laws, regulations or ordinances governing the operation of motor vehicles in the Village, as well as any laws, regulations or ordinances specifically pertaining to neighborhood vehicles or golf carts and the operation thereof.

**8. Use Under the Influence of Alcohol.**

A person shall not drive or be in actual physical control of a neighborhood vehicle or golf cart within the Village limits of the Village of Gridley while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof as defined by and in accordance with 625 *ILCS 5/11-501 et.seq.* Violations of the provisions of this Section shall be cause for the Village to revoke the permit of the authorized user thereof.

**9. Convictions.**

Two convictions of any authorized user herein of a neighborhood vehicle or golf cart of a moving violation concerning any such vehicles shall cause the Registration herein to be permanently terminated.

**10. Violations.**

In addition to the revocation of the registration for a neighborhood vehicle or golf cart as provided in this article, any persons violating the provisions of this article shall be subject to punishment as provided in Article 3, Section 7, Article 4, Section 14 and Article 5, Section 3 of Chapter 6 of the Village of Gridley Ordinances.

**11. Severability.**

The provisions and sections of this Article shall be deemed separable and the invalidity of any portion of this Article shall not affect the validity of the remainder.

**SECTION 2. This Ordinance shall be effective ten (10) days from and after passage, approval and publication as required by law.**

Passed and approved this 12th day of September, 2011.

Brent J. Kirkton, President

ATTEST:

Bonita L. Sherrill, Village Clerk