

ORDINANCE NO. 1029

**AN ORDINANCE AMENDING ORDINANCE 1025 OF
OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS
RELATING TO THE OPERATION OF GOLF CARTS ON
PUBLIC STREETS**

WHEREAS, the Municipal Authorities of the Village of Ladd, Bureau County, Illinois, have previously enacted Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois relating to the operation of golf carts on public streets; and

WHEREAS, the Municipal Authorities of the Village desire to amend certain Sections of said Ordinance,

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LADD, BUREAU COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: That the existing Section One of Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois, be, and the same is, hereby repealed and the following, revised Section One is hereby substituted in its place:

SECTION ONE: Definitions

Non-Highway Vehicle: A motor vehicle not specifically designed to be used on a public highway, including:

A) Golf Cart: A vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintenance equipment while engaged in playing golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course (625 ILCS 5/1-123.9); and

B) Recreational Off-Highway Vehicle: Any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers (625 ILCS 5/1-168.8).

Village Streets: Any of the streets within the corporate limits of the Village of Ladd, Bureau County, Illinois, except for state and county roads.

SECTION TWO: That the existing Section Two of Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois, be, and the same is, hereby repealed and the following, revised Section Two is hereby substituted in its place:

SECTION TWO: Policy Statement

This Ordinance is adopted in the interest of public safety. Non-Highway Vehicles are not designed or manufactured to be used on public streets and roads ("**streets**"), and the Village of Ladd in no way advocates or endorses their operation on streets. The Village, by regulating such operation, is merely addressing safety issues. This Ordinance is not to be relied upon as a determination that the operation of Non-Highway Vehicles on streets is safe or advisable, even if done in accordance with this Ordinance. All persons operating Non-Highway Vehicles must be observant of, and attentive to, the safety of themselves and others, including their passengers, pedestrians, bicyclists, and other motorists. All persons who operate or ride Non-Highway Vehicles on Village Streets do so at their own risk and peril. The Village of Ladd has no liability under any theory of liability for permitting Non-Highway Vehicles to be operated on Village Streets.

SECTION THREE: That the existing Section Three of Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois, be, and the same is, hereby repealed and the following, revised Section Three is hereby substituted in its place:

SECTION THREE: Rules and Regulations

Non-Highway Vehicles may only be operated on Village Streets in accordance with the following rules and regulations:

- A. Any person who operates a Non-Highway Vehicle in the Village of Ladd takes full responsibility for all liability associated with operating the Non-Highway Vehicle.
- B. Any person who operates a Non-Highway Vehicle must be at least 16 years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
- C. Any person who operates a Non-Highway Vehicle must possess proof of liability insurance, meeting all Illinois statutory requirements, including the mandatory insurance requirements under Article XI of Chapter 7 of the Illinois Vehicle Code.
- D. Non-Highway Vehicles may be driven on streets only from

sunrise to sunset.

- E. A Non-Highway Vehicle shall have its headlights and tail lamps lighted at all times when operating on Village Streets
- F. Non-Highway Vehicles may not be operated 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 500 feet.
- G. Non-Highway Vehicles may not be operated on sidewalks.
- H. Non-Highway Vehicles may only be operated on Village Streets which have a posted speed limit of thirty-five (35) miles per hour or less, but Non-Highway Vehicles may never exceed a speed of twenty (20) miles per hour.
- I. Non-Highway Vehicles may not be operated on Illinois Route 89, except to cross said highway at intersections that lie roughly in a path ninety (90) degrees to said highway.
- J. Non-Highway Vehicles must be equipped as follows:
 - i. Horn;
 - ii. Brakes and brake lights;
 - iii. Turn signals;
 - iv. A steering wheel apparatus;
 - v. Tires;
 - vi. Rearview mirror;
 - vii. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - viii. Headlight that emits a white light visible from a distance of five hundred (500) feet from the front, which must be illuminated when in operation;
 - ix. Tail lamp that emits a red light visible from at least one hundred (100) feet from the rear, which must be illuminated when in operation;
 - x. The permit number, at least 3" high, shall be displayed in the middle of the "Slow Moving Vehicle" emblem on the rear; and
 - xi. Any additional requirements that the Illinois Motor Vehicle Code may require.
- K. No person shall be in possession of or consume alcoholic beverages on or in a Non-Highway Vehicle on Village Streets.

- L. Any person who operates a Non-Highway Vehicle on streets in the Village of Ladd must follow all applicable State laws concerning the possession and use of alcoholic beverages, and all other illicit drugs, as well as all other Illinois state traffic laws.
- M. Non-Highway Vehicle drivers must yield the right of way to overtaking vehicles at all times.
- N. Each Non-Highway Vehicle may transport only as many individuals as is the lesser of the number of seats or as its manufacturer designates. No individuals may ride on any other portion of the Non-Highway Vehicle.
- O. Children must be restrained in a Non-Highway Vehicle in the same manner required as if they were in an automobile. Car seat and seatbelt laws shall be followed while a Non-Highway Vehicle is in motion. Children may not be transported in a negligent manner.
- P. Non-Highway Vehicles are only allowed to park in handicapped parking spaces if the driver or a passenger has a valid handicap parking sticker.
- Q. No unsafe modifications may be made to the Non-Highway Vehicle.
- R. All Non-Highway Vehicles operating on Village Streets must be inspected by the Chief of Police, or his designees, and must have valid permit documentation from the Village of Ladd displayed on the back rear of the Non-Highway Vehicle.

SECTION FOUR: That the existing Section Four of Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois, be, and the same is, hereby repealed and the following, revised Section Four is hereby substituted in its place:

SECTION FOUR: Permits

No person shall operate a Non-Highway Vehicle without obtaining a permit from the Village of Ladd as provided in this Section. A copy of the permit shall be kept in the Non-Highway Vehicle whenever it is used on Village Streets. Only an individual with a valid permit shall be allowed to operate a Non-Highway Vehicle on Village Streets.

Every application for a permit shall be made on a form supplied by the

Village and shall include the following information:

- A. Name and address of the applicant;
- B. Name of liability insurance carrier;
- C. The make, model, serial number, and description of the Non-Highway Vehicle;
- D. A signed Release and Waiver of Liability by the applicant releasing the Village of Ladd and agreeing to indemnify and hold the Village of Ladd harmless from any and all future claims resulting from their operation on Village Streets;
- E. A photocopy of the applicable liability insurance coverage card specifically for the Non-Highway Vehicle to be operated with the permit;
- F. A permit application fee of twenty-five dollars (\$25.00); and
- G. Any such other information as the Village of Ladd may require.

Permits shall be granted for a period of one (1) year, running from April 1st to March 31st. Permits may be renewed annually. The annual renewal date is April 1st, regardless of when the original permit was granted.

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

- A. The Non-Highway Vehicle must be inspected by the Chief of Police, or his designee, to ensure that the vehicle is safe to operate on Village Streets and is in compliance with this Ordinance and the State of Illinois Motor Vehicle Code;
- B. A physically handicapped applicant must submit a certificate signed by their physician certifying that the applicant is able to safely operate a qualified Non-Highway Vehicle on Village Streets; and
- C. The applicant must provide evidence of minimum liability insurance in compliance with the provisions of the Illinois Statutes.

SECTION FIVE: That the existing Section Five of Ordinance No. 1025 of the Village of Ladd, Bureau County, Illinois, be, and the same is, hereby repealed and the following, revised Section Five is hereby substituted in its place:

SECTION FIVE: Enforcement

Operating a Non-Highway Vehicle on Village Streets is a privilege, not a right. Any person who has a permit to operate a Non-Highway Vehicle on Village Streets and is found to have violated this Ordinance may have his or her permit suspended or revoked by the Chief of Police. Decisions of the Chief of Police shall only be reversed or modified by a majority vote of the Village of Ladd Board of Trustees.

Any violation of this Ordinance shall be punishable by a fine of not less than one hundred dollars (\$100.00) and not greater than five hundred dollars (\$500.00) for each violation.

The Ladd Village Board of Trustees reserves the right to amend or repeal this Ordinance at any time, and if such amendment or repeal affects the rights of permit holders they will be notified thereof by the Village of Ladd via certified mail.

No person receiving a permit pursuant to the terms of this Ordinance shall have any legal right to the continuation of this Ordinance, regardless of the cost of modifying a Non-Highway Vehicle to comply with this Ordinance for the purpose of its operation in the Village of Ladd pursuant to this Ordinance.

The Village of Ladd shall not, under any circumstances, be liable for any expenses incurred by an applicant or permittee for the costs of the acquisition and/or modification of a Non-Highway Vehicle to comply with the terms of this Ordinance.

PASSED AND ADOPTED by the President and Board of Trustees of the Village of Ladd, Bureau County, Illinois this 26th day of July, A.D., 2016.

<u>TRUSTEE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Nelson	<u> ✓ </u>	<u> </u>	<u> ✓ </u>	<u> </u>
Manning	<u> ✓ </u>	<u> </u>	<u> </u>	<u> </u>
Cattani	<u> ✓ </u>	<u> </u>	<u> </u>	<u> </u>
Martin	<u> ✓ </u>	<u> </u>	<u> </u>	<u> </u>
Urbanowski	<u> ✓ </u>	<u> </u>	<u> </u>	<u> </u>
Flanagan	<u> ✓ </u>	<u> </u>	<u> ✓ </u>	<u> </u>
President Grivetti	<u> ✓ </u>	<u> </u>	<u> </u>	<u> </u>



MICHAEL GRIVETTI, President
Board of Trustees
Village of Ladd
Bureau County, Illinois

ATTEST:



DIANE CHANDLER, Village Clerk

STATE OF ILLINOIS)
) SS.
COUNTY OF BUREAU)

CERTIFICATE

I, **DIANE CHANDLER**, certify that I am the duly elected and acting Village Clerk of the Village of Ladd, Bureau County, Illinois.

I further certify that on July 26, 2016, the Board of Trustees of the Village of Ladd, Bureau County, Illinois, passed and approved Ordinance # 1029, entitled:

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The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the Village Hall, Ladd, Illinois, commencing July 27, 2016, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

Dated at Ladd, Illinois, this 26 day of July, 2016.



Diane Chandler
DIANE CHANDLER, Village Clerk,
Village of Ladd
Bureau County, IL