

## **Chapter 3**

# **GOLF CARTS AND RECREATIONAL VEHICLES**

### **5-3-1: DEFINITIONS:**

For the purpose of this chapter, the following words and terms, as used in this chapter, shall have the meanings respectively ascribed to them in this section:

**CITY:** The city of Athens, Menard County, Illinois.

**GOLF CART:** 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<sup>1</sup>. A golf cart is further defined as a "nonhighway vehicle", as set forth in 625 Illinois Compiled Statutes 5/11-1426.1.

**RECREATIONAL OFF HIGHWAY VEHICLE:** Any motorized off highway device designed to travel primarily off highway, sixty four inches (64") or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less traveling on four (4) or more nonhighway tires, designed with a nonstraddle seat and a steering wheel for steering control, except equipment such as lawn mowers.

**STREETS AND ROADWAYS UNDER THE JURISDICTION OF THE CITY OF ATHENS:** All those streets and roadways located within the corporate boundaries of the city of Athens, Illinois, and under the jurisdiction of the city of Athens, Menard County, Illinois. (Ord. 01-2013, 3-11-2013)

### **5-3-2: COMPLIANCE WITH CITY AND STATE REGULATIONS:**

- A. No person shall ride, drive, or operate any golf cart or recreational off highway vehicle on any roadway or street located within the corporate limit of the city except as specifically set forth in this chapter.
- B. Every golf cart or recreational off highway vehicle operated as authorized in this chapter shall comply with any and all traffic regulations found in 625 Illinois Compiled Statutes 5/1-1 et seq. (Ord. 01-2013, 3-11-2013)

### **5-3-3: DRIVER'S LICENSE AND AGE REQUIREMENTS:**

A person may not operate a golf cart or recreational off highway vehicle upon the streets and roadways unless he/she has a valid Illinois driver's license issued in his/her name by the Illinois secretary of state, or a valid out of state driver's license issued in his/her name by the appropriate department/agency of the state responsible for issuing drivers' licenses and is at least twenty one (21) years of age. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)

#### **5-3-4: MANDATORY INSURANCE:**

Any person who operates a golf cart or recreational off highway vehicle shall be subject to the mandatory insurance requirements under article 6 of [chapter 7](#) of the Illinois vehicle code<sup>2</sup>, and shall provide proof of such insurance at the time the permit is requested and at the time of each annual renewal. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)

#### **5-3-5: PERMIT AND VEHICLE REQUIREMENTS:**

No golf cart or recreational off highway vehicle shall be operated on the city streets or roadways unless it is inspected and a permit is issued by the city. The chief of police, and/or his designee, shall be in charge of the inspection. The golf cart or recreational off highway vehicle being inspected must meet the specifications as set forth in 625 Illinois Compiled Statutes 5/11-1426.1(e). Those requirements are as follows: (Ord. 01-2013, 3-11-2013)

- A. No "nonhighway vehicle" (golf cart or recreational off highway vehicle) may be operated on a roadway unless, at a minimum, it has the following: steering wheel apparatus, tires, rearview mirror, red reflectorized warning devices in the front and rear, slow moving emblem, as required of other vehicles in 625 Illinois Compiled Statutes 5/12-709, on the rear of the "nonhighway vehicle" (golf cart or recreational off highway vehicle), headlight that emits a white light visible from a distance of five hundred feet (500') to the front, taillamp that emits a red light visible from at least one hundred feet (100') from the rear, brake lights, and turn signals. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)
- B. When operated on a street or roadway within the city, the golf cart or recreational off highway vehicle shall have its headlights and taillamps lighted as required by 625 Illinois Compiled Statutes 5/12-201 entitled "when lighted lamps are required".
- C. Provided the golf cart or recreational off highway vehicle passes inspection and proof of insurance is provided, a permit shall be issued. Permits shall be issued for a period of one year

and will renew annually.

- D. The cost of the permit will be fifty dollars (\$50.00). The permit fee shall be waived for all governmental or recognized not for profit entities.
  
- E. A "nonhighway vehicle" (golf cart or recreational off highway vehicle) must have a decal or registration approved by the city on the rear of the vehicle and must have a copy of the permit issued by the city, valid registration, and proof of valid insurance in the golf cart or recreational off highway vehicle at all times and available for production at any time as requested by any policing agency.
  
- F. The city may issue a temporary special event permit for use of golf carts or recreational off highway vehicles that may not be in compliance with the requirements of this chapter and that is valid and issued only during that event. (Ord. 01-2013, 3-11-2013)

#### **5-3-6: PERMITTED AND PROHIBITED AREAS OF OPERATION:**

- A.
  1. Golf carts or recreational off highway vehicles shall only be allowed to be operated on those streets and roadways upon which the city has jurisdiction.
  2. Golf carts or recreational off highway vehicles may not be operated on Illinois State Route 29 or any other Illinois department of transportation road.
  3. Golf carts or recreational off highway vehicles shall not make a direct crossing upon or across Illinois State Route 29 or any other Illinois department of transportation road.
  
- B. No person shall operate a golf cart or recreational off highway vehicle upon any sidewalk located within the jurisdictional limits of the city.
  
- C. No person shall operate a golf cart or recreational off highway vehicle in the city parks other than parking areas.
  
- D. The street superintendent shall cause appropriate signs to be posted on those streets and roadways where golf carts or recreational off highway vehicles are authorized to be operated pursuant to this chapter and the state statutes referenced herein. (Ord. 01-2013, 3-11-2013)

### **5-3-7: HOURS OF OPERATION:**

No person shall operate a golf cart or recreational off highway vehicle after dark. Authorization to operate a golf cart or recreational off highway vehicle on streets and roadways under the jurisdiction of the city will be allowed only from dawn to dusk daily. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)

### **5-3-8: METHOD OF RIDING; SEAT BELT REQUIRED:**

Any operator or passenger of a golf cart or recreational off highway vehicle shall be in a sitting position and wearing a seat belt. (Ord. 01-2013, 3-11-2013)

### **5-3-9: DRIVING UNDER THE INFLUENCE PROHIBITED:**

Any 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 is subject to 625 Illinois Compiled Statutes 5/11-501 through 5/11-502. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)

### **5-3-10: TRANSPORTING ALCOHOLIC BEVERAGES:**

- A. Any person who drives or is in actual physical control of a golf cart or recreational off highway vehicle on a roadway and who transports alcohol in said golf cart or recreational off highway vehicle is subject to 625 Illinois Compiled Statutes 5/11-502.
  
- B. Any person who is a passenger in a golf cart or recreational off highway vehicle on a roadway and who transports alcohol in said golf cart or recreational off highway vehicle is subject to 625 Illinois Compiled Statutes 5/11-502. (Ord. 01-2013, 3-11-2013; amd. 2017 Code)

### **5-3-11: CERTAIN NONHIGHWAY VEHICLES PROHIBITED:**

This chapter shall not be deemed to authorize any other nonhighway vehicles, as defined in 625 Illinois Compiled Statutes 5/11-1426.1, to be operated on any streets or roadways within the corporate boundaries of the city upon which the city has jurisdiction (all-terrain vehicles or off

highway motorcycles). (Ord. 01-2013, 3-11-2013)

### **5-3-12: NONLIABILITY OF CITY:**

No action by the city under this chapter or 625 Illinois Compiled Statutes 5/11-1426.1 designates the operation of a golf cart or recreational off highway vehicle as an intended or permitted use of property with respect to section 3-102 of the local governmental and governmental employees tort immunity act. (Ord. 01-2013, 3-11-2013)

### **5-3-13: PENALTIES:**

Any person who violates any term or provision of this chapter shall be subject to a fine, upon conviction, in an amount not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) for each separate offense. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than one nor more than three (3) years. (Ord. 01-2013, 3-11-2013)