

## **5-4-11: OPERATION OF MOTOR VEHICLES ON VILLAGE OWNED, MAINTAINED OR CONTROLLED PROPERTY PROHIBITED:**

A. Definitions: As used in this section, the following words and phrases shall mean:

**BICYCLE PATH:** Any paved or unpaved roadway, pathway or continuous trail, open to or dedicated primarily to bicycle travel and physically separated from motorized vehicular traffic by open space or barrier.

**MOTOR VEHICLE:** Every vehicle which is self-propelled whether by gas or electric power including low speed electric bicycles and low speed gas bicycles, but excluding motorized wheelchairs and except for vehicles moved solely by human power.

**MOTORIZED WHEELCHAIR:** Any self-propelled vehicle, including a three (3) wheel vehicle, designed for and used by a person with disabilities, that is incapable of a speed in excess of eight (8) miles per hour on level ground.

**NONHIGHWAY VEHICLE:** A motor driven vehicle not specifically designed to be used on a public street, highway or thoroughfare, including, but not limited to:

1. All-terrain vehicles as defined by section 1-101.8 of the Illinois vehicle code<sup>5</sup>;
2. Golf carts, as defined by section 1-123.9 of the Illinois vehicle code<sup>6</sup>;
3. Neighborhood vehicles as defined by section 1-148.3(m) of the Illinois vehicle code<sup>7</sup>;
4. Off road motorcycles as defined by section 1-153.1 of the Illinois vehicle code<sup>8</sup>;
5. Low speed vehicles as defined by section 1-140.7 of the Illinois vehicle code<sup>9</sup>; and
6. Low speed gas bicycles as defined by section 1-140.15 of the Illinois vehicle code<sup>10</sup>.

**VILLAGE:** Village of South Barrington, Cook County, Illinois.

**WALKING/JOGGING PATH:** Any paved or unpaved path, lane or trail constructed, maintained, used or dedicated primarily for the purpose of walking, hiking or running regardless of location, length or surface material, excluding those public roadways used primarily for motor vehicle travel or areas designated for motor vehicle parking.

B. Unlawful Acts:

1. It shall be unlawful for any person to operate a motor vehicle on, over or upon any bicycle path, walking path, hiking path, easement or other property owned, maintained or under the control of the village;
2. It shall be unlawful for any person to operate a nonhighway vehicle on, over or upon the grounds or common areas of any multi-family residential property or any single-family residential property, other than one's own single-family residential property, without the consent of the owners thereof.

- C. Exceptions: The prohibitions of this section shall not apply to motor vehicles operated on public streets and highways as otherwise permitted by the provisions of chapter 11 of the Illinois vehicle code<sup>11</sup> and to operators of motorized wheelchairs, emergency vehicles, village owned vehicles and authorized maintenance vehicles.
  
- D. Motor Vehicle Code Not Abridged: Unless otherwise prohibited by village ordinance, nothing herein contained shall be construed to prohibit the use of motor vehicles on any public roadway, street or highway otherwise permitted by the provisions of the Illinois vehicle code<sup>12</sup>.
  
- E. Penalty: Any person violating the provisions of this section shall be fined in an amount not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for a first offense. Any person violating the provisions of this section for a second or subsequent time within a twelve (12) month period shall be fined in an amount not less than one hundred fifty dollars (\$150.00) nor more than seven hundred fifty dollars (\$750.00) for each subsequent offense within a twelve (12) month period.
  
- F. Signage: Appropriate signage shall be erected on village owned, maintained or controlled property prohibiting the use of nonhighway vehicles on all bicycle and walking, bicycle or jogging paths. (Ord. 2010-922, 10-14-2010)