

CITY OF TAYLORVILLE
ORDINANCE NO. 3816

**AN ORDINANCE ADDING CHAPTER 7
TO TITLE 6 OF THE TAYLORVILLE CITY CODE
(re: operation of golf carts in the City)**

**ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF TAYLORVILLE
ON SEPTEMBER 5, 2017.**

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE CITY COUNCIL OF THE CITY OF TAYLORVILLE,
CHRISTIAN COUNTY, ILLINOIS
THIS 6TH DAY OF SEPTEMBER 2017.**

**AN ORDINANCE ADDING CHAPTER 7
TO TITLE 6 OF THE TAYLORVILLE CITY CODE
(re: operation of golf carts in the City)**

Whereas, pursuant to 625 ILCS 5/11-1426.1, the City has considered the volume, speed, and character of traffic on City roadways and has determined that golf carts that are driven and operated on a limited basis in accordance with the provisions and requirements as set forth in Chapter 7 of Title 6 of the Taylorville City Code as enacted and adopted by this ordinance may safely travel on or cross the hereinafter designated City roadways and will not jeopardize the public safety.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF TAYLORVILLE, CHRISTIAN COUNTY, ILLINOIS, AS FOLLOWS:**

Section 1: A new Chapter 7 to Title 6 of the Taylorville City Code is hereby enacted, adopted, and added which shall now read as follows:

CHAPTER 7

GOLF CARTS

6-7-1: DEFINITIONS:

Golf cart: A gasoline or electric propelled 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; and such golf cart can attain a speed of at least 20 mph but not more than 30 mph.

Illinois Vehicle Code: 625 ILCS 5/1-100 *et seq.*, and all amendments thereto.

City: The City of Taylorville, Illinois, a municipal corporation.

City Roadway: A street, road, highway, or alleyway located within the corporate limits of the City and under the jurisdiction of the City, excluding those streets and roads identified in Section 7-7-6 of the Taylorville City Code; and further excluding the following streets, roadways, and highways (except for intersection crossings as permitted in subparagraph F. of Section 6-7-4), *to-wit:* Such part of Lincoln Trail that is west of its intersection with Woodbine Street; Park Street; IL

Rt. 29; W. Springfield Road; such part of W. Spresser Street that is west of the railroad tracks; S. Spresser Street; IL. Rt. 48; such part of N. Webster Street that is south of its intersection with W. Bidwell Street; and IL. Rt. 104.

6-7-2: USE RESTRICTED:

- A. Except as otherwise specifically provided in this Chapter 7, it is unlawful for any person to drive or operate a golf cart upon any City roadway.
- B. It is unlawful for any person to drive or operate upon any City roadway any all-terrain vehicle (as defined by Section 1-101.8 of the Illinois Vehicle Code), any off-highway motorcycle (as defined by Section 1-153.1 of the Illinois Vehicle Code), or any recreational off-highway vehicle (as defined by Section 1-168.8 of the Illinois Vehicle Code).

6-7-3: SIGNS: The City's Street and Sewer Superintendent shall cause appropriate signs to be posted on those City roadways where golf carts are prohibited as set forth in this Chapter 7.

6-7-4: OPERATION OF GOLF CARTS PERMITTED: The operation of golf carts on the aforesaid designated City roadways is permitted subject to the following rules and regulations:

- A. It is unlawful for any person to drive or operate a golf cart on any City roadway unless he or she is of the age of 16 or more years and has a valid driver's license issued in his or her name issued by the Illinois Secretary of State or by a foreign jurisdiction, and all passengers in the golf cart are at least eight (8) years of age.
- B. It is unlawful for any person to drive or operate a golf cart on any City roadway unless, at a minimum, such golf cart has the following equipment thereon:
 - 1). Brakes, a steering apparatus, four tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in Section 12-709 of the Illinois Vehicle Code) on the rear of the golf cart, two headlights that each emit a white light visible from a distance of 500 feet to the front, two tail lamps that each emit a red light visible from at least 100 feet from the rear, brake lights on the rear of the golf cart, horn, windshield, seatbelts, and turn signals.
- C. It is unlawful for any person to drive or operate a golf cart on any City roadway without the headlight and tail lamps lighted at all times

on the golf cart.

- D. A person who drives or operates or is in actual physical control of a golf-cart on a City roadway while under the influence is subject to Sections 11-500 through 11-502 of the Illinois Vehicle Code (625 ILCS 5/11-501 through 625 ILCS 5/11-502). It is unlawful for any person to drive, operate, or be in actual physical control of a golf cart on a City roadway in violation of any one or more of said Sections of the Illinois Vehicle Code.
- E. It is unlawful for any person to drive or operate a golf cart on any City roadway without having the mandatory insurance coverage as required under Article VI of Chapter 7 of the Illinois Vehicle Code and which insures all drivers and operators of the golf cart.
- F. It is unlawful for any person to drive or operate a golf cart on any City roadway where the posted speed limit is more than 35 miles per hour; provided, however, a golf cart may make a direct crossing at an intersection where the roadway has a posted speed limit of more than 35 miles per hour, except upon or across any tollroad, interstate highway, or controlled access highway.
- G. It is unlawful for any person to drive or operate a golf cart on any sidewalk or boulevard within the City.
- H. It is unlawful for any person to drive or operate a golf cart on any City roadway in violation of any traffic regulation or regulations under the Illinois Vehicle Code or under the Taylorville City Code.
- I. Any person driving or operating a golf cart on a City roadway shall travel on the City roadway in the same direction as traffic and as near to the right side of the City roadway as possible.
- J. Golf Cart Inspections and Annual Golf Cart Permits Required:
 - i). It is unlawful for any person to drive or operate a golf cart on any City roadway unless it has been satisfactorily inspected and the owner(s) of the golf cart has been issued an annual golf cart permit from the City. Such annual golf cart permit shall be issued for a time period that commences on April 1 and terminates on March 31 of the following year unless sooner revoked by the City for non-compliance of the equipment requirements for such golf cart or for any violation of this Chapter 7; provided, however, the first annual golf cart permit issued after the effective date of this Ordinance shall terminate on March 31, 2019.

- ii).* Such owner(s) obtaining such annual golf cart permit shall pay the City a non-prorated fee of One Hundred Dollars (\$100.00).
- iii).* Applicants for an annual golf cart permit shall be made on a form supplied by the City, and shall be executed by the applicant(s), and shall contain the following information and attachments:

 - (a) Name, residence address, phone number, driver's license number, and date of birth of each applicant; and a copy of each applicant's valid driver's license issued by the State of Illinois or another State.
 - (b) Name and address of liability insurance carrier and policy number.
 - (c) A certificate of the aforesaid mandatory insurance coverage that covers the term of the annual golf cart permit.
 - (d) The serial number, make, model, color, number of seats, and description of the golf cart.
 - (e) Such other information as the City may require from time to time.
- iv).* Until the City Council determines otherwise, authorized representatives of Coker Family, Inc. d/b/a Battery Specialists Plus Golf Cars ("Coker"), with its offices located at 800 W. Springfield Rd, Taylorville, Illinois 62568 shall perform such inspections, and collect and remit, on a monthly basis, to the City the aforesaid inspection reports and permit fees. Coker shall issue the City's annual golf cart permits and affix the City approved reflective adhesive annual golf cart permit stickers on the subject approved golf carts. For such services, the City will pay Coker an inspection fee of \$10.00 for each such golf cart inspection. If Coker hereafter fails or refuses to perform such tasks for the City, then the City's Chief of Police and/or his designee shall perform such tasks for the City. All such inspections and annual golf cart permits shall be completed and signed on such forms as the City Council shall determine from time to time.
- v).* An annual golf cart permit shall only be issued if such golf cart has been inspected and meets the equipment

requirements as set forth in subparagraph B. of this Section 6-7-4, and proof has been submitted by the owner(s) of the golf cart that the mandatory insurance coverage is in force as required by subparagraph H. of Section 6-7-4 of this Chapter 7 for the entire term of the annual golf cart permit and each owner of the golf cart exhibits his/her valid driver's license and provides a copy thereof to the inspector.

- k. It is unlawful for any person to drive or operate a golf cart on any City roadway unless such annual golf cart permit (reflective adhesive sticker form) is affixed and openly displayed on the driver's side left front fender of the golf cart.
- l. It is unlawful for any person to drive or operate a golf cart on any City roadway unless the driver and all passengers thereon are seated, with seatbelts engaged, in the golf cart installed passenger seats.
- m. It is unlawful for any person to drive or operate a golf cart on any City roadway with more passengers in the golf cart than there is golf cart installed passenger seats and seatbelts.

6-7-5: GOVERNMENTAL IMMUNITY: No action by the City under this Chapter 7 or under 625 ILCS 5/11-1426.1 designates the operation of a golf cart as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/1-101 *et seq.*).

6-7-6: PENALTY: Any person violating any of the provisions of this Chapter 7 shall, for each offense, be fined and punished as provided in Section 1-4-1 of the Taylorville City Code for each separate offense. Each day upon which a violation occurs or continues shall be deemed a separate offense. In addition thereto, and not in lieu thereof, the Mayor or any member of the City's police department may suspend or revoke any annual golf cart permit upon a finding that there is evidence of any violation of this Chapter 7 or that the permittee cannot safely operate the golf cart on the designated permitted roadways.

Section 2: City of Taylorville Ordinance No. 3815 is hereby repealed, and the provisions of other City of Taylorville Ordinances, or Taylorville City Code provisions, to the extent they duplicate, conflict with or otherwise affect the validity hereof, shall be disregarded.

Section 3: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 4: This Ordinance, following its passage, approval and publication in pamphlet form as provided by law, shall be made effective on and from October 31, 2017.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted this 5th day of September 2017.

Attest: _____
Bruce Barry, Mayor

Julie Lilly, City Clerk (Municipal Seal)

Ayes: Aldermen Budd, Dorchinecz, Jones, Lanzotti, Olive, and Walters

Nays: Aldermen Burtle and Vota

Absent: None

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF TAYLORVILLE,
ILLINOIS THIS 6TH DAY OF SEPTEMBER 2017.

PUBLISHED IN PAMPHLET FORM ON SEPTEMBER 6, 2017.

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, Julie Lilly, certify that I am the duly elected and acting City Clerk of the City of Taylorville, Christian County, Illinois.

I further certify that on September 5, 2017, the City Council of said City passed and approved Ordinance No. 3815 entitled “**AN ORDINANCE ADDING CHAPTER 7 TO TITLE 6 OF THE TAYLORVILLE CITY CODE (re: operation of golf carts in the City)**”.

The pamphlet form of Ordinance No. 3815, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on September 6, 2017, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at Taylorville, Illinois, this 18th day of September 2017.

Julie Lilly, City Clerk

(Municipal Seal)