

Chapter 3

NONHIGHWAY VEHICLES

6-3-1: FINDINGS:

- A. The city has determined that the public safety will not be jeopardized as a result of authorizing the operation of nonhighway vehicles on streets within the city.

- B. The city has determined that the volume, speed, and character of traffic on the streets of the city will not be adversely affected by the operation of nonhighway vehicles. Further, nonhighway vehicles may safely operate on or cross the streets located within the city, and the city will post appropriate signs to authorize and regulate the operation of nonhighway vehicles on city streets. (Ord. 2010-4, 7-12-2010)

6-3-2: DEFINITION:

NONHIGHWAY VEHICLE: As contemplated by this chapter, means a motor vehicle not specifically designed to be used on a public highway, limited to the following:

- A. A golf cart, as defined by 625 Illinois Compiled Statutes 5/1-123.9; and

- B. A recreational off highway vehicle, as defined by 625 Illinois Compiled Statutes 5/1-168.8. (Ord. 2014-8-11-3, 8-11-2014)

6-3-3: PERMIT REQUIREMENTS:

- A. Permit Required: No person shall operate a nonhighway vehicle without first obtaining a permit from the chief of police as provided herein.

- B. Application For Permit: Every application for a permit shall be made on a form supplied by the city and shall contain the following information:

1. Name and address of the applicant.
2. Name and liability insurance carrier and policy number.
3. Serial number, make, model and description of the nonhighway vehicle.
4. Signed waiver of liability by the applicant releasing the city and its employees, and agreeing to indemnify and hold the city harmless from any and all future claims resulting from the operation of their nonhighway vehicle on the city streets in the form attached as exhibit A to the ordinance codified herein.
5. Photocopy of the applicable liability insurance coverage card specifically for the nonhighway vehicle to be operated pursuant to the permit.
6. Photocopy of a valid driver's license.

C. Permit Fee: The cost of the permit is thirty dollars (\$30.00).

D. Conditions Of Permit: No permit shall be granted unless the following conditions are met:

1. The vehicle must be inspected by the chief of police or designated person to ensure that the vehicle is safe to operate on city streets and is in compliance with this chapter and with the state of Illinois vehicle code.
2. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Compiled Statutes regarding minimum liability insurance for a passenger motor vehicle to be operated on the roads of the state of Illinois.

E. Term Of Permit: Permits shall be granted for a period of one year beginning on May 1 of every year.

F. Suspension Or Revocation Of Permit: The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this chapter or there is evidence that the permittee cannot safely operate the nonhighway vehicle on the city streets. (Ord. 2015-4-1, 4-13-2015)

6-3-4: COMPLIANCE WITH PROVISIONS; PERMITTED USE OF CITY STREETS:

Subject to compliance with all the provisions of this chapter, a nonhighway vehicle may be operated only on city streets where the posted speed limit is thirty five (35) miles per hour or less. However,

a nonhighway vehicle may cross a road or street at an intersection where the road or street has a posted speed limit of more than thirty five (35) miles per hour subject to the provisions of section [6-3-6](#) of this chapter. (Ord. 2010-4, 7-12-2010)

6-3-5: DRIVER'S LICENSE AND INSURANCE REQUIRED:

- A. Driver's License: A person may not operate a nonhighway vehicle upon any street, highway, or roadway in the city unless he or she has a valid driver's license issued in his or her name by the secretary of state.

- B. Insurance: Any person who operates a nonhighway vehicle on a city street, highway or roadway shall be subject to the mandatory insurance requirements under chapter 7, article VI of the Illinois vehicle code. (Ord. 2010-4, 7-12-2010)

6-3-6: CROSSING ROADWAYS:

- A. Except as provided in subsections B and C of this section, no person operating a nonhighway vehicle shall make a direct crossing upon or across any highway under the jurisdiction of the state, toll road, interstate highway, or controlled access highway in this state.

- B. A person may make a direct crossing at an intersection controlled by a traffic light or four-way stop sign upon or across a highway under the jurisdiction of the state if the speed limit on the highway is thirty five (35) miles per hour or less at the place of crossing.

- C. The designated streets for crossing any state highway (other than those controlled by a traffic light or 4-way stop sign) are as follows: north and south crossings shall only be permitted on Grant Street and Chestnut Street; east and west crossings shall only be permitted on 1st Street and 2nd Street. (Ord. 2010-4, 7-12-2010)

6-3-7: EQUIPMENT REQUIREMENTS:

No nonhighway vehicles may be operated on a city roadway unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in

the front and rear, a slow moving emblem¹ on the rear of the nonhighway vehicle, a headlight that emits a white light visible from a distance of five hundred feet (500') to the front; a taillamp that emits a red light visible from at least one hundred feet (100') from the rear, brake lights, and turn signals. Further, when any nonhighway vehicle is operated on a city roadway, a nonhighway vehicle shall have its headlight and taillamps lighted as required by 625 Illinois Compiled Statutes 5/12-201. (Ord. 2010-4, 7-12-2010)

6-3-8: DRIVING UNDER THE INFLUENCE PROHIBITED:

A person who drives or is in actual physical control of a nonhighway vehicle on a city roadway while under the influence is subject to 625 Illinois Compiled Statutes 5/11-500 through 5/11-502. (Ord. 2010-4, 7-12-2010)

6-3-9: PENALTIES:

Any person who violates any provision of this chapter shall be guilty of a petty offense and shall be punishable by a fine of not less than one hundred fifty dollars (\$150.00). Any subsequent offense shall result in the revocation of any permit granted under this chapter for a period of not less than one year nor more than three (3) years, as determined by the city. To the extent that any violation of this chapter also constitutes a violation of a criminal statute of the state of Illinois, then the violator shall also be subject to criminal prosecution. (Ord. 2015-4-1, 4-13-2015)