

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING ORDINANCE NO. 10-07

**TO PROVIDE FOR THE USE AND REGULATION OF GOLF CARTS AND
RECREATIONAL OFF HIGHWAY VEHICLES WITHIN THE VILLAGE OF
MANSFIELD, PIATT COUNTY, ILLINOIS**

WHEREAS, Section 11-1426.1 of the Illinois Vehicle Code, 625 ILCS 5/11-1426.1 enables the Village to authorize by ordinance or resolution, the operation of properly equipped golf carts and recreational off-highway vehicles as defined therein on roadways under the jurisdiction of the Village, subject to restrictions and limitations imposed by said statute and any further restrictions imposed by the Village of Mansfield, and

WHEREAS, as required by said statute, the Village Board of Trustees has considered the volume, speed and character of traffic on roadways under the jurisdiction of the Village having a posted speed limit of 20 miles per hour or less and has determined that the public safety will not be jeopardized by the operation of properly equipped golf carts and recreational off-highway vehicles on said roadways in accordance with said statute and this Ordinance, and

WHEREAS, the Village Board of Trustees has determined that it is in the public interest to allow the operation of properly equipped recreational off highway vehicles and golf carts on roadways under the jurisdiction of the Village having a posted speed limit of 20 miles per hour or less in accordance with said statute and this Ordinance, and that Article 9, Chapter 24-9-1 et seq of the Revised Ordinances of the Village of Mansfield should be amended as hereinafter provided.

WHEREAS, the Village Board of Trustees may amend it's ordinances from time to time, and hereby determines that the existing Golf Cart Ordinance No. 10-07 should be amended to include recreational off highway vehicles

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Mansfield, Piatt County, Illinois as follows:

That the existing Article 9, Chapter 24-9-1 et seq of the Revised Ordinances of the Village of Mansfield shall be amended as follows:

SECTION 1 DEFINITION OF GOLF CARTS AND RECREATIONAL OFF HIGHWAY VEHICLES

A. The term “golf cart” shall have the definition as currently set forth in Section 11-1426.1 and 1-123.9 of the Illinois Vehicle Code, (625 ILCS 5/11-1426.1 and 625 ILCS 5/1-123.9) . The term “recreational off highway vehicles shall have the definition currently set forth in Section 11-1426.1 and 1-668.8 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1 and 625 ILCS 5/1-168.8

B. To be operated on a roadway, golf carts and recreational off highway vehicles must have, at a minimum the following: 1) brakes, 2) steering apparatus, 3) tires, 4) a rearview mirror, 5) red reflectorized warning devices in the front and rear, 6) a slow moving emblem on the rear , 7) a headlight that emits a white light visible from a distance of 500 feet to the front, 8) a tail lamp that emits a red light visible at least 100 feet from the rear, 9) brake lights, 10) turn signals, 11) a windshield or the driver wearing safety goggles, and any and all other safety equipment required to be installed and operational on such vehicles as set forth in Section 11-1426.1 cited above.

C. “All-terrain vehicles” (ATV’s) and “Low-speed vehicles” as defined in the Illinois Vehicle Code are not authorized on Village streets and alleys.

SECTION 2 OPERATION OF GOLF CARTS AND RECREATIONAL OFF HIGHWAY VEHICLES

A. Subject to the requirements of Sections 11-1426.1 of the Illinois Vehicle Code,

625 ILCS 5/11-1426.1, which are hereby adopted by the Village, and the provisions of this article, drivers over the age of 16 and properly licensed to operate motor vehicles on the roadways of the Village shall be authorized to operate golf carts or recreational off highway vehicles on the roadways of the Village having a posted speed limit of 20 miles per hour or less.

B. Such vehicles shall not be allowed on Village sidewalks, Village Parks, on Washington Street south of US Route 150 to Newton Street, North McKinley Street North of US Route 150 to North Street. However, with the exception of US Route 150, such vehicles may cross these streets as described in this paragraph.

C. Such vehicles are not allowed on any state highways.

D. Such vehicles are only allowed on village streets with a posted speed limit of 20 MPH (miles per hour) or less.

E. No person operating such vehicles shall make a direct crossing upon or across any toll road, interstate highway, or controlled access highway in this State. No person operating such vehicles shall make a direct crossing upon or across US Route 150 except at the intersection of US Route 150 and Main Street.

SECTION 3 PERMITTING OF GOLF CARTS AND RECREATIONAL OFF HIGHWAY VEHICLES

No golf cart or recreational off highway vehicle (hereinafter referred to as “vehicles” or “vehicles”) shall be operated on any street or alley of the Village unless the owner(s) thereof have received a permit from the Village. The permit requirements are as follows:

A. Every application for a golf cart permit or recreational off highway vehicle permit (hereinafter referred to as “permit) shall be on the form set by the Village, a copy of which is attached to ordinance. The permit application shall have the name and address of the applicant,

proof of valid liability insurance and a card for the vehicle in accordance with State of Illinois motor vehicle statute insurance requirements, the serial number, make, model and description of the vehicle, a signed waiver of liability contained in the permit application releasing the Village of liability and agreeing to indemnify and to hold the Village harmless from any and all future claims resulting from the operation of the vehicles on Village streets. (See Appendix "A")

B. A golf cart/recreational highway vehicle commissioner (hereinafter referred to as "commissioner" shall be designated by the Village Board of Trustees. The commissioner must certify the vehicles for operation following inspection by issuance of a Permit on the form designated by the Village Board and by payment of the Thirty-Five Dollar (\$35.00) permit fee. The inspection must indicate the vehicles are safe for operation on Village streets.

C. Permits shall be valid for one (1) year from date of issuance and renewed annually. **The permit year starts on JUNE 1st of each year and ends on MAY 31st of each year.** Proof of insurance must accompany application for a golf cart permit. **Permits are only valid for calendar year for which they are issued.**

D. Permitted vehicles must display a Village decal on the rear of **the vehicle.**

E. The operator of the vehicle must have a valid Illinois driver's license.

F. Vehicles must have, in addition to the minimum requirements listed in Section 1, a horn that can be heard for five hundred (500) feet, brakes and brake lights, a rear view mirror, two (2) headlights that emit a white light visible for a distance of five hundred (500) feet, two (2) tail lights that emit red light visible for one hundred (100) feet, a windshield (or the operator must wear eye protection) and an elevated orange or red flag at least two (2) feet higher than the highest part of the golf cart or recreational off road vehicle.

G. Operators of such vehicles must obey all traffic laws of the State of Illinois and

Village of Mansfield, Illinois.

H. The speed limit for the vehicles is twenty miles per hour (20 MPH).

I. The vehicles must be operated in a safe manner. If vehicles are operated in a reckless manner the operator will be fined in accordance with this Article.

J. The Village may suspend or revoke a vehicle permit upon finding that the permit holder has violated any provision of this Article or has operated a golf cart or recreational off highway vehicle in a reckless manner.

SECTION 4 INSPECTION OF GOLF CARTS AND RECREATIONAL OFF

HIGHWAY VEHICLES

Permitted vehicles or proposed to be permitted, pursuant to this article shall be subject to inspection by commissioner, or his designees, at any time to determine that said vehicle meets, and continues to meet, the definition thereof as set forth in this article, particularly the provisions for maintenance in operating condition of required safety systems and equipment.

SECTION 5 MANDATORY INSURANCE

The owner of any vehicle registered under this article shall continuously maintain liability insurance for said vehicle having at least the same limits as required from time to time for motor vehicles under the mandatory insurance law of the State of Illinois.

SECTION 6 OPERATION LIMITED TO LICENSED DRIVERS

No person under the age of 16 years or who is not properly licensed to operate motor vehicles on the roadways of the Village shall operate a recreational off highway vehicle or golf cart within the Village.

SECTION 7 OTHER LAWS, REGULATION AND ORDINANCES

Vehicles shall be operated at all times in accordance with the provision of the Illinois Vehicle Code, the rules of the road contained therein, and any other laws, regulations or

ordinances governing the operation of motor vehicles in the Village, as well as any laws, regulations or ordinances specifically pertaining to golf carts and recreational off highway vehicles and the operation thereof.

SECTION 8 USE UNDER THE INFLUENCE OF ALCOHOL

A person shall not drive or be in actual physical control of a golf cart or recreational off highway vehicle within the Village limits of the Village of Mansfield while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof as defined by and in accordance with 625 ILCS 5/11-501 *et seq.* Violations of the provisions of this Section shall be cause for the Village to revoke the permit of the authorized user thereof.

SECTION 9 PENALTY FOR VIOLATIONS

In addition to the revocation of the permit for a vehicle as provided in this article, any persons failing to abide with the terms of this Article shall result in a fine of One Hundred Dollars (\$100.00), with each infraction of this Article constituting a separate offense bearing a separate fine.

SECTION 10 SEVERABILITY

The provisions and sections of this Article shall be deemed separable and the invalidity of any portion of this Article shall not affect the validity of the remainder.

**This Ordinance shall be effective ten (10) days from and after passage,
approval and publication as required by law.**

PRESENTED, PASSED, AND APPROVED this 4 day of April, 2022, at a regular meeting of the President and Board of Trustees of the Village of Mansfield, Piatt County, Illinois by the following aye and nay vote:

AYES: 5

NAYS: 0
ABSENT: 1 Gilbert



President, Board of Trustees
Village of Mansfield, Piatt County, Illinois

ATTEST:

mplace

Village Clerk
Village of Mansfield, Piatt County, Illinois

STATE OF ILLINOIS)
COUNTY OF PIATT) SS
VILLAGE OF MANSFIELD)

CERTIFICATION

I, Melissa Place, Clerk of the Village of Mansfield do hereby certify that the foregoing and attached Ordinance No. 2022-01 "AN ORDINANCE AMENDING ORDINANCE NO 10-07 WHICH PROVIDES FOR THE USE AND REGULATION OF GOLF CARTS WITHIN THE VILLAGE OF MANSFIELD, PIATT COUNTY, ILLINOIS" is a true and correct copy of said Ordinance duly adopted at a regular meeting of the Board of Trustees on April 4, 2022 and that the same was published in pamphlet form on the 4 day of April, 2022. I further certify that I have this date posted a copy of the above Ordinance in three prominent places in the Village of Mansfield, Illinois, as follows:

1. _____
2. UNITED STATES POST OFFICE
3. VILLAGE HALL

Dated this 4 day of April, 2022.

mplace

Village Clerk

• Prepared by: Amy M. Rupiper • FOLTZ & RUPIPER •
• 114 E Washington St. • Monticello, Illinois 61856 •
• (217) 762-9444 • fax (217) 762-8245 • arupiper@foltzandrupiper.com •