

**VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

ORDINANCE NO. 2017-10

**AN ORDINANCE AMENDING TITLE 7 “MOTOR VEHICLES,” CHAPTER 11
“GOLF CARTS AND UTILITY TERRAIN VEHICLES”**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK, ILLINOIS**

**Published in pamphlet form by the authority of the Board of Trustees of the Village of
Maple Park, Kane and DeKalb Counties, Illinois this 6th day of July, 2017.**

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AN ORDINANCE AMENDING TITLE 7 “MOTOR VEHICLES,” CHAPTER 11 “GOLF CARTS AND UTILITY TERRAIN VEHICLES”

WHEREAS, the Village of Maple Park, DeKalb and Kane Counties, Illinois (hereinafter referred to as the "VILLAGE"), is a non-home rule municipality, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et seq.; and

WHEREAS, it is the intention of the Corporate Authorities to amend the Code to provide the authorization and use of qualified golf carts and utility-terrain vehicles on the streets under the jurisdiction of the Village of Maple Park, and

WHEREAS, the Village of Maple Park has considered the volume, speed, and character of traffic on its roadway and determined that the non-highway vehicles may safely operate upon Village of Maple Park roadways that have a maximum speed limit of twenty-five (25) miles per hour, and specifically excluding County Line Road;

NOW THEREFORE, BE IT ORDAINED by the Village Board of the Village of Maple Park, Illinois, as follows:

SECTION 1. The Maple Park Village Code shall be amended to read as follows:

TITLE 7 MOTOR VEHICLES

Chapter 11 GOLF CARTS AND UTILITY TERRAIN VEHICLES

7-11-1: DEFINITIONS:

7-11-2: REQUIREMENTS:

7-11-3: COMPLIANCE WITH TRAFFIC LAWS:

7-11-4: OPERATION WITHIN VILLAGE:

7-11-5: PERMITS:

7-11-6: PENALTY:

7-11-1: DEFINITIONS:

GOLF CART: A golf cart is defined in 625 ILCS 5/1-123.9 and means a vehicle specifically designed and intended for the purposes of transporting one (1) or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play or maintaining the condition of the grounds on a public or private golf club. A motorized vehicle with three (3) or four (4) wheels that is not designed to be operated at a speed of more than twenty-five (25) miles per hour whose purpose can include, but is not limited to, playing golf and is generally designed to carry persons including a driver.

For the purposes of this article, a “golf cart” specifically does not include all-terrain vehicles, highway motorcycles or any other vehicle which is not described within the foregoing definitions of “golf carts.”

UTILITY TERRAIN VEHICLE Any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, traveling on 3 or more non-highway tires, designed with a seat or saddle for operator use, and a steering wheel for steering control, except equipment such as lawnmowers; which is capable of attaining a speed of no more than 25 miles per hour.

VILLAGE STREETS: Any of the streets or alleys dedicated within the boundaries of the Village of Maple Park with a maximum speed limit of twenty-five (25) miles per hour.

STATE ROADS shall mean all roads under the state's jurisdiction, which would include Route 38.

TOWNSHIP AND COUNTY ROADS shall mean any roads under the jurisdiction of the township and/or county road districts, respectively, and shall include any roads outside the boundaries of the village limits under such jurisdiction, to include Broadway north of Main Street, Main Street and County Line Road.

*Golf carts may be operated during the hours between sunset and sunrise as well as during daylight hours in designated areas only.

7-11-2: REQUIREMENTS:

All persons operating a golf cart or a utility terrain vehicle on the streets under the jurisdiction of the Village of Maple Park must ensure compliance with the following requirements:

- A. Proof of Liability Insurance
- B. Driver's License: Driver must have current valid government issued driver's license.
- C. Age Requirement: Driver must be of the age of eighteen (18).
- D. All golf carts and utility terrain vehicles must be registered with the Village of Maple Park and proof of such registration shall be displayed and visible on the rear of the vehicle.
- E. Required Equipment: Golf carts and utility terrain vehicles must be equipped as follows:
 - 1. Brakes and brake lights;
 - 2. A steering wheel apparatus;
 - 3. Tires;
 - 4. Rearview mirror;
 - 5. Approved "slow moving vehicle" emblem on the rear of the vehicle;
 - 6. Headlight that emits a white light visible from a distance of five hundred feet (500') to the front of which must be illuminated when in operation;
 - 7. Taillamp that emits a red light visible from a distance of at least one hundred feet (100') from the rear which must be illuminated when in operation;
 - 8. Any additional requirements which may be required by 625 Illinois Compiled Statutes 5/11-1426.1, as amended.

- F. Occupants: The maximum number of occupants in such vehicles shall be deemed to correspond with the total number of seats available on the particular vehicle.
- G. Golf Carts and Utility Terrain Vehicles require proper seating equipment for infants, and children must meet the minimum requirements of the Compiled Statutes of the Illinois State Vehicle Code (no exceptions).

7-11-3: COMPLIANCE WITH TRAFFIC LAWS:

Drivers of golf carts and utility terrain vehicles must comply with all applicable provisions of the Illinois vehicle code, and with all traffic laws otherwise codified by this code. A person operating or in actual physical control of a golf cart or utility terrain vehicle as while under the influence of alcohol or drugs as described herein on a roadway is subject to DUI under 625 Illinois Compiled Statutes 5/11-500, 5/11-501, and 5/11-502, which addresses driving under the influence.

7-11-4: OPERATION WITHIN VILLAGE:

- A. Prohibited: Except as otherwise provided in this chapter, it is unlawful for any person to drive or operate a nonhighway vehicle upon any street, highway, or roadway in the village of Maple Park.
- B. Golf carts may not be operated on sidewalks or other public property not accessible to or authorized to vehicle traffic.
- C. Golf carts may only be authorized on village streets as set forth by this section of the Village Code. Golf carts may not be operated on streets and highways, and roads under the jurisdiction of the Illinois Department of Transportation (IL Route 38), any County Highway Department (County Line Road), or Township Road (Thatcher Road).
- D. Permitted: Golf carts and utility terrain vehicles may only be operated on streets within the village of Maple Park which have a speed limit of twenty-five (25) miles per hour.
- E. Crossing of state highways shall only be allowed a perpendicular angle of 90 degrees.
- F. Golf carts and utility terrain vehicles shall come to a complete stop before attempting to cross any highway.
- G. Golf carts may be operated during the hours between sunset and sunrise, as well as during daylight hours.
- H. The operator of the non-highway vehicle shall yield the right-of-way to all pedestrian and vehicular traffic which constitutes a hazard.

7-11-5: PERMITS:

- A. No person shall operate a motorized golf cart or utility terrain vehicle without obtaining a permit from the Village Clerk, as provided herein. Permits shall be granted for a one year period and may be renewed by May 31 of each year. The cost of the permit includes the inspection of the golf cart or utility terrain vehicle.
- B. Every application for a permit by a resident shall be on a form supplied by the village and shall contain the following information:
 - Name and address of the resident applying for the permit;
 - Name of the liability insurance carrier;
 - The serial number, make, model and description of the golf cart;

- Signed waiver of liability by the resident/applicant releasing the Village of Maple from any and all future claims resulting from the operation of the golf cart pursuant to this chapter or any other Ordinance of the Village of Maple Park;
- Photo copy of the applicable liability insurance coverage card specifically for the golf cart or utility terrain vehicle to be operated on village streets;
- Any other information as the village may require.

C. No permit shall be granted unless the follow conditions are met:

- The golf cart or utility terrain vehicle must be inspected and approved by the Chief of Police or a designee prior to application for the permit, in order to ensure that the vehicle is safe to operate only on the village streets as outlined on the village map, and is in compliance with the requirements of this chapter.
- The applicant must provide evidence of insurance in compliance with the provision of the Illinois Statutes regarding liability insurance for passenger motor vehicles to be operated on roads in the State of Illinois.

7-11-6: ENFORCEMENT AND PENALTY

- A. The Village of Maple Park has the authority to suspend or revoke a permit granted hereunder upon a finding that the permit holder thereof has violated any of the provisions of this chapter or if there is evidence that the permit holder cannot safely operate the motorized golf cart or utility terrain vehicle on the designated roadways.
- B. Any person who violates any provision of this chapter shall, upon conviction, be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than seven hundred-fifty dollars (\$750.00) and cost of attorney fees, prosecution, and court costs. A second conviction shall result in the suspension of the permit for six (6) months, or the remainder of the permit year for the permit.
- C. Upon conviction of operating a golf cart or utility terrain vehicle on a state, county, or township road, other than crossing at the designated locations (as defined in operation with the village, and in this ordinance), shall result in a fine of no less than two hundred-fifty dollars (\$250.00) nor more than seven hundred-fifty dollars (\$750.00), plus court costs. First conviction shall result in a suspension of the permit for the remainder of the permit year.

Violators of the provisions of this chapter shall be subject to the general penalty set forth in Title 1, Chapter 4 of this code.

SECTION 2: Any person found in violation of this Ordinance may be fined an amount not to exceed seven hundred and fifty (\$750.00) dollars. Each day that a violation is permitted to exist after notification thereof shall constitute a separate offense.

SECTION 3: That each Section and part hereof of this Ordinance is deemed to be severable and should any section or part thereof be held invalid or unconstitutional by any court of competent jurisdiction, such ruling shall not affect the validity or the constitutionality of the remaining portions of this Ordinance.

SECTION 4: All ordinances, resolutions or orders or parts thereof, which conflict with the provisions of this ordinance, are to the extent of such conflict hereby repealed.

SECTION 6: This ordinance shall be in full force and effect upon its passage and publication according to law.

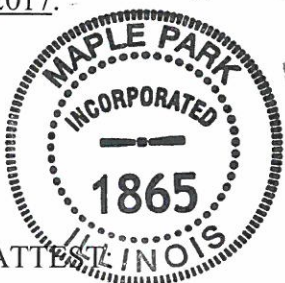
PASSED by the President and the Board of Trustees of the Village of Maple Park, DeKalb County, Illinois, on the 5th day of July, 2017, and deposited and filed in the office of the Village Clerk in said Village on that date pursuant to roll call vote as follows:

AYES: Higgins, Dries, Dalton

NAYS: None

ABSENT: Goucher, Harris

APPROVED by the President of the Village of Maple Park, Illinois, this 5th day of July, 2017.



Kathleen Curtis
Kathleen Curtis, Village President

ATTEST

Elizabeth Peerboom
Elizabeth Peerboom, Village Clerk