

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

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**ORDINANCE NO. 2017-21**

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

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

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**Published in pamphlet form by the authority of the Board of Trustees of the Village of  
Maple Park, Kane and DeKalb Counties, Illinois this 5<sup>th</sup> day of October, 2017.**

**ORDINANCE NO. 2017-21**

**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: ENFORCEMENT AND 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 course. 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.

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

**UTILITY TERRAIN VEHICLE:** A self-propelled, electrically powered, three or four-wheel motor vehicle or self-propelled, gasoline or diesel powered three or four-wheel motor vehicle with an engine displacement under one thousand two hundred (1,200) cubic centimeters, which is capable of attaining a speed of no more than fifteen (15) 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. (Ord. 2011-01, 1-4-2011) State Roads shall mean all roads under the State's jurisdiction, which would include Route 38. Township roads and County roads shall mean any roads under the jurisdiction of the township and/or county roads districts, respectively, and shall include any roads outside the boundaries of the Village limits under such jurisdiction.

\*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 is required by Article VI, Chapter 7 of the Illinois Vehicle Code:*

*Driver must carry proof with the vehicle at all times. Vehicle is subject to tow under provisions of Illinois Vehicle Code.*

B. Valid Driver's License: Driver must have a current Valid government issued driver's license

C. Age Requirement: Driver must be of the age of eighteen (18).

D. All Golf Carts must be registered with the Village of Maple Park and proof of such registration must be displayed and visible on the rear of the vehicle.

E. Required Equipment: Golf carts and utility terrain vehicles must be equipped as required by other vehicles in 625 ILCS 5/12-709 and as follows:

- a. Brakes and brake lights;
- b. A steering wheel apparatus;
- c. Tires;
- d. Rearview mirror;
- e. Approved "slow moving vehicle" emblem on the rear of the vehicle;
- f. 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;
- g. 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;
- h. 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. (Ord. 2011-01, 1-4-2011),

*G. All occupants are required to wear a lap seatbelt and for proper seating equipment for Infants and Children under the age of 4 years of age, they must meet the minimum requirements of the Compiled Statutes of the Illinois State Vehicle Code in regards to be properly restrained.*

### 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 625 Illinois Compiled Statutes 5/11-500, 5/11-501, and 5/11-502. which address 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 in this section for the Village Code. Golf cart may not be operated on streets and highways, and roads under the jurisdiction of the Illinois Department of Transportation (Illinois Route 38) or any County Highway Department (Countyline Road) or Township Road District (Thatcher Road).
- D. Crossing of State highways will only be allowed a perpendicular angle of 90 degrees.
- E. Golf carts must come to a complete stop before attempting to cross.
- F. *Golf carts may be operated during daylight and nighttime hours within the village.*
- G. 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 period of one (1) year and may be renewed annually by May 31st 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 resident shall be made on a form supplied by the Village and shall contain the following information:
  1. Name and address of the resident applying for permit
  2. Name of liability insurance carrier
  3. The Serial number, make model and description of the golf cart.
  4. Signed waiver of liability by resident/applicant releasing the Village of Maple Park from any and all future claims resulting from the operation of golf cart pursuant to this article or any other Ordinance of the Village of Maple Park.
  5. Photo copy of applicable liability insurance coverage card specifically for the golf cart to be operated on Village streets
  6. Any other information as the Village may require.
- C. No permit shall be granted unless the following condition are met:
  1. The golf cart or utility terrain vehicle must be inspected and approved by the Chief of Police or 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 requirement of this chapter.
  2. The applicant must provide evidence of insurance in compliance with the provision of Illinois Statues regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of 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 holder thereof has violated any of the provisions of this article or if there is evidence that the permit holder cannot safely operate the motorized golf cart on the designated roadways.
- B. Any person who violates any provision of this article shall upon conviction be subject to a fine not less than seventy-five dollars (\$75.00) nor more than seven hundred-fifty dollars (\$750.00) and costs of attorney's fees, prosecution, and court. A second conviction shall result in suspension of permit for 6 months, or the remainder of the calendar year for the permit.
- C. Upon a conviction of operating a golf cart or utility terrain vehicle on a State highway, or county roads, other than crossing at designated locations (as defined in Operation within Village, section D and E of this ordinance), shall result in a fine 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 suspension of permit for the remainder of the calendar year of permit.

~~Violators of the provisions of this chapter shall be subject to the general penalty set forth in title 1, chapter 4 of this code. (Ord. 2011-01, 1-4-2011)~~

~~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 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 3<sup>rd</sup> day of October, 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: Shaver, Dries, Goucher, Harris, Dalton, Higgins

NAYS: None

ABSENT: None

APPROVED by the President of the Village of Maple Park, Illinois, this 7<sup>th</sup> day of

~~October 2017~~



*Kathleen Curtis*

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Kathleen Curtis, Village President

ATTEST:

*Elizabeth Peerboom*

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Elizabeth Peerboom, Village Clerk