

ORDINANCE NO. 2018-_____

ORDINANCE AUTHORIZING OPERATION OF GOLF CARTS & NON-HIGHWAY VEHICLES ON CITY STREETS

WHEREAS, Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1) authorizes municipalities to permit the operation of golf carts and qualified non-highway vehicles (as defined therein) on streets under the jurisdiction of the municipality; and

WHEREAS, the City Council of the City of Knoxville, Knox County, Illinois (“City”) has considered the volume, speed and character of the traffic on the streets under its jurisdiction and/or within its corporate boundaries and has determined that golf carts and qualified non-highway vehicles may safely travel on and cross such roadways as provided in this ordinance; and

WHEREAS, the City Council of the City of Knoxville has further determined that the public safety will not be jeopardized by the operation of golf carts or qualified non-highway vehicles on streets under its jurisdiction and/or within its corporate boundaries as permitted in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KNOXVILLE, KNOX COUNTY, ILLINOIS AS FOLLOWS:

Section 1: A new Article 5 of the Knoxville City Code is added to Chapter 28 (Traffic Control) of the Knoxville City Code. Said Article 5 of Chapter 28 shall provide as follows:

ARTICLE 5: Golf Carts and Qualified Non-Highway Vehicles

SEC. 28-5-1: Operation of Golf Carts and Qualified Non-Highway Vehicles Allowed

Provided that a permit is first obtained, and all conditions of this Article are obeyed, the operation of golf carts or qualified non-highway vehicles shall be permitted on streets under the jurisdiction of the City of Knoxville and within its corporate boundaries as set forth in this Section, provided that the posted speed limit for such streets is 35 miles per hour or less. Golf carts or qualified non-highway vehicles shall also be permitted to make direct crossings at an intersection controlled by a traffic light or 4-way stop sign upon or across any highway under the jurisdiction of the State of Illinois as set forth in this Article. The term “golf cart” shall have the same meaning as set forth in Section 1-123.9 of the Illinois Vehicle Code (625 ILCS 5/1-123.9), and “qualified non-highway vehicles” shall have the same meaning as set forth in Section 1-168.8 of the Illinois Vehicle Code (625 ILCS 5/1-123.9).

SEC. 28-5-2: Compliance with Illinois Vehicle Code

The operation of golf carts or qualified non-highway vehicles within the City shall be in accordance with all provisions of the Illinois Vehicle Code (625 ILCS 5/1-100 *et seq.*), including, without limitation, Section 11-1426.1 thereof (625 ILCS 5/11-1426.1). All golf

carts and qualified non-highway vehicles must have, at a minimum, the equipment and other items set forth in Section 11-1426.1(e) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1(e)). No non-highway vehicle may be operated on a 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 emblem (as required of other vehicles in Section 12-709 of the Illinois Vehicle Code (625 ILCS 5/12-709)) on the rear of the non-highway vehicle, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on a roadway, a non-highway vehicle shall have its headlight and tail lamps lighted as required by Section 12-201 (625 ILCS 5/12-201) of the Illinois Vehicle Code.

SEC. 28-5-3: Permits and Permit Fees

No person shall operate a golf cart or qualified non-highway vehicle within the City of Knoxville without first obtaining a permit, or being listed as an additional operator under a permit, as provided herein. There shall be an annual permit fee of no less than \$50.00 or such greater amount as adopted, from time to time, by the City Council and set forth in Appendix A of this Code. Permits shall expire on December 31 of each year. Applications for a permit shall be made on a form supplied by the City, shall be executed by the applicant and each additional operator and shall contain the following:

- Name and address of applicant;
- Name and address of any additional operators;
- Name of liability insurance carrier and policy number;
- The serial number, make, model and description of golf cart or qualified non-highway vehicle;
- Waiver of liability; and
- Such other information as the City may require.

No permit shall be granted unless the following conditions are met:

- A physically handicapped applicant or operator must submit a certificate signed by a physician, certifying that the applicant is able to safely operate a golf cart or qualified non-highway vehicle on City streets;
- The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois; and
- The applicant must provide a copy of the driver's license of the applicant and each operator.

Permits may be renewed upon demonstration of compliance with the requirements for initial issuance of a permit and the payment of the permit fee.

SEC. 28-5-4: Additional Restrictions on Vehicle Operation

The following additional restrictions shall apply to the operation of golf carts within the City of Knoxville:

- Golf carts and qualified non-highway vehicles may be operated only during daylight hours;
- The applicant and all operators of golf carts and qualified non-highway vehicles must be at least 18 years of age;
- A City decal evidencing that a permit has been obtained shall be displayed on the golf cart or qualified non-highway vehicle.

SEC. 28-5-5: Violations and Penalties

Any person who violates the provision of this Article shall be subject to revocation of permit or non-renewal of permit, at the discretion of the City Council, in addition to all penalties set forth in Article 4 of this Chapter 28 of the Knoxville City Code.

Section 2: In the event that a court of competent jurisdiction declares any particular provision of this ordinance to be invalid or unenforceable, the remaining provisions of this ordinance shall be construed to be valid and enforceable. The invalidity of any part of this ordinance shall not affect any part or parts thereof.

Section 3: This Ordinance is hereby ordered to be published in pamphlet form by the Acting Clerk of the City of Knoxville, Illinois, and said Acting Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KNOXVILLE, KNOX COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS _____ DAY OF _____, 2018.

APPROVED:

Mayor

(SEAL)

ATTEST:

Acting City Clerk