

**VILLAGE OF ARTHUR
GOLF CART / UTV ORDINANCE**

- 1.) Add the following definitions to Village Code, Title 9, Chapter 1, Section 1:

GOLF CART: A vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course.

UTV: Any recreational motor vehicle other than an ATV, motorcycle, or snowmobile, designed for and capable of travel over designated unpaved roads, traveling on four (4) or more low pressure tires of twenty (20) PSI or less, maximum width less than seventy-four (74) inches, maximum weight less than two thousand (2,000) pounds, or having a wheel base of ninety-four (94) inches or less. UTV does not include golf carts, vehicles specifically designed to carry a disabled person or implements of husbandry.

- 2.) Add the following rules and regulations to Village Code, Title 9, Chapter 2, creating Section 10:

RULES AND REGULATIONS.

Policy Statement: This ordinance is adopted in the interest of public safety. Golf carts and UTV's are not designed or manufactured to be used on public streets and roads, and the Village of Arthur in no way advocates or endorses their operation on streets or roadways. The Village, by regulating such operation, is merely addressing safety issues. This ordinance is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this ordinance. All persons operating golf carts and UTV's must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and other pedestrians. All persons who operate or ride golf carts and UTV's on streets inside the Village of Arthur do so at their own risk and peril. The Village of Arthur has no liability under any theory of liability, for permitting golf carts and UTV's to be operated on the streets of the Village.

Golf Carts and UTV's ,may only be operated on streets within the Village of Arthur in accordance with the following rules and regulations:

- (A) Any person who operates a golf cart or UTV in the Village of Arthur takes full responsibility for all liability associated with operating a golf cart or UTV.
- (B) Any person who operates a golf cart or UTV must be at least twenty-one (21) years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
- (C) No person shall operate, and no owner shall permit another person to operate a golf cart or UTV on a village street unless: (1) the golf cart or UTV is covered by a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601); and (2) the operator of the golf cart or UTV carries with him proof of liability insurance as required by Section 7-602 of the Illinois Vehicle Code (625 ILCS 5/7-602).
- (D) Golf carts or UTVs may be operated at any time of day or night if equipped with a yellow flashing light visible at least 100' from the rear of the vehicle.
- (E) No person shall operate a golf cart or UTV on a village street in excess of the posted speed limits.

(F) Golf carts or UTV's may not be operated on State Highway 133 except to cross said highway at intersections, in a path 90 degrees or as direct as possible across said highway, to the nearest intersecting street, inside a crossing zone starting at Moses Street and ending at Spruce Street.

(G) Golf carts and UTVs shall have their headlights and taillights lighted at all times when operated on village streets.

(H) Golf carts and UTVs may not be operated when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(I) Golf carts and UTVs may not be operated on the sidewalk.

(J) Golf cart and UTV drivers must yield the right-of-way to overtaking vehicles at all times.

(K) Any person who operates a golf cart or UTV on the streets of the Village of Arthur must adhere to all applicable state laws concerning the possession and use of alcoholic beverages and all illegal drugs, as well as all other state traffic laws.

(L) The maximum occupancy of golf carts and UTVs traveling on village streets shall be equal to the amount of safety belts or passenger restraints in the golf cart or UTV.

(M) Each driver and passenger of a golf cart or UTV shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the Child Passenger Protection Act (625 ILCS 25/1 et seq.).

(N) Golf carts and UTVs are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicapped parking sticker.

(O) The operator of a golf cart or UTV shall obey all ordinances of the Village of Arthur and all provisions of the Illinois Vehicle Code, as amended from time to time.

REQUIRED EQUIPMENT:

A golf cart or UTV operated on a village street shall have the following equipment in good working condition at all times:

- (a) Brakes
- (b) Steering apparatus
- (c) Tires
- (d) Rearview mirror
- (e) A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear
- (f) Headlights that emit white light visible from at least 500 feet to the front
- (g) Taillights that emit red light visible from at least 100 feet from the rear
- (h) Brake lights on the rear
- (i) Turn signals on the front and rear
- (j) Seat belts for each passenger
- (k) A yellow flashing light visible for at least 100' from the rear of the vehicle, if operated between one half hour after sunset and one half hour before sunrise

PERMITS:

(A) No person shall operate a motorized golf cart or UTV without obtaining a permit from the Village of Arthur Police Department as provided in this section.

(B) Permits shall be granted for a period of one year and may be renewed annually on May 1st of each year.

(C) The annual cost of a permit is \$40.00 per golf cart or UTV, to cover the costs of implementing and maintaining this ordinance, and shall be paid to the Village of Arthur by the applicant. Insurance coverage shall be verified as in effect by the Police Department when issuing or renewing a permit.

(D) After completion of the application and payment of the requisite fee, the applicant shall present the golf cart or UTV to the Chief of Police, or his designee, for an inspection to determine whether the golf cart or UTV may be operated on a village street. If the applicant and golf cart or UTV are qualified under the terms and conditions of this ordinance, a license shall be issued to the applicant which must be kept on the vehicle at all times. The Police Department shall issue a sticker as visible proof of compliance, which shall be valid for a period of one year from the date of registration, and which must be displayed on the "slow moving" emblem located at the rear of the golf cart or UTV at all times.

(E) Golf cart or UTV owners must complete the attached permit application form as shown on Exhibit A attached hereto. The completed forms will be maintained by the Village of Arthur Police Department.

ENFORCEMENT:

(A) The Village of Arthur may prosecute violators for any act constituting a violation of this Ordinance. Any person who violates any provisions of this ordinance shall be guilty of a petty offense and shall be punished by a fine of not less than \$50.00 and not more than \$100.00, unless otherwise specified elsewhere in the Village Code, plus costs of prosecution.

(B) The license of an operator of a golf cart or UTV issued pursuant to this ordinance may be suspended by the Chief of Police, or his designee, if (1) there is any material misrepresentation made by the applicant on the application or (2) the required liability insurance is no longer in full force and effect or (3) there is evidence that the license holder can no longer safely operate the golf cart or UTV or (4) for any reason that he feels is appropriate to insure the safety and well-being of the citizens of the Village of Arthur.

(C) The Chief of Police, or his designee, shall issue a notice of suspension of a license in writing and either hand deliver the notice to the license holder or send the notice by certified mail to the license holder at the address on the application. The suspension of a license shall be effective immediately after personal service, or on the third day after the post mark of the certified mail receipt.

(D) Upon investigation by and the recommendation of the Village of Arthur Police Department the Village Board may suspend or revoke a permit granted hereunder upon a finding that there is evidence that the Permittee cannot safely operate the golf cart or UTV on Village streets

(E) Repeat offenders may have the privileges granted by this Article revoked by the Village Board of the Village of Arthur upon recommendation by the Village of Arthur Police Department.