

Prepared by and return to:

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VILLAGE OF ELKHART

ORDINANCE NO. 2019-04
Amend and Replace
NO. 2018-02

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF ELKHART

THIS 6 DAY OF May, 2019

**AN ORDINANCE REGULATING THE USE OF GOLF CARTS, UTV'S & ATV'S
IN THE VILLAGE OF ELKHART**

Published in pamphlet form by the authority of the Board of Trustees of the Village of Elkhart, Logan

County, Illinois, this 6 day of May, 2019.

**AN ORDINANCE REGULATING THE USE OF GOLF CARTS, UTV'S & ATV'S
IN THE VILLAGE OF ELKHART**

WHEREAS, the Village of Elkhart, Logan County, Illinois, believes that regulation of the use of golf carts, UTV's and ATV's is necessary to promote safety in the Village and,

WHEREAS, the permit fee for each "Vehicle(s)" will be **\$40.00** annually and,

WHEREAS, the "Vehicle(s)" regulated under this ordinance are as follows: golf carts, UTV's and ATV's and,

WHEREAS, this Ordinance is to amend and replace ordinance #2018-02,

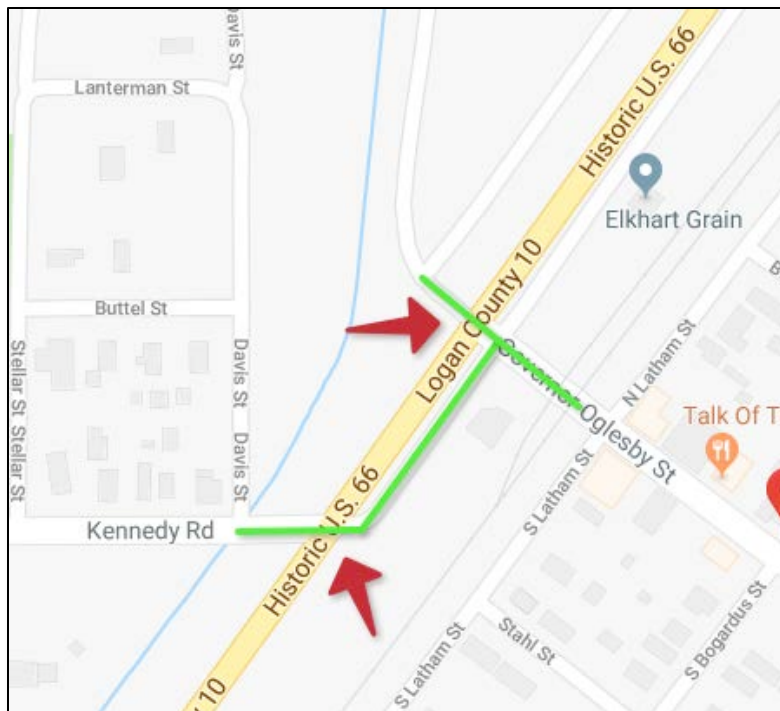
NOW THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Elkhart, Logan County, Illinois as follows:

Section 1: That the Preambles hereto are true and correct and are incorporated herein by reference as if fully set forth at this point.

Section 2: OPERATION

The operation of "Vehicle(s)" shall be permitted on streets under the jurisdiction of the Village of Elkhart and/or within its corporate boundaries only as set forth in this Article. "Vehicle(s)" may only be operated on Village streets between sunrise and sunset. "Vehicle(s)" shall operate in accordance with the Illinois Vehicle Code (625 ILCS 5).

"Vehicle(s)" shall not operate directly on Historic U.S. 66. "Vehicle(s)" are permitted to make a direct crossing of Historic U.S. 66 at the intersection of Kennedy Road or Governor Oglesby street as shown in diagram below.



Section 3: REQUIRED EQUIPMENT

The operation of "Vehicle(s)" within the Village shall be in accordance with all provisions of the Illinois Vehicle Code (625 ILCS 5). "Vehicle(s)" must have, at a minimum, the following equipment:

- Brakes
- Brake Lights
- Horn
- Windshield (if not equipped, operator and passengers must wear eye protection)
- Rearview Mirror(s)
- Yellow or Red Reflector tape on Front/Rear/Sides of the "Vehicle(s)"
- Slow moving emblem or orange flag in the rear of "Vehicle(s)"
- Headlights – emits white light visible from 500 feet when in operation
- Taillights – emits red light visible from 300 feet when in operation

Section 4: PERMITS

No person shall operate a "Vehicle(s)" within the Village of Elkhart without first obtaining a permit or being listed as an additional operator under a permit, as provided herein. The permit (registration) stickers placed on the "Vehicle(s)" must be visible at all times during its operation. Permits shall expire on April 30th of each year. The cost of the permit shall be as set forth in the Preamble of the Village Code.

Section 4.1: Applications for a permit shall be made on a form supplied by the Village, 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 S/N or VIN, Make, Model and Description of "Vehicle(s)"
- Waiver of liability
- Such other information as the Village may require

Section 4.2: No permit shall be granted unless the following conditions are met:

- The "Vehicle(s)" must be inspected and approved by the Police Department or a member of the Village Board
- A physically handicapped applicant or operator must submit a certificate signed by a Physician certifying that the applicant is able to safely operate "Vehicle(s)" on Village 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
- The applicant must provide a copy of the driver's license of the applicant and each operator

Section 4.3: Annual renewal of a permit:

- The “Vehicle(s)” must meet all safety requirements that were approved by the additional inspection
- The applicant must provide evidence of insurance each year 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
- The applicant must provide a new copy of the driver’s license of the applicant and each operator if said license expired during the previous year
- A prorated fee discount may apply if the “Vehicle(s)” permit was purchase after April 30th of the previous year. The monthly prorated fee discount is **\$3.33** per month.

Section 5: Additional Requirements

The following requirements shall apply to the operation of the “Vehicle(s)” within the Village of Elkhart:

- The applicant must have a valid driver’s license
- Operators not of driving age must be accompanied by a licensed operator on the same “Vehicle”
- The permit MUST be secured and visible at all times during its operation on the front, left hand side of the “Vehicle(s)”

Section 6: Violations

Any person who violates the provisions of this Article shall be subject to revocation of permit or non-renewal of permit, and a monetary fine of not less than **\$30.00** for the first offense and **\$50.00** for subsequent violations. Fines for “failure to renew” violations are 2x the annual permit fee.

Section 7: Impoundment

“Vehicle(s)” shall be subject to impoundment to the same extent as any motor vehicle

Section 8: Seat Belts

Each driver and passenger of a “Vehicle(s)” operated on a street within the Village shall wear a properly adjusted and fastened lap seat belt. The exceptions for not having to wear a lap seat belt are described below:

- Not factory equipped
- A driver or passenger frequently stopping and leaving the “Vehicle(s)” or delivering property from the “Vehicle(s)” if the speed of the “Vehicle(s)” between stops does not exceed 15 miles per hour
- A driver or passenger possessing a written statement from a physician that such person is unable for medical or physical reasons to wear a lap seat belt.
- A driver or passenger possessing an official certificate or licensed endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical or other valid reasons to wear a lap seat belt.

Section 9: Special Events

Notwithstanding Ordinance 2019 - 04 of the Village Code, a "Vehicle(s)" may be operated on the streets of the Village without a permit issued under Ordinance 2019 - 04 as part of a special event for which the Village has granted approval. Events include, but are not limited to seasonal celebrations, car shows, charities, etc. All "Vehicle(s)" must conform to all provisions of the Elkhart Village Code, The Illinois Compiled Statutes and other applicable laws and regulations shall apply to such operation.

Section 10: Ordinance in Force

This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

Passed by the Board of Trustees of the Village of Elkhart, Logan County, Illinois. Approved by the Mayor and deposited in the Office of the Village Clerk, this 6 day of May, 2019.

Those voting aye: Dave Barker, Matt Fights, Abby Fletcher, Nancy Moore,
Travis Moore, Ernie Shaw

Those voting nay: None

Those absent: None

VILLAGE OF ELKHART
LOGAN COUNTY, ILLINOIS

BY: 
MAYOR OF ELKHART

ATTEST:

(SEAL)


VILLAGE CLERK
VILLAGE OF ELKHART, ILLINOIS