

**TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS**

TOWN OF CORTLAND
ORDINANCE NO. 2022-__

**AN ORDINANCE AMENDING TITLE 6 “MOTOR VEHICLES AND TRAFFIC,”
AUTHORIZING THE OPERATION OF CERTAIN QUALIFIED NON-HIGHWAY
VEHICLES ON STREETS UNDER THE JURISDICTION OF THE TOWN OF
CORTLAND, ILLINOIS**

**ADOPTED BY THE
MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND**

This ___ day of _____, 2022

Effective date: January 1, 2023

Published in pamphlet form by the authority of the President and Board of Trustees of the Town of Cortland, DeKalb County, Illinois, this ___ day of _____, 2022.

ORDINANCE 2022-

**AN ORDINANCE AMENDING TITLE 6 “MOTOR VEHICLES AND TRAFFIC,”
AUTHORIZING THE OPERATION OF CERTAIN QUALIFIED NON-HIGHWAY
VEHICLES ON STREETS UNDER THE JURISDICTION OF THE TOWN OF
CORTLAND, ILLINOIS**

WHEREAS, the Town of Cortland has determined that the operation of certain types of qualified non-highway vehicles, which are intended to include only vehicles which have a non-straddle seat as described herein, should be allowed under certain conditions on the streets under the jurisdiction Town of Cortland; and

WHEREAS, the Illinois Vehicle Code Section 625 ILCS 5/11-1426.1 *et seq.* authorizes municipalities, by ordinance to permit qualified non-highway vehicles to operate in the streets under the jurisdiction of the municipality; and

WHEREAS, the Town of Cortland has considered the volume, speed and character of the traffic on the streets within its jurisdiction and has determined that, subject to the conditions stated herein and the provisions of 625 ILCS 5/11-1426.1 *et seq.*, has determined the identified qualified non-highway vehicles, as defined herein, may safely operate on the streets within the jurisdiction of the Town as public safety will not be jeopardized; and

WHEREAS, the Town of Cortland finds it in the best interest of the citizens of the Town to permit such qualified golf carts and recreational off-highway vehicles with non-straddle seats to operate on municipal streets in accordance with the provisions of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF CORTLAND BOARD OF TRUSTEES as follows:

Section 1. That Title 6 “Motor Vehicles and Traffic” is amended by adding a new Chapter 5, Operation of Qualified Non-Highway Vehicles as follows:

CHAPTER 5 OPERATION OF QUALIFIED NON-HIGHWAY VEHICLES

SECTION:

6-5-1: Definitions

6-5-2: Requirements

6-5-3: Permits

6-5-4: Violations

6-5-1: DEFINITIONS:

As used in this title, the following words and terms shall have the meanings ascribed to them in this section. Any other words used in this title which are not defined in this section shall be given their appropriate meanings as found in a dictionary.

GOLF CART: A "golf cart" shall be as defined in the Illinois Vehicle Code, 625 ILCS 5/1-123.9, and shall mean a vehicle specifically designed and intended for the purposes 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.

RECREATIONAL OFF-HIGHWAY VEHICLE: A "recreational off-highway vehicle" shall be defined in the Illinois Vehicle Code, 625 ILCS 5/1-168.8, and shall mean any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed and operated with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.

TOWN STREETS: shall mean any of the streets or alleys dedicated within the boundaries of the Town of Cortland.

6-5-2: REQUIREMENTS:

All persons wishing to operate a golf cart or a recreational off-highway vehicle on the Town streets must ensure compliance with the following requirements:

1. Must have proof of current insurance in compliance with provisions of the Illinois Compiled Statutes regarding minimum liability insurance for passenger motor vehicle to be operated on the roads of the State of Illinois.
2. Must display Town permit decal on the driver's side of the vehicle.
3. Must have current, valid Illinois driver's license.
4. Vehicle must be equipped as follows:
 - a. Brakes;

- b. Steering apparatus;
 - c. Tires;
 - d. Rear view mirror;
 - e. Red reflectorized warning devices in front and rear;
 - f. "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - g. Headlight that emits a white light visible from a distance of 500 feet to the front;
 - h. Tail lamp that emits red light visible from at least 100 feet from the rear;
 - i. Brake lights;
 - j. Turn signals;
 - k. Seat belt for each occupant;
 - l. Must otherwise comply in all respects with 625 ILCS 5/11-1426.1 as amended
5. Must obey all traffic laws of the State of Illinois and the Town of Cortland.
 6. Must be operated only on Town streets, except that operation is prohibited on the following highways, streets, or roadways within the Town: State Route 38 (which is under the jurisdiction of the Illinois Department of Transportation) Loves Road, Somonauk Road, Airport Road, Barber Green Road, Maple Park Road, Cortland Center Road, and North Avenue east of Prairie Street. Street crossings must take place at an intersection and at a 90 degree angle.
 7. Must not be operated in excess of any posted speed limit.
 8. Any person operating or in actual physical control of a golf cart or recreational off-highway vehicle on a roadway while under the influence shall be subject to the applicable provisions of the Illinois Vehicle Code, including Sections 11-500 through 11-502 (625 ILCS 5/11-500 through 625 ILCS 5/11-502)
 9. Golf carts and recreational off-highway vehicle shall not be operated upon or otherwise occupy sidewalks/paths, or be operated in Town parks other than in designated parking areas.

6-5-3: PERMITS:

1. No person shall operate a golf cart or recreational off-highway vehicle without first obtaining a permit from the Town of Cortland. Permits shall be valid for a period of one calendar (1) year and shall be renewed annually. The cost of the permit is \$100.00.
2. Every application for a permit shall be made on a form supplied by the Town of Cortland and shall contain the following:
 - a. Name and address of applicant/and owner, if different;
 - b. Name and policy number of the liability insurance;
 - c. The serial number, make, model and description of golf cart or recreational off-highway vehicle;
 - d. Signed Waiver of Liability by applicant on a form provided by the Town, releasing the Town of Cortland and agreeing to indemnify and hold the Town harmless from any and all claims which may arise from the operation

- of the golf cart or recreational off-highway vehicle upon the Town of Cortland streets;
- e. Photocopy of applicable liability insurance coverage card specifically identifying the vehicle to be operated pursuant to the permit;
 - f. Verification by applicant that all information contained in the permit application is true and accurate;
 - g. Such other information as the Town may reasonably require to effectuate the provisions of this Chapter.
3. The Mayor of the Town of Cortland may suspend any permit granted hereunder upon finding that the permittee has violated any provision of this ordinance or upon demonstration that the permittee is unable to safely operate a golf cart or recreational off-highway vehicle upon the designated roadways within the Town. Such suspension shall be subject to appeal by permittee to the Town Board of Trustees. In the event of appeal of a suspension, the Town Board shall consider the appeal at the next regularly scheduled meeting of the Town Board and shall render a determination as to whether to rescind the suspension or sustain the same by a majority vote.

6-5-4: VIOLATIONS:

Any person who violates any provisions of this ordinance shall be guilty of a petty offence and shall be punished by a minimum fine of \$75.00 and a maximum fine of \$750. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three (3) months, nor more than five (5) years, as determined by the Mayor subject to appeal to the Town Board in a manner similar to the provisions of Section 6-5-3.3 of this Chapter. To the extent that any violation of this ordinance also constitutes a violation of a criminal statute of the State of Illinois, then the violator may be subject to additional criminal prosecution.

Section 2. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Effective Date. This Ordinance shall be effective January 1, 2023.

PASSED BY THIS BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the ____ day of ____, 2022 and approved by me as Mayor on the same day.

AYE:

NAY:

ABSENT:

Mark Pietrowski, Mayor

ATTEST:

Cheryl Aldis, Town Clerk