

ORDINANCE NO. 2022-__07_____

**AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING
TITLE IV – MOTOR VEHICLES AND TRAFFIC, CHAPTER 2 – OFF HIGHWAY
VEHICLE REGULATIONS, SECTION 4-2-1 – REGULATIONS OF THE VILLAGE OF
POPLAR GROVE CODE OF ORDINANCES**

WHEREAS, the Village of Poplar Grove, Illinois (“Village”) has adopted a Village Code of Ordinances (“Code”); and

WHEREAS, Title IV—Motor Vehicles and Traffic, Chapter 2 – Off Highway Vehicle Regulation, Section 4-2-1 – Regulation, sets forth the City regulations pertaining to certain recreational vehicles; and

WHEREAS, the Village desires to amend the regulations for off highway recreational vehicles; and

WHEREAS, the Village has determined such amendment is in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. That Title IV—Motor Vehicles and Traffic, Chapter 2 – Off Highway Vehicle Regulation, Section 4-2-1, is amended to read as follows (deletions shown as ~~strike throughs~~ and new language as **bold and underlined**):

4-2-1. – REGULATION

- A. "Off highway vehicle" means a motor driven recreational vehicle capable of cross country travel on natural terrain without benefit of a road or trail, including an all-terrain vehicle and off highway motorcycle as defined in the Illinois Vehicle Code~~4~~. "Off highway vehicle" does not include a snowmobile; a motorcycle; a watercraft; a farm vehicle being used for farming; a construction or logging vehicle used in the performance of its common function; a motor vehicle owned by or operated under contract with a utility, whether publicly or privately owned, when used for work on utilities; a commercial vehicle being used for its intended purpose; or an aircraft, excluding golf carts.
- B. **It shall be unlawful for any person to operate an off highway vehicle on any public street or on any public property.**

C. The operation of an off-highway vehicle within 200 feet of any residence is hereby declared a public nuisance and is prohibited, excluding however any residence on the property upon which the vehicle is being operated if such operation is otherwise lawful.

D. A person found guilty of violating this section **shall** be fined ~~not less than \$100.00, nor more than \$500.00 for any one offense~~ **a first offense, and \$300, for any subsequent offense.**

3. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2022

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2022

ATTEST:

CLERK

PRESIDENT