

ORDINANCE NO. 17-1  
VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS

**AN ORDINANCE TO AUTHORIZE AND REGULATE THE USE OF GOLF  
CARTS, UTVs and ATVs ON THE STREETS WITHIN THE VILLAGE OF  
STRASBURG, SHELBY COUNTY, ILLINOIS.**

WHEREAS, the Village of Strasburg has determined that the public safety will not be jeopardized by the operation of golf-carts, UTVs, and ATVs on municipal streets; and,

WHEREAS, the Village of Strasburg is authorized, pursuant to 625 ILCS 5/11-1426.1(d), to authorize and regulate the operation of golf-carts, UTVs, and ATVs on the streets of the Village; and,

WHEREAS Ordinance No. 08-1, 12-2, and 13-7 no longer sufficiently regulate the operation of golf-carts, UTVs, and ATVs within the Village of Strasburg; and,

WHEREAS, after due deliberation and consideration, it has been determined to be in the best interest of the Village of Strasburg and the health and safety of its residents that the operation of golf-carts, UTVs, and ATVs within the corporate limits shall be regulated in a manner set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1.** Ordinance Nos. 08-1, 12-2 and 13-7, shall be and the same are hereby repealed.

**SECTION 2. TITLE:** This ordinance shall be known and may be cited as the Village of Strasburg Non-Highway Vehicle Ordinance.

**SECTION 3. DEFINITIONS:** For the purpose of this ordinance, whenever the following words or terms are used herein they shall be the meaning ascribed to them in this section.

(A) **Golf cart:** "Golf cart" means 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.

(B) **UTVs:** UTVs shall be defined as "recreational off-highway vehicles." Recreational off-highway vehicles are 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 with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers..

(C) **Person:** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political

subdivision, state agency, or other legal entity, or their legal representative, agent or assigns.

(D) All-terrain vehicle ("ATV"): ATVs shall be defined as any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, travel on 3 or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.

#### **SECTION 4. OPERATION ON STREETS:**

It shall be lawful to operate golf carts, UTVs, or ATVs on Village Streets or alleys subject to the requirements and regulations of this Ordinance, **EXCEPT** that it shall be unlawful to operate a golf cart, UTV, or ATV on or across Illinois Route 32.

**SECTION 5. REQUIRED EQUIPMENT:** A golf cart, UTV or ATV, to be operated on a Village Street or alley shall have, at a minimum the following equipment in good working condition at all times:

- (A) Brakes;
- (B) A steering apparatus;
- (C) Tires;
- (D) A review mirror;
- (E) Red reflectorized warning devices in the front and rear;
- (F) A slow moving emblem (as required of other vehicles of Section 12-709 of the Illinois Vehicle Code) on the rear of the non-highway vehicle;
- (G) A headlight that emits a white light visible from a distance of 500 feet to the front;
- (H) A tail lamp that emits a red light visible from at least 100 feet from the rear,
- (I) Brake lights on the rear; and,
- (j) Turn signals on the front and rear.

**SECTION 6. LIGHTS:** A golf cart, UTV, or ATV operated on a Village Street or alley shall have the head lights and tail lights turned on at all times.

**SECTION 7. AGE OF OPERATOR; LICENSE:** No person shall operate a golf cart, UTV, or ATV on a Village Street or alley unless the operator is at least 16 years of age and has a valid Illinois driver's license.

**SECTION 8. HOURS OF OPERATION:** Golf carts, UTVs, and ATVs shall only be allowed to be operated within the Village of Strasburg between the hours of 6:00 a.m. and 10:00 p.m.

**SECTION 9. SPEED LIMIT:** No person shall operate a golf cart, UTV, or ATV on a Village Street or alley in excess of thirty (30) miles per hour, or the posted speed limit, whichever is less.

**SECTION 10. VEHICLE CODE APPLICATION:** The operator of a golf cart, UTV, or ATV on a Village Street or alley shall obey all ordinances of the Village of Strasburg and the provisions of the Illinois Vehicle Code, as amended from time to time.

**SECTION 11. CITY LICENSE:** No person shall operate a golf cart, UTV, or ATV on a Village Street or alley unless the golf cart, UTV, or ATV has been issued a license by the Village. A person desiring a license shall make application to the Chief of Police, or if no Chief of Police, then the Public Works Superintendent, or his designee, on forms provided by the Village. New licenses shall be issued and the license shall be valid for the period of April 1 through March 31 of the following year. Licenses currently issued shall remain in full force and effect until March 31, 2018. For all licenses beginning on April 1, 2017 and thereafter, the license fee shall be \$50.00. All fees shall be made payable to the Village of Strasburg and shall be tendered with said application. The licensee must affix the license, or proof thereof, to the golf cart, UTV, or ATV.

**SECTION 12. INSPECTION:** Prior to the issuance of a license, the applicant shall present the golf cart, UTV, or ATV to the Public Works Superintendent, or his designee, for an inspection to determine whether the golf cart, UTV, or ATV may be operated on a Village Street or alley. If the applicant and golf cart, UTV, or ATV are qualified, a license shall be issued to the applicant.

**SECTION 13. MANDATORY INSURANCE:** No person shall operate, and no owner shall permit another person to operate, a golf cart, UTV, or ATV on a Village Street or alley unless:

(A) The golf cart, UTV, or ATV is covered by a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601); and,

(B) The operator of the golf cart, UTV, or ATV carries with him, or her, proof of liability insurance as required by Section 7-602 of the Illinois Vehicle Code (625 ILCS 5/7-602).

**SECTION 14. REVOCAATION:**

(A) The license of an operator of a golf cart, UTV, or ATV issued pursuant to Section 11 of this Ordinance may be revoked by the Chief of Police, or if none, by the Public Works Superintendent, 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, UTV, or ATV.

(B) The Chief of Police, or the Public Works Superintendent, or his designee, shall issue a notice of revocation 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 revocation of the license shall be effective immediately after personal service, or on the third day after the post mark of the certified mail receipt.

**SECTION 15. PENALTY:** Any person violating or aiding or abetting the violation of any provision of this ordinance is guilty of a petty offense and shall be fined not less than ONE HUNDRED DOLLARS (\$100.00), nor more than FIVE HUNDRED DOLLARS (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which violation occurs or continues.

**SECTION 16. SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of the ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 17. REPEAL:** All ordinances or portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.


**SECTION 18. COURT COSTS:** The Village is entitled to recover court costs from any non-prevailing party for any and all actions brought to enforce any fine or penalty or contesting any fine or penalty brought pursuant to this Ordinance.

**SECTION 19. PUBLICATION:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication by the Village Clerk in pamphlet form as provided by law for 10 days after its passage and approval.

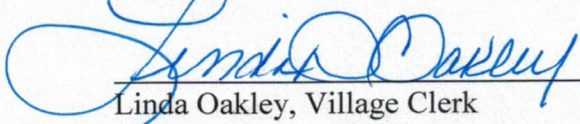
**PRESENTED, PASSED, APPROVED** and published in pamphlet form by the President and the Board of Trustees of the Village of Strasburg, Shelby County, Illinois, this 15<sup>th</sup> day of May, 2017, by the following vote:

NAME	AYE	NAY	ABSTAIN	ABSENT
Trustee Anita Renshaw	X			
Trustee Chuck Wade	X			
Trustee Jack Clark	X			
Trustee Cinda Held	X			
Trustee Robert Anderson				X
Trustee Alice Jeisy	X			
President Ronald Thomas				
<b>TOTAL</b>				

The Village of Strasburg, Shelby County, Illinois

by:   
Ronald Thomas, President

ATTEST:

  
Linda Oakley, Village Clerk (SEAL)

STATE OF ILLINOIS )  
COUNTY OF SHELBY ) SS.  
VILLAGE OF STRASBURG )

**CERTIFICATE**

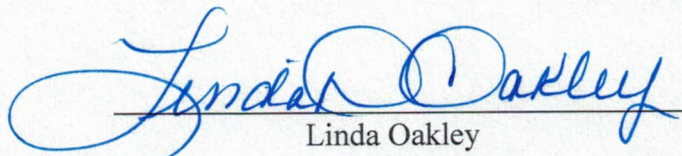
I, LINDA OAKLEY, certify that I am the duly elected and acting Village Clerk of the Village of Strasburg, Shelby County, Illinois. I further certify that on the 15<sup>th</sup> day of May, 2017, the Corporate Authorities of the Village of Strasburg passed and approved Ordinance No. 17-1 entitled:

**AN ORDINANCE TO AUTHORIZE AND REGULATE THE USE OF GOLF CARTS,  
UTVs and ATVs ON THE STREETS WITHIN THE VILLAGE OF STRASBURG,  
SHELBY COUNTY, ILLINOIS.**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 17-1, including the Ordinance, was prepared, and a copy of such Ordinance was posted in the Municipal Offices, commencing on the 15<sup>th</sup> day of May, 2017, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED this 15<sup>th</sup> day of May, 2017.

  
Linda Oakley  
Village Clerk

SEAL

**CERTIFICATION OF ORDINANCE**

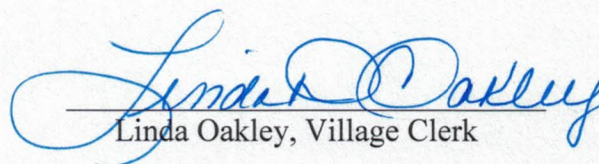
**THE VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS**

The undersigned, duly appointed, qualified and acting Clerk of the Village of Strasburg, Shelby County, Illinois, does hereby certify that the attached document is a true and correct copy of:

**ORDINANCE NO. 17-1**

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SHELBY COUNTY, ILLINOIS.**

Dated this 15<sup>th</sup> Day of May, 2017.

  
Linda Oakley, Village Clerk

SEAL