## Chapter 28   TRAFFIC AND VEHICLES [[1]](#BK_F5BE20D93ECD3FF8F3EDFA36EE37373E)

ARTICLE I. - IN GENERAL

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

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ARTICLE IV. - STOPPING, STANDING, PARKING

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FOOTNOTE(S):

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**State Law reference—** Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.; powers of local authorities, 625 ILCS 5/11-207 et seq. [(Back)](#BK_DC525D86FE1EAB5DBFF2BB6D0AFFEBA4)

### ARTICLE I.   IN GENERAL

[Sec. 28-1. Illinois Vehicle Code.](#BK_8B523FEF9FE83CEF5F9D633C474669D9)

[Sec. 28-2. Traffic signs, signals devices and markings.](#BK_B315C2135D557E1BA3F6C32FDBBAC74D)

[Sec. 28-3. Bicycles, skateboards, roller skates, etc.](#BK_152B458103C9155BD30DFC6F1B038E8F)

[Secs. 28-4—28-24. Reserved.](#BK_0883397D96E76ED01818EEF510610F38)

Sec. 28-1.   Illinois Vehicle Code.

The Illinois Vehicle Code (including definitions) is hereby adopted by reference as if set out at length in this chapter. No person shall violate the Illinois Vehicle Code.

**State Law reference—** Authority to adopt Illinois Vehicle Code by reference, 625 ILCS 5/20-204.

Sec. 28-2.   Traffic signs, signals devices and markings.

All traffic signs, signals, devices and markings in place on the adoption date of this Code are ratified and confirmed. All ordinances or portions of ordinances not codified in this Code that establish traffic regulations for specific locations in the village are hereby adopted by reference as if set out at length in this Code.

**State Law reference—** When signs required, 625 ILCS 5/11-208(b).

Sec. 28-3.   Bicycles, skateboards, roller skates, etc.

Bicycle, skateboards, roller blades, and roller skates may not be ridden on sidewalks in business districts. This prohibition shall not apply to sidewalks outside of business districts under the zoning code. In addition to or in lieu of any fine imposed for a violation of this section, the chief of police may also impound the bicycle, skateboard, roller blades, or roller skates used in the offense for a period not exceeding 30 days.

(Code 2003, §§ 9-2-6(B), 9-9-1)

Secs. 28-4—28-24.   Reserved.

### ARTICLE II.   ADMINISTRATION AND ENFORCEMENT

[Sec. 28-25. Scene of fire.](#BK_FBD77083F4329E6F101A92415B5D02ED)

[Sec. 28-26. Arrests.](#BK_D61DC5B0324ADB3C2C9ACB767F2323B0)

[Sec. 28-27. Prima facie proof.](#BK_772CE08E11E3CF9250AF61464D4CFB4B)

[Sec. 28-28. Parking violations.](#BK_370E11EF046A0262D389C0FB9F900922)

[Secs. 28-29—28-59. Reserved.](#BK_9B46342D93C565F8C120C70CB861ED4B)

Sec. 28-25.   Scene of fire.

The fire department officer in command, or any firefighter designated by him, may exercise the powers and authority of a police officer in directing traffic at the scene of any fire or where the fire department has responded to any emergency call for so long as fire department equipment is on the scene, in the absence of or in assisting the police.

(Code 2003, § 9-2-3)

Sec. 28-26.   Arrests.

Any person arrested for a violation of any provision of this chapter shall be released upon proper bail being furnished as required by law.

(Code 2003, § 9-9-2)

Sec. 28-27.   Prima facie proof.

The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such violation.

(Code 2003, § 9-9-3)

Sec. 28-28.   Parking violations.

Any person accused of a violation of any ordinance prohibiting parking a vehicle in a designated area, or restricting the length of time a vehicle may be there parked, or parking in a metered area without putting a coin in the meter to cover the required time, may settle and compromise the claim against him for such illegal parking by paying to the village the sum of $25.00 for each violation, within 14 days of the time such alleged offense occurred. Upon failure to pay said violation within 14 days, the ticket may be prosecuted by the Village of Arthur and any fine imposed shall include the actual costs of prosecution thereof in an amount not exceeding $500.00.

(Code 2003, § 9-9-4; Ord. No. 05-05B-14, 5-5-2014)

Secs. 28-29—28-59.   Reserved.

### ARTICLE III.   GENERAL RULES OF VEHICLE OPERATION

[Sec. 28-60. Golf carts/UTVs.](#BK_3E2A780C574BC39C4B831CD9D84B954B)

[Sec. 28-61. Barricades.](#BK_C73A1DB97F83D0CEE594D16A5EF6EBEA)

[Sec. 28-62. Snowmobile operation and safety.](#BK_713A89C1BA2049F8F61FAC8EE3F9C11E)

[Secs. 28-63—28-82. Reserved.](#BK_AC9B0502EA5463119E828D93D87C2BD4)

Sec. 28-60.   Golf carts/UTVs.

(a)  *Definition.* The term "UTV" means any recreational motor vehicle other than an ATV, motorcycle, or snowmobile, designed for and capable of travel over designated unpaved roads, traveling on four or more low pressure tires of 20 PSI or less, maximum width less than 74 inches, maximum weight less than 2,000 pounds, or having a wheel base of 94 inches or less. The term "UTV" does not include golf carts, vehicles specifically designed to carry a disabled person or implements of husbandry.

(b)  *Policy statement.* This section is adopted in the interest of public safety. Golf carts and UTVs 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 section is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this section. All persons operating golf carts and UTVs 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 UTVs 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 or liability for permitting golf carts and UTVs to be operated on the streets of the village.

(c)  *General rules.* Golf carts and UTVs may only be operated on streets within the Village of Arthur in accordance with the following:

(1)  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.

(2)  Any person who operates a golf cart or UTV must be at least 21 years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.

(3)  No person shall operate, and no owner shall permit another person to operate a golf cart or UTV on a village street unless:

a.  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

b.  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).

(4)  Golf carts or UTVs shall be allowed to be operated on village streets between one-half hour before sunrise, and one-half hour after sunset, as established by the National Weather Service.

(5)  No person shall operate a golf cart or UTV on a village street in excess of the posted speed limits.

(6)  Golf carts or UTVs 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.

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

(8)  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.

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

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

(11)  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.

(12)  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.

(13)  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.).

(14)  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.

(15)  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.

(d)  *Required equipment.* A golf cart or UTV operated on a village street shall have the following equipment in good working condition at all times:

(1)  Brakes.

(2)  Steering apparatus.

(3)  Tires.

(4)  Rearview mirror.

(5)  A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear.

(6)  Headlights that emit white light visible from at least 500 feet to the front.

(7)  Taillights that emit red light visible from at least 100 feet from the rear.

(8)  Brake lights on the rear.

(9)  Turn signals on the front and rear.

(10)  Seat belts for each passenger.

(11)  A yellow flashing light visible for at least 100 feet from the rear of the vehicle, if operated between one-half hour after sunset and one-half hour before sunrise.

(e)  *Permits.*

(1)  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.

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

(3)  The annual cost of a permit is as established by resolution, to cover the costs of implementing and maintaining this article, 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.

(4)  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 article, a license shall be issued to the applicant, who must keep it 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.

(5)  Golf cart or UTV owners must complete a permit application form. The completed forms will be maintained by the Village of Arthur Police Department.

(f)  *Enforcement.*

(1)  The license of an operator of a golf cart or UTV issued pursuant to this article may be suspended by the chief of police, or his designee, if:

a.  There is any material misrepresentation made by the applicant on the application;

b.  The required liability insurance is no longer in full force and effect;

c.  There is evidence that the license holder can no longer safely operate the golf cart or UTV; or

d.  For any reason that he feels is appropriate to ensure the safety and well-being of the citizens of the Village of Arthur.

(2)  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.

(3)  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.

(4)  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.

(Code 2003, § 9-2-10)

**State Law reference—** Operation of non-highway vehicles on streets, roads, and highways, 625 ILCS 5/11-1426.1.

Sec. 28-61.   Barricades.

(a)  When authorized by resolution of the board of trustees of the Village of Arthur, Illinois, barricades may be erected for the purpose of prohibiting traffic on certain streets within the Village of Arthur, Illinois.

(b)  When said barricades have been erected pursuant to resolution, it shall be unlawful for any vehicle or horse drawn apparatus or bicycle to be driven or ridden past the barricade unless said vehicle is an emergency vehicle responding to an emergency call, or unless consent from an official of the Village of Arthur Police Department has been received authorizing said vehicle to cross the barricade.

(Code 2003, §§ 9-1-1, 9-2-10; Ord. No. 3-18-9-96, 3-18-1996)

Sec. 28-62.   Snowmobile operation and safety.

(a)  The definitions set forth in Article I of the Snowmobile Registration and Safety Act (625 ILCS 40/1-1 et seq.) are hereby incorporated by reference as if fully set forth herein.

(b)  It shall be unlawful for any person to resist or obstruct any police officer of the Village of Arthur in the discharge of the duties hereinafter set forth.

(c)  No person shall hereafter operate any snowmobile within the corporate limits of the Village of Arthur, Illinois, unless such snowmobile has been registered and numbered in accordance with the Snowmobile Registration and Safety Act (625 ILCS 40/1-1 et seq.) and unless the certificate of number awarded to such snowmobile is in full force and effect and the identifying number set forth in the certificate is displayed on each side of the cowling of such snowmobile in accordance with the Act.

(d)  All snowmobiles operated within the corporate limits of the Village of Arthur shall be equipped as required by the provisions of Article IV of the Snowmobile Registration and Safety Act (625 ILCS 40/4-1 et seq.), which is incorporated herein by reference and made a part hereof.

(e)  It is unlawful for any person to drive or operate any snowmobile in a manner prohibited by Article V of the Snowmobile Registration and Safety Act (625 ILCS 40/5-1 et seq.), which is incorporated herein by reference and made a part hereof.

(f)  All operators of snowmobiles shall leave the village by using village streets from their homes to the following designated streets by the shortest route, to-wit: Only these streets in the village shall be used, and for the sole purpose of leaving and entering the village. All persons operating snowmobiles on the village streets as above set forth will remain on or as close as possible to the right side of the roadway.

(g)  Snowmobiles may be operated within the village as hereinabove provided, only between the hours of 5:00 a.m. and 12:00 midnight each day of the week. No snowmobile may be operated within the village between the hours of 12:00 midnight and 5:00 a.m. on any day.

(h)  In addition to the directions for operation of snowmobiles hereinabove set forth, operators must obey all traffic regulations as prescribed for motor vehicle traffic and are subject to the same penalties for violation thereof.

(Code 2003, § 6-2-1(A)—(H))

Secs. 28-63—28-82.   Reserved.

### ARTICLE IV.   STOPPING, STANDING, PARKING [[2]](#BK_BA667B85740CD31A431118DC27E0F5D7)

[Sec. 28-83. Signs.](#BK_855ACBE893E41D67B115FC7BC15F0C1D)

[Sec. 28-84. Towing cars away.](#BK_99E1F2C1EE55A8D768478EDCBF40EDAC)

[Sec. 28-85. Alleys.](#BK_BBF1333DE9E24ED9DCB72064F40E4C6C)

[Sec. 28-86. Time limit parking.](#BK_4167CE7CC9C9DFE8712B95D3BCC6D754)

[Sec. 28-87. Loading zones.](#BK_B0D5F3C5041E0C753D3777F597FAE95F)

[Secs. 28-88—28-117. Reserved.](#BK_5076FA25E3CFA60F01B5A1A18C05E4E7)

Sec. 28-83.   Signs.

Appropriate signs shall be posted in all areas where parking is limited or prohibited, indicating parking limitations or prohibitions.

(Code 2003, § 9-6-7)

Sec. 28-84.   Towing cars away.

(a)  The police department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle; or any vehicle which has been parked in any public street or other public place for a period of 24 consecutive hours.

(b)  Cars so towed away shall be stored on any village property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expenses incurred by the village in removing and storing such vehicles.

(Code 2003, § 9-6-5)

Sec. 28-85.   Alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than eight feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

(Code 2003, § 9-6-3)

Sec. 28-86.   Time limit parking.

Except on Sundays or holidays, it shall be unlawful to park any vehicle for more than two hours in any consecutive period of time between the hours of 8:00 a.m. and 6:00 p.m. in any area designated by ordinance as a restricted parking area, or the time posted on the signs in loading zones in the business district.

(Code 2003, § 9-6-4)

Sec. 28-87.   Loading zones.

It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed 30 minutes, in any place designated by the board of trustees as a loading zone and marked as such or in any of the following designated places:

(1)  At any place not to exceed 25 feet along the curb before the entrance to any hospital or hotel at any time.

(2)  At any place not to exceed 25 feet along the curb line before the entrance to a public building between 8:00 a.m. and 6:00 p.m. except on a Sunday.

(Code 2003, § 9-6-6)

Secs. 28-88—28-117.   Reserved.

FOOTNOTE(S):

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**State Law reference—** Stopping, standing and parking generally, 625 ILCS 5/11-1301 et seq.; authority to regulate standing and parking, 625 ILCS 5/11-208(a)(1). [(Back)](#BK_C89E890D8B87E013FB37844E08BB53F2)

### ARTICLE V.   MISCELLANEOUS RULES

[Sec. 28-118. Toy vehicles.](#BK_E820CB97DD3EFF5AF794725865C46E79)

[Sec. 28-119. Riding on running boards.](#BK_AE609F8CADD3E9418FE02E6A2943D2CB)

[Sec. 28-120. Pedestrians standing on sidewalk.](#BK_A4FF4F9AA2AD0655418E7F652CDDCD75)

[Sec. 28-121. Gas and smoke.](#BK_E9CCCC3D7C9011BA2696BDA6EB577B1A)

[Sec. 28-122. Bicycles.](#BK_1A7FB9BDE8ABA1A49D213AAD0CFAEAAA)

Sec. 28-118.   Toy vehicles.

It shall be unlawful for any person upon skates, a coaster, sled, skateboard or other toy vehicle, to go upon any roadway other than at a crosswalk.

(Code 2003, § 9-4-24)

Sec. 28-119.   Riding on running boards.

It shall be unlawful for any person to ride upon the fenders, running board or outside step of any vehicle.

(Code 2003, § 9-4-25)

Sec. 28-120.   Pedestrians standing on sidewalk.

It shall be unlawful for a pedestrian to stand upon any sidewalk except as near as reasonably possible to the building line or curb line, if such standing interferes with the use of said sidewalk by other pedestrians.

(Code 2003, § 9-5-4)

Sec. 28-121.   Gas and smoke.

It shall be unlawful to operate any vehicle which emits dense smoke or such an amount of smoke or fumes as to be dangerous to the health of persons or as to endanger the drivers of other vehicles.

(Code 2003, § 9-7-4)

Sec. 28-122.   Bicycles.

No person shall operate a bicycle that shall not be equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(Code 2003, § 9-7-15(B))