

CHAPTER 2

GENERAL PROVISIONS

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9-2-1: CLASSIFICATION OF VEHICLES: For the purposes of this Title, motor vehicles shall be divided into two (2) divisions: First, vehicles which are designed for the carrying of not more than seven (7) persons; second, those vehicles which are designed and used for pulling or carrying freight and also vehicles designed and used for carrying more than seven (7) persons.

9-2-2: OBEDIENCE TO POLICE: Members of the Police Department and special police assigned to traffic duty are hereby authorized to direct all traffic in accordance with the provisions of this Title, or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a policeman. Except in case of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic.

9-2-3: SCENE OF FIRE: The Fire Department officer in command, or any fireman designated by him, may exercise the powers and authority of a policeman 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.

9-2-4: SIGNS AND SIGNALS: It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the Board of Trustees or in accordance with the laws of the State of Illinois. All signs established by direction of the governing body shall conform to the State standards for traffic signs.

9-2-5: UNAUTHORIZED SIGNS, INTERFERENCE: It shall be unlawful for any person to place, maintain or display any device, other than an official warning or direction sign or signal authorized by Statute or ordinance, upon or in view of any street, if such device purports to be, or is in imitation of, an official warning or direction sign or signal, or directs or purports to direct the movement of traffic. Any such unauthorized device is hereby declared to be a nuisance, and may be removed by any policeman.

It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal.

9-2-6: ANIMALS OR BICYCLES:

- (A) Every person riding a bicycle or an animal, or driving any animal drawing a vehicle upon any street shall be subject to the provisions of this Title applicable to the driver of a vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal.
- (B) Provided, that 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.

9-2-7: USE OF STREETS TO SELL GOODS: No person, except as hereinafter provided in this Section, shall use as a stand for any vehicle from which is being sold at retail, to the public, goods, wares, merchandise, fruits, fish, vegetables or other commodity, any part of any of the streets or alleys within any part of the Village.

Provided, that nothing herein shall be construed as depriving operators of such vehicles of the rights common to them and to operators of other vehicles in the streets for other purposes, as said rights are or may be determined by law or ordinance.

9-2-8: EXEMPTIONS: The provisions of this Title regulating the movement or parking of vehicles shall not apply to emergency vehicles while the driver thereof is engaged in the performance of emergency duties. Nor shall such provisions apply to persons actually engaged in repairing or otherwise improving the streets under authority of the Board of Trustees or of the State of Illinois.

9-2-9: PEDESTRIAN CONTROL SIGNALS: Whenever special pedestrian control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

- (A) Walk: Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- (B) Don't Walk: While the "don't walk" signal is illuminated, either steady or flashing, no pedestrian shall start to cross the roadway in the direction of the signal, but any pedestrian who has partly completed his crossing during the "Walk" indication shall proceed to a sidewalk or safety island, if one is provided.

9-2-10: GOLF CARTS/UTVS:

Rules and Regulations

Policy Statement: This ordinance 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 ordinance is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this ordinance. 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.

Golf Carts and UTVs may only be operated on streets within the Village of Arthur in accordance with the following rules and regulations:

- (A) 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.
- (B) Any person who operates a golf cart or UTV must be at least twenty-one (21) years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
- (C) No person shall operate, and no owner shall permit another person to operate a golf cart or UTV on a village street unless: (1) 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 (2) 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).
- (D) Golf carts or UTVs shall be allowed to be operated on village streets between one-half (1/2) hour before sunrise, and one-half (1/2) hour after sunset, as established by the National Weather Service.
- (E) No person shall operate a golf cart or UTV on a village street in excess of the posted speed limits.
- (F) Golf carts or UTVs may not be operated on State Highway 133 except to cross said highway at intersections, in a path ninety (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.
- (G) Golf carts and UTVs shall have their headlights and taillights lighted at all times when operated on village streets.
- (H) 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 five hundred (500) feet.
- (I) Golf carts and UTVs may not be operated on the sidewalk.

- (J) Golf cart and UTV drivers must yield the right-of-way to overtaking vehicles at all times.
- (K) 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.
- (L) 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.
- (M) 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.).
- (N) 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.
- (O) 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.

REQUIRED EQUIPMENT:

A golf cart or UTV operated on a village street shall have the following equipment in good working condition at all times:

- (a) Brakes
- (b) Steering apparatus
- (c) Tires
- (d) Rearview mirror
- (e) A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear
- (f) Headlights that emit white light visible from at least five hundred (500) feet to the front
- (g) Taillights that emit red light visible from at least one hundred (100) feet from the rear
- (h) Brake lights on the rear
- (i) Turn signals on the front and rear
- (j) Seat belts for each passenger
- (k) A yellow flashing light visible for at least one hundred (100) feet from the rear of the vehicle, if operated between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise

PERMITS:

- (A) 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.
- (B) Permits shall be granted for a period of one (1) year and may be renewed annually on May 1st of each year.
- (C) The annual cost of a permit is \$40.00 (forty dollars) per golf cart or UTV, to cover the costs of implementing and maintaining this ordinance, 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.
- (D) 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 ordinance, a license shall be issued to the applicant which must be kept 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 (1) 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.
- (E) Golf cart or UTV owners must complete the attached permit application form as shown on Exhibit A attached hereto. The completed forms will be maintained by the Village of Arthur Police Department.

ENFORCEMENT:

- (A) The Village of Arthur may prosecute violators for any act constituting a violation of this Ordinance. Any person who violates any provisions of this ordinance shall be guilty of a petty offense and shall be punished by a fine of not less than \$50.00 (fifty dollars) and not more than \$100.00 (one hundred dollars), unless otherwise specified elsewhere in the Village Code, plus costs of prosecution.

- (B) The license of an operator of a golf cart or UTV issued pursuant to this ordinance may be suspended by the Chief of Police, 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 or UTV or (4) for any reason that he feels is appropriate to insure the safety and well-being of the citizens of the Village of Arthur.
- (C) 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.
- (D) 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.
- (E) 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.

APPLICATION FORM IS AS FOLLOWS:

VILLAGE OF ARTHUR
120 E. PROGRESS ST.
P.O. BOX 139
ARTHUR, IL 61911

APPLICATION FOR GOLF CART / UTV LICENSE

1. Name of Applicant: _____
2. Address of Applicant: _____
3. Is the Applicant the owner of the golf cart / UTV? Yes No (check one)
4. Date of Birth of Applicant: _____
5. (A) Does the Applicant have a valid Illinois driver's license? Yes No (check one)
(B) Driver's license number: _____
6. (A) Does Applicant have liability insurance on the golf cart / UTV? Yes No (check one)
(B) Name, address and phone of insurance company: _____

- (C) Policy number: _____
- (D) Attach photocopy of your insurance card to the application.
7. Applicant, please attach to the application a check in the amount of \$40.00 (forty dollars) made to the order of the Village of Arthur as the license fee.

Dated this _____ day of _____, 20_____.

I have received, read and understand the Golf Cart/UTV Ordinance 09-15A-08. I acknowledge and agree that I will assume ALL liability, and am fully responsible for the operation of the above vehicle. A also acknowledge and agree that the Village of Arthur, in authorizing and providing regulations, is in no way endorsing said operation, and does not and will not assume any liability in said operation. I AGREE TO INDEMNIFY AND HOLD HARMLESS THE VILLAGE OF ARTHUR, for any and all liability arising from said operation. I further acknowledge and agree that the Village interpretation of said Ordinance is final and that I will obey all regulations in said Ordinance.

Signature of Applicant

Village of Arthur Police Department:

Inspected and approved this _____ day of _____, 20_____.

Officer: _____ License Sticker # _____