

VILLAGE OF MULBERRY GROVE, ILLINOIS

ORDINANCE NO. 644

AN ORDINANCE AUTHORIZING THE OPERATAION
OF GOLF CARTS AND NEIGHBORHOOD VEHICLES ON
CERTAIN STREETS IN THE VILLAGE OF MULBERRY GROVE, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE VILLAGE OF
MULBERRY GROVE, ILLINOIS
THIS 1ST DAY OF FEBRUARY, 2021.

Published in pamphlet form by the authority of the Board of Trustees of the
Village of Mulberry Grove, Bond County, Illinois, this 1ST DAY OF FEBRUARY, 2021.

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**STATE OF ILLINOIS
COUNTY OF BOND
VILLAGE OF MULBERRY GROVE**

ORDINANCE NO. _____

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OF GOLF CARTS AND NEIGHBORHOOD VEHICLES ON
CERTAIN STREETS IN THE VILLAGE OF MULBERRY GROVE, ILLINOIS**

WHEREAS, it has come to the attention of the Village President and the Village Board of Trustees ("Board") that the use of golf carts and neighborhood vehicles on Village streets creates a potential traffic hazard for other vehicular traffic as well as a danger to the occupants of golf carts and neighborhood vehicles; and

WHEREAS, it is the purpose of this Ordinance to protect, maintain, and enhance health, safety and general welfare of the citizens of the Village of Mulberry Grove by regulating the use and operation of golf carts and neighborhood vehicles on Village streets; and

WHEREAS, after consideration of the volume, speed and character of traffic on the Village streets, the Board has determined that golf carts and neighborhood vehicles may safely travel on certain designated Village streets as identified herein and all in furtherance of the desire of the Board to protect, maintain, and enhance health, safety and general welfare of the citizens of the Village of Mulberry Grove; and

WHEREAS, it is the intent of this Ordinance to regulate the operation of golf carts within the Village limits of the Village of Mulberry Grove as authorized by 625 ILCS 5/11-1428 and the operation of neighborhood vehicles within the Village limits of the Village of Mulberry Grove as authorized by 625 ILCS 5/11-1426.1.

NOW THEREFORE, BE IT ORDAINED BY PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MULBERRY GROVE:

A. Definitions. For purposes of this Ordinance, the following definitions shall be applicable unless otherwise specifically provided.

1. "Golf cart", as defined in 625 ILCS 5/11-1428(d), 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.

2. "Neighborhood vehicle" as defined in 625 ILCS 5/11-1426.1(a), shall mean a self-propelled, electronically powered four-wheeled motor vehicle, or a self propelled-gasoline powered four-wheeled motor vehicle with a engine displacement under 1200 cubic centimeters, which is capable of obtaining in one (1) mile a speed of more than 20 miles per hour, but not more than 25 miles per hour, and which conforms to Federal Regulations under Title 49 C.F.R. Part 571,500.

3. "Golf cart" and a "neighborhood vehicle" specifically does not include all-terrain vehicles, off-highway motorcycles and/or any other vehicle which is not described within the foregoing definitions of "golf carts" or "neighborhood vehicles".

4. "Village Streets" shall mean only those Village Streets designated on Exhibit "A" attached hereto and incorporated herein by this reference and located within the boundaries of the Village of Mulberry Grove, Illinois.

5. "County Roads" shall include any roads outside the boundaries of the Village of Mulberry Grove, Illinois no matter what jurisdiction such roads shall fall under.

B. Requirements for the Use and Operation of Golf Carts and Neighborhood Vehicles. All persons operating a golf cart or neighborhood vehicle on the designated Village Streets of the Village of Mulberry Grove must, at a minimum, comply with the following requirements:

1. Insurance. All operators shall provide proof of liability insurance issued by an insurance company authorized to transact business in the State of Illinois. Such insurance shall provide for the minimum coverage required by Article VI of Chapter 7 of the Illinois Vehicle Code, as amended from time to time;

2. Registration and Permit. All golf carts or neighborhood vehicles shall be registered with the Village and obtain a permit from the Village prior to operation on Village Streets; provided that a golf cart or neighborhood vehicle will be allowed to be driven to the Village police department for purposes of inspection and permitting.

3. Inspection. All golf carts or neighborhood vehicles shall be inspected by the Village of Mulberry Grove Police Officer, or in the absence of such Police Officer, by the Village President of the Village President's designee. Such inspection shall be required to be completed before any golf cart or neighborhood vehicle may be operated on Village Streets.

4. License. All operators of a golf cart or neighborhood vehicle shall have a valid driver's license issued by the State of Illinois or a foreign jurisdiction.

5. Minimum Equipment. All golf carts or neighborhood vehicles shall, at a minimum, be equipped with brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a headlight that emits a white light visible from a distance of not less than 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, red slow moving vehicle emblem (as required of other vehicles in 625 ILCS 5/12-709) on the rear of the vehicle, and turn signals.

6. Use of Lights. When operated on a roadway, a golf cart or a neighborhood vehicle shall have its headlights and tail lamps lighted at all times.

7. Traffic Laws. All operators shall at all times obey all traffic laws of the State of Illinois, including but not limited to the Illinois Vehicle Code, and all Ordinances of the Village of Mulberry Grove.

8. Limit of Use. All golf carts or neighborhood vehicles shall be driven on only those Village Streets designated on Exhibit A attached hereto; provided that operators shall be authorized to cross County Roads or to access County Roads for the purpose of travelling to or from their home or property. This grant of limited use is not intended to and will not protect any operator from being stopped, fined or penalized for any illegal use of any County Road or any roadway outside or beyond the jurisdiction of the Village. Golf carts and neighborhood vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation.

9. Modification Prohibited. No modification to the suspension of the golf cart or the neighborhood vehicle from its original manufacturer's configuration shall be allowed

10. Speed Limit. Irrespective of any posted speed limit for other vehicles or traffic, the maximum speed of any golf cart or neighborhood vehicle shall not exceed 20 miles per hour.

11. Restriction on Use Due to Weather. Golf carts and neighborhood vehicles shall not be operated in inclement weather nor when operator visibility is impaired by weather, smoke, fog, or other conditions, or at anytime when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of not less than 500 feet.

12. **Impaired Driving.** A person who operates, drives or is in actual physical control of a golf cart or a neighborhood vehicle on a Village Street while under the influence of alcohol or drugs is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 through 11-502).

13. **Incorporation of Illinois Motor Vehicle Code.** The use and operation of a golf cart or neighborhood vehicle on Village Streets shall be subject to all mandatory requirements, rule and regulations of the Illinois Motor Vehicle Code or any rules or regulations promulgated, approved or adopted thereunder.

C. Permits. No person shall operate a golf cart or neighborhood vehicle without obtaining a permit from the Village as provided herein.

1. **Duration.** Permits shall be granted by the Village for a period one (1) year and shall be renewed annually.

2. **Cost.** The cost of a permit shall be Fifty Dollars (\$50.00) which shall be designated to the Police Fund of the Village unless otherwise directed by a majority vote of the Village Board of Trustees.

3. **Proof of Insurance.** Proof of the required insurance coverage shall be submitted to and may be verified by the Clerk when issuing or renewing a permit. Proof of insurance shall also be kept with the golf cart or neighborhood vehicle at all times.

4. **Agreement to Indemnify.** All applicants for a permit shall sign an Application containing a waiver of liability and release in the form attached hereto as Exhibit B (which Waiver of Liability may be revised by the Village from time to time) releasing the Village from any and all liability in relation to the inspection, registration, permitting, use or operation of a golf cart or neighborhood vehicle and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from the inspection, registration, permitting, use or operation of a golf cart or neighborhood vehicle.

5. **Application for Permit.** Every application for a permit shall be made on the application form supplied by the Village as attached hereto as Exhibit B (which Application may be revised by the Village from time to time) and shall provide at a minimum the following information:

- a. The name, address and telephone number of the applicant;
- b. The name, address and telephone number of the applicant's liability insurance carrier for the golf cart or neighborhood vehicle for which a permit is sought, as well as

an attachment consisting of a true, accurate and complete copy of the insurance coverage card specifically for the golf cart or neighborhood vehicle to be operated on Village Streets;

c. The serial number, make, model, color and general description of the golf cart or neighborhood vehicle to be permitted;

d. A signed waiver of liability by applicant releasing the Village of Mulberry Grove from any and all present or future claims resulting from the operation of the golf cart or neighborhood vehicle pursuant to this Ordinance or any other Ordinance of the Village of Mulberry Grove;

e. Such other information as the Village may reasonably require.

5. Conditions to Issuance of Permit. No permit shall be granted unless all of the following conditions are met:

a. The golf cart or neighborhood vehicle has been inspected as required by this Ordinance and has been determined to meet the minimum requirements herein established or as established or required by the laws of the State of Illinois.

b. Any handicapped applicant must submit a certificate or letter signed by a physician, that the applicant is handicapped applicant and is able to safely operate a golf cart or neighborhood vehicle in accordance with this Ordinance.

c. Applicant has provided evidence of insurance in compliance with the provisions of Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois and this Ordinance.

6. Enforcement.

a. The Village Board may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this Ordinance or if there is evidence that the permittee cannot safely operate the golf cart or neighborhood vehicle on Village Streets. A permit granted shall automatically be suspended upon a finding that the holder thereof has a loss of driving privileges, driver's license or at any time has no insurance on the vehicle.

b. Every person operating a golf cart or neighborhood vehicle pursuant to permit hereunder has all the rights and duties applicable to a driver of any other vehicle pursuant to the State of Illinois highway traffic laws and regulations except when those provisions cannot reasonably be applied to golf carts or neighborhood vehicles.


c. Any person who violates any provision of this Ordinance shall upon conviction be subject to a fine of not less than \$150.00 nor more than \$750.00, and the costs of prosecution, including but not limited to the attorney's fees, costs and expenses incurred by the Village.

7. **Effective Date.** This Ordinance shall be in full force and effect from and after it's passage, approval and publication in pamphlet form as provided by law.


Passed and adopted by the Board of Trustees of the Village of Mulberry Grove, Bond County, State of Illinois, on this 1st day of February, 2021, upon aye and nay vote as follows:

Aye 4 Nay 0 Absent 1

Approved:


Village President

Attest:


Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF BOND) SS

CERTIFICATION

I, Sheryl Collier, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Mulberry Grove, Bond County, Illinois, and that as such officer, I am the keeper of the records and files of the Village of Mulberry Grove, Illinois.

I do further certify that the foregoing document is a true, correct and complete copy of Ordinance 644 as passed by the Board of Trustees of the Village of Mulberry Grove, Illinois at the regularly scheduled Village Board Meeting on February 1, 2021, said ordinance being entitled:

ORDINANCE NO. 644

AN ORDINANCE AUTHORIZING THE OPERATAION
OF GOLF CARTS AND NEIGHBORHOOD VEHICLES ON
CERTAIN STREETS IN THE VILLAGE OF MULBERRY GROVE, ILLINOIS

In witness whereof, I have hereunto affixed my official signature and the seal of the Village of Mulberry Grove, Bond County, Illinois, this 1ST Day of February, 2021.

Ranea Closson
Village Clerk
Village of Mulberry Grove, Illinois

(SEAL)



EXHIBIT A

VILLAGE STREETS

The use and operation of golf carts or neighborhood vehicles shall be authorized on the following Village Streets and no others:

1. All streets within the Village limits excepting State or Federal roads, highways and rights-of-way;
2. All streets specifically prohibited from such use by local, State or Federal law.

**APPLICATION TO OPERATE A GOLF CART
OR NEIGHBORHOOD VEHICLE IN
THE VILLAGE OF MULBERRY GROVE, ILLINOIS**

On October 3, 2013, the Village of Mulberry Grove, Illinois voted to allow for the use and operation of certain golf carts or neighborhood vehicles on identified streets within the Village limits. Golf cart or neighborhood vehicles are only non-highway vehicle authorized. Your village officials hope you enjoy the use of your golf carts or neighborhood vehicles, but stress the importance of safety while operating them as they can be more difficult to see by drivers of other motor vehicles. Each person applying for a golf cart or neighborhood vehicle permit is provided a copy of this Application for review and signature, and each must sign and acknowledging they have been made and are aware of the rules governing the safe use and operation of a golf cart or neighborhood vehicle on the Village Streets and the requirements to legally use and operate a golf cart or neighborhood vehicle in the Village limits.

The undersigned applicant acknowledges receipt and review of this Application and the Ordinance entitled "An Ordinance Authorizing The Operation of Golf Carts and Neighborhood Vehicles on Certain Streets in the Village of Mulberry Grove, Illinois". The Ordinance will be strictly enforced for the safety of the applicant and all citizens of the Village. The undersigned represents that he/she fully understands the rules and regulations concerning the operation of golf carts or neighborhood vehicles on Village Streets. The undersigned certifies that he/she has provided proof of insurance and that such insurance is and will remain in full force and effect for the duration of any permit which may be issued by the Village.

WAIVER OF LIABILITY AND RELEASE. The undersigned applicant understands and acknowledges that by making application for a permit he/she has and hereby does agree to indemnify, defend and hold harmless the Village of Mulberry Grove, Illinois, and it's officers, agents, employees and representatives, from any liability for the use of the use of the golf cart or neighborhood vehicle for which this application seeks a permit.

Date: _____

Applicant Name: _____

Applicant's Signature: _____

Applicant Address: _____

Applicant Telephone: _____

Make: _____

Model: _____

Serial/VIN Number: _____

Application is for a Golf Cart _____ Neighborhood Vehicle _____

Color: _____

Distinguishing Features: _____

Applicant's Insurance
Company: _____

Insurance
Policy Number: _____

Insurance Company
Address: _____

Insurance Company
Telephone Number: _____

**VILLAGE OF MULBERRY GROVE
INSPECTION CHECK LIST**

Date: _____

Applicant Name: _____

Applicant Address: _____

Applicant Telephone: _____

Make: _____

Model: _____

Serial/VIN Number: _____

Application is for a Golf Cart _____ Neighborhood Vehicle _____

Color: _____

Distinguishing Features: _____

Photo Taken: Yes _____ No _____

Proof of Insurance : Yes _____ No _____

Inspection Checklist. The undersigned inspector, a duly authorized representative of the Village of Mulberry Grove with the authority to inspect required by "An Ordinance Authorizing The Operation of Golf Carts and Neighborhood Vehicles on Certain Streets in the Village of Mulberry Grove, Illinois", does by initialing the following certify that the golf cart or neighborhood vehicle identified above does comply with the requirements of said Ordinance:

_____ Brakes

_____ Steering apparatus

_____ Tires

_____ A rearview mirror

_____ Red reflectorized warning devices in the front and rear

_____ A headlight that emits a white light visible from a distance of not less than 500 feet to the front

_____ A tail lamp that emits a red light visible from at least 100 feet from the rear

_____ Brake lights

_____ Red slow moving vehicle emblem (as required of other vehicles in 625 ILCS 5/12-709) on the rear of the vehicle

_____ Turn signals

Any item not checked is not compliant and no permit shall issue until all of the above requirements are met.

Pass _____ Permit Number _____ Date of Issuance _____

Fail _____ Reason for Failure _____

Village of Mulberry Grove, Illinois

By: _____
Inspector

Date: _____