



ORDINANCE NO. 985

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW
MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE
OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS
RELATING TO GOLF CARTS AND UTILITY-TERRAIN
VEHICLES**

Published in pamphlet form by authority of the Village President and
Board of Trustees of the Village of Mackinaw.

AUGUST 12, 2019

ORDINANCE NO. 985

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 773 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING TO GOLF CARTS AND UTILITY-TERRAIN VEHICLES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW:

SECTION 1: Chapter 70 of the Village Code of the Village of Mackinaw is hereby amended by adding and deleting wordage (additions shown in underlined font and deletions shown in ~~striketrough font~~):

CHAPTER 79: GOLF CARTS AND UTILITY TERRAIN VEHICLES

§79.01 DEFINITION.

GOLF CART. A vehicle specifically designed and intended for purposes of transporting one or more person 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 as defined by 625 Illinois Compiled Statutes 5/1-123.9 and 11-1426.1(a)(2) of the Illinois vehicle code.

RECREATIONAL OFF HIGHWAY VEHICLE/UTILITY TERRAIN VEHICLE (UTV): Any motorized off highway device designed to travel primarily off highway, sixty four inches (64" or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more nonhighway tires, designed with a nonstraddle seat and a steering wheel for steering control, except equipment such as lawn mowers defined by 625 Illinois Compiled Statutes 5/1-168.8 and 5/11-1426.1(a)(4) of the Illinois vehicle code and go-carts.

§79.02 RESTRICTIONS ON VEHICLES.

Golf carts and/or UTV vehicles, may not be operated on the Village streets of the Village of Mackinaw except as provided for herein and except in accordance with Illinois law. ~~Illinois law prohibits a golf cart from being operated on or crossing a State highway and~~ requires that a golf cart and/or UTV only be operated on a street that has a posted speed limit of 35 miles per hour or less. Golf carts and/or UTVs are not allowed on Illinois State Route 9 in the Village of Mackinaw, with the exception of a golf cart/UTV may cross Illinois State Route 9 at a ninety degree (90°) angle per 625 ILCS 5/11-1426.1(c). No golf cart and/or UTV may be operated on that portion of East Fast Avenue that is east of the intersection of East Fast Avenue with Leopold Street since this street is a County highway not under the jurisdiction of the Village. Further, golf carts and/or UTVs may not be operated on any street designated a truck route but may cross a truck route. The owner and operator, jointly and severally, of any golf cart

and/or UTV that is operated on the streets of the Village in violation of this Article of the Village Code of the Village of Mackinaw may be fined as provided for in Sec. 10.99. In addition, operation of a golf cart and/or UTV on Village streets in violation of this Ordinance is a violation of Illinois law and subject to prosecution by the States Attorney.

§79.03 Operator Requirements.

Golf carts and/or UTVs may only be operated on the streets of the village by a driver who possesses a valid driver's license and any such vehicle operated on the Village streets must be covered by the minimum liability insurance that the State of Illinois requires of all passenger vehicles. Proof of insurance must be furnished to the Village Police Department upon request.

§79.04 Equipment Requirement.

A golf cart and/or UTV that is operated on the Village streets must have brakes, a steering apparatus, tires, rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the vehicle, a headlight that emits a white light visible from a distance of five hundred (500') feet to the front, a tail lamp that emits a red light visible from at least one hundred (100') from the rear, brake lights, and turn signals and if equipped with safety belts they must be worn.

§79.05 Operation Restrictions.

A golf cart and/or UTV operated on the Village streets may not travel a speed in excess of 25 miles per hour. A golf cart and/or UTV operated on the Village streets shall obey all traffic laws of the State of Illinois. Operation of a golf cart and/or UTV on the Village streets by a person who is under the influence of alcohol may be prosecuted for driving while under the influence of alcohol as provided by Illinois law.

§79.06 Registration.

Any person that operates a golf cart and/or UTV operated on the Village streets shall register the vehicle prior to operation of the vehicle on Village streets and shall pay a registration fee of \$35.00. Proof of liability insurance shall be presented when the vehicle is registered. Registrations shall be effective for a period of one year from the date of issuance and shall be renewed annually in the same manner as the original registration. Registrations shall not be transferable in the event of change of ownership.

SECTION 2: Before adopting this Ordinance the Board of Trustees of the Village of Mackinaw have determine that pursuance to ~~625 ILCS 5/11-1428~~ 625 ILCS 5/11-1426.1 that golf carts and/or UTVs may safely operate on and cross Village streets subject to the terms and conditions of this Ordinance. In making this determination the Board of Trustees of the Village of Mackinaw has considered the volume, speed, and character of traffic on the Village streets. The findings that are made herein are limited to the streets of the Village upon which golf carts and/or UTVs may be operated as set forth in Section 1.

SECTION 3: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 5: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 12th day of August, 2019.

APPROVED:



President of the Board of Trustees of
The Village of Mackinaw

ATTEST:



Village Clerk

AYES:	<u>5</u>
NAYS:	<u>0</u>
ABSENT:	<u>1</u>