

ORDINANCE NO. 1261

AN ORDINANCE AMENDING MUNICIPAL CODE, SECTIONS 24-8-3 REGARDING THE REQUIREMENTS FOR OPERATION OF NON-HIGHWAY VEHICLES ON STREETS UNDER THE JURISDICTION OF THE CITY OF BREESE, ILLINOIS

WHEREAS, Breese Municipal Code Sections 24-8-3 defines the requirements for the operation of qualified Golf Carts, And "Neighborhood Vehicles" under certain conditions, on the streets under the jurisdiction of the City of Breese; and

WHEREAS, the Illinois Vehicle Code Section 625 ILCS 5/11-1426.1 authorizes Municipalities, by Ordinance, to permit certain non-highway vehicles on municipal streets and roads and highways under the jurisdiction of the municipality and sets forth minimum requirements for the operation of such vehicles; and

WHEREAS, The City of Breese has determined that public safety requires that in addition to the minimum requirements for such vehicles, that such vehicles shall be equipped with seat belts for each passenger therein and that each passenger in such vehicle operated on the streets of The City shall be in a seat belt.

WHEREAS, 625 ILCS 5/12-603.1 requires that all passengers in vehicles operated on City streets wear a properly adjusted and fastened seat belt and the requirements of the Illinois Motor Vehicle Code regarding the use of seat belts shall apply to operators of "Golf Carts" and "All Terrain Vehicles" on City Streets as they apply to operators of other vehicles operated thereon.

WHEREAS, the City of Breese shall amend Breese Municipal Code Sections 24-8-3 to require that any non-highway vehicle authorized to be operated on the streets of the City by Ordinance shall be equipped with seat belts for each passenger and the driver and that the operator of the non-highway vehicle shall ensure that all passengers and the operator of the vehicle use the seat belts while the vehicle is in operation to the same extent as required for the operation of all vehicles in the State.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREESE, ILLINOIS, AS FOLLOWS:

The Breese Municipal Code, Chapter 24, Article VIII Section 24-8-3 shall be amended to read as follows:

24-8-3 REQUIREMENTS:

All persons wishing to operate an allowed non-highway vehicle on the City streets must ensure compliance with the following requirements:

1. Proof of current mandatory liability insurance as required by Article VI of Chapter 7 Of The Illinois Vehicle Code.
2. Must have the vehicle certified with the City by inspection by the City Police Chief or designated representative.
3. Must comply with the published "Rules Concerning Alternate Transportation For The City of Breese" as periodically updated.
4. Must display City decal on the rear of the vehicle.
5. Must have a current, valid Illinois drivers license.
6. Golf carts must be equipped as follows:
  - a. Horn;
  - b. Brakes and Brake Lights;
  - c. Turn Signals;
  - d. A Steering Wheel Apparatus;
  - e. Tires;
  - f. Rearview Mirror;
  - g. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
  - h. Headlight that emits a white light visible from a distance of 500 feet to the front which must illuminate when in operation;
  - i. Tail Lamp that emits a red light visible from at least 100 feet from the rear which must be illuminated when in operation;
  - j. Red reflectorized warning devices in the front and rear;
  - k. Any additional requirements which may be amended to 65 ILCS 5/11-1426.1 or the Illinois Motor Vehicle Code.
  - l. Seat belts for each passenger and the driver of the vehicle.
7. All-terrain vehicles must be equipped as follows:

- a. Brakes and Brake Lights;
- b. Turn Signals on the front and rear;
- c. A Steering Wheel Apparatus;
- d. Tires;
- e. Rearview Mirror;
- f. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
- g. Headlight that emits a white light visible from a distance of 500 feet to the front which must illuminate when in operation;
- h. Tail Lamp that emits a red light visible from at least 100 feet from the rear which must be illuminated when in operation;
- i. Red Reflectorized warning devices in the front and rear;
- j. Any additional requirements which may be amended to 65 ILCS 5/11-1426.1 or the Illinois Motor Vehicle Code.
- k. Seat belts for each passenger and the driver of the vehicle.

8. All non-highway vehicles operated on municipal streets must have headlamps illuminated at all times.

9. Must obey all traffic laws of the State of Illinois and the City of Breese.

10. Must be operated by a person 21 years of age or older.

11. Must be operated only on city streets, except where prohibited.

12. May not be operated on US Highway 50, Germantown Road, Jamestown Road/Walnut Street and Mater Dei Drive, except at specifically designated crossing points.

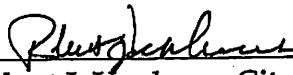
13. Must not be operated in excess of posted speed limit and, may not be operated at a speed in excess of 25 miles per hour.

14. May only be operated between sunrise and 11:00 p.m.

15. A person operating or who is in actual physical control of an allowed non-highway vehicle, as described herein, on a roadway shall not operate such vehicle while under the influence and shall be subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes [625 ILCS 5/11-500-11-502].

CERTIFICATION

I, Robert J. Venhaus, City Clerk of the City of Breese, Clinton County, Illinois, do hereby certify the foregoing Ordinance #1261 is the true and correct original ordinance passed and approved by the Breese City Council at a regular meeting duly convened on September 18, 2012.

  
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Robert J. Venhaus, City Clerk

(SEAL)



16. Allowed non-highway vehicles shall not be operated on sidewalks or in City parks, other than parking areas.


17. Allowed non-highway vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation [US Highway 50] or the County Highway Department [North Walnut Street and Germantown Road] except to cross at designated streets.

18. All non-highway vehicles permitted on City streets shall have headlights illuminated at all times while being operated on City streets.


19. Each driver and passenger of the non-highway vehicle shall be required to wear a properly adjusted and fastened seat safety belt.

Adopted, Ordained and Approved this 18<sup>th</sup> day of September, 2012.

Published: September 27, 2012  
Breese Journal.

  
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Charles E. Hilmes, Mayor  
City of Breese, Illinois

ATTEST:

  
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Robert J. Venhaus, City Clerk

Voting "aye": Robert Berndsen, Bill Fischer, Carl Ratermann, Paul Steinman, Norb Tebbe, Kevin Timmermann, Gary Usselmann.

Voting "nay": None.

Absent: Debbie Koetting.