

**CITY OF KINMUNDY**

**ORDINANCE NO.-----599-B-----**

**AN ORDINANCE AUTHORIZING THE OPERATION OF  
QUALIFIED GOLF CARTS AND UTILITY –TERRAIN  
VEHICLES ON STREETS UNDER THE JURISDICTION  
OF THE CITY OF KINMUNDY**

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF KINMUNDY

Published in pamphlet form by authority of the City Council of the City of Kinmundy,  
Marion County, Illinois, this  13th  day of  June , 2013

**AN ORDINANCE AUTHORIZING THE OPERATION OF QUALIFIED GOLF  
CARTS AND UTILITY –TERRAIN VEHICLES ON STREETS UNDER THE  
JURISDICTION OF THE CITY OF KINMUNDY**

**WHEREAS**, the City of Kinmundy, Illinois has determined that the operation of qualified golf carts and utility-terrain vehicles should be allowed under certain conditions on the streets under the jurisdiction of the City; and

**WHEREAS**, the Illinois Vehicle Code Section 625 ILCS 5/11-1428(e) authorizes municipalities, by ordinance to permit qualified golf carts to operate in the streets under the jurisdiction of the municipality; and

**WHEREAS**, the Illinois Vehicle code Section 625 ILCS 5/11-1426.1 (d) authorizes municipalities, by ordinance to permit qualified utility-terrain vehicles as defined therein as “Neighborhood Vehicles” to be operated on the streets under the jurisdiction of the municipality if public safety would not be jeopardizes;

**WHEREAS**, the City has considered the volume, speed and character of the traffic on the streets within its jurisdiction and has determined that, subject to the conditions stated herein and the provisions of 625 ILSC 5/11-1428(e) and 625 ILSC 5/11-1425.1(d), qualified golf carts and utility-terrain vehicles, as defined herein, may safely operte on the designated streets within the jurisdiction of the City.

**WHEREAS**, the City shall enact an Ordinance which shall allow qualified golf carts and utility-terrain vehicles to operate on municipal streets upon the terms and condition stated herein.

**BE IT ORDAINED BY THE CITY COUNCI LOF THE CITY OF KINMUDY,  
ILLINOIS, as follows:**

- A. Golf carts and utility-terrain vehicles, as defined and qualified herein shall be allowed on designed streets under the conditions as stated herein.
- B. Definitions:
  - a. A “Golf Cart”, as defined herein, means 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.
  - b. “Utility-Terrain Vehicle”, shall mean a self-propelled, electronically powered four-wheeled motor vehicle or a self-propelled gasoline powered

four wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters which is capable of attaining in one mile a speed of more than 20 miles per hour but not less than 25 miles per hour and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.

- c. "City Streets" means any of the streets within the boundaries of the City of Kinmundy.

C. Requirements:

All persons wishing to operate a golf cart or utility-terrain vehicle on the City streets must ensure compliance with the following requirements:

1. Proof of current liability insurance.
2. Must be certified the City and have the vehicles certified with the City by inspection by the City Police Chief or designated representative.
3. Must display City decal on the rear of the vehicle.
4. Must have a current, valid Illinois driver's license.
5. 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/-790);
  - 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 this must be illuminated when in operation;
  - j. Any additional requirements which may be amended to 65 ILCS 5/11-1428 or the Illinois Motor Vehicle Code; and
  - k. Seat belts for operator and all passengers.
6. Utility-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 rear of the vehicle (625 ILCS 5/12-709);
  - g. Headlights 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 this must be illuminated when in operation; and
  - i. Any additional requirements which may be amended to 65 ILCS 5/11-1428 or the Illinois Motor Vehicle Code.
  - j. Seat belts for operator and all passengers.
7. Must obey all traffic laws of the State of Illinois, and the City of Kinmundy.
8. Must be 18 years of age.
9. Must be operated only on City streets, except where prohibited.
10. May not be operated on or cross IL Highway 37, except at specifically designated crossing points.
11. May not be operated on the following City streets:
- From 7:00 a.m. – 4:00 p.m. during school year.
  - South Washington from East Street to Fifth Street;
  - East Street from First Street to Cross Street;
  - Fifth Street from Washington Street to East Street; and
  - Cross Street to Bus Garage.
12. Must not be operated in excess of posted speed limit and, with respect to utility-terrain vehicles, may not exceed 35 miles per hour.
13. May only be operated between sunrise and 11:00 p.m.
14. A person operating or who is in actual physical control of a golf cart or utility-terrain vehicles as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500-11-502).
15. Golf carts and utility-terrain vehicles shall not be operated on sidewalks or in the City Parks other than parking areas.
16. Golf carts and utility-terrain vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (IL Highway 37).

D. Permits:

1. No person shall operated a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the City Clerk as provided herein Permits shall be granted for a period of one (1) year and renewed annually. The cost of the permit is \$35.00. Insurance coverage is to be verified to be in effect by the Police Department when obtaining and renewing a permit.
2. Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
  - a. Name and address of applicant;
  - b. Name of liability insurance carrier;
  - c. The serial number, make, model and description of golf cart or utility-terrain vehicle;
  - d. Signed Waiver of Liability by applicant releasing the City of Kinmundy and agreeing to indemnify and hold the City harmless from any al all future claims resulting from the operation of their golf cart or utility-terrain vehicle on City streets.
  - e. Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit; and
  - f. Such other information as the City may require.
3. No permit shall be granted unless the following conditions are met;
  - a. The vehicle must be inspected by the City Chief of Police (or designee) to insure that the vehicle is safe to operate on City streets and is in compliance with this Ordinance and with the State of Illinois Motor Vehicle Code.
  - b. A physically handicapped applicant must submit a certificate signed by a physician, certifying that the applicant is able to safely operate a qualified golf cart or utility-terrain vehicle on City streets; and
  - c. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.
4. The City may suspect or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Ordinance or there is evidence that permittee cannot safely operate a qualified golf cart or utility-terrain vehicle on the designated roadways.

E. Violations:

Any person who violates any provisions of this Ordinance shall be guilty of a petty offense and shall be punished by a fine of \$75.00 Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three (3) nor more than five (5) years. To the extent that any violation of this Ordinance also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

F. All State and Local laws must be adhered to as they pertain to the vehicles and drivers and all passenger.

G. Miscellaneous:

1. In the event that a court of competent jurisdiction declares any particular provision of this Ordinance to be invalid or unenforceable, the remaining provisions of this Ordinance shall be construed to be valid and enforceable. The invalidity of any part of this Ordinance shall not affect any part or parts thereof.
2. This Ordinance shall be in full force and effect ten days after its passage and publication.
3. Any Ordinance, or portion thereof, of the City of Kinmundy, which is contrary to this Ordinance shall be deemed to be repealed.
4. This Ordinance shall be published in pamphlet form.

**PASSED BY THE CITY COUNCIL OF THE CITY OF KINMUDY, ILLINOIS,  
THIS 13th DAY OF June, 2013.**

Jane E. Middleton  
Mayor

Attest:

Brenda K. Edwards  
City Clerk