

CITY OF MARSHALL

ORDINANCE NO. 2012-0- 26

| AN AMENDED ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS IN THE CITY OF MARSHALL, ILLINOIS AND CREATING ARTICLE VII, CHAPTER 82 OF THE CODE OF ORDINANCES, CITY OF MARSHALL, ILLINOIS.

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 8th day of October, 2012.

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WHEREAS, the State of Illinois has advised that it wants more specifics in the ordinance as to the crossing point over Illinois Route 1 within the city limits.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Marshall, Illinois, as follows:

Section 1. That Section 82-241, Requirements, of The Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text and by adding a new Article VII, Chapter 82 to the code of ordinances. The following article to allow golf carts on the streets of the City of Marshall:

The purpose of this ordinance is to protect, maintain, and enhance health, safety and general welfare of the citizens of the City of Marshall, Illinois. After consideration of the volume, speed and character of traffic on the City Streets, the City Council has determined that golf carts may safely travel on City Streets.

Therefore, the intent of this Ordinance is to regulate the use of motorized carts within the corporate limits of the City of Marshall, Illinois as authorized by Illinois Compiled Statutes, being 625 TLCS 5/11-1426.1, OPERATION OF NON-HIGHWAY VEHICLES ON STREETS, ROADS AND HIGHWAYS.

Section 82-240 **Definitions**

1. "Golf Cart" is a vehicle specifically designed and intended for the purpose 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. "City Streets" means any of the streets within the boundaries of the City of Marshall, Illinois.
3. "State roads" include Illinois Route 1 and Illinois Route 40.
4. "County roads" include any county roads within the boundaries of the City limits of Marshall.

Section 82-241 **Requirements**

All persons wishing to operate a golf cart on the streets of the City of Marshall, Illinois must insure compliance with the following requirements:

1. Proof of liability insurance on said vehicle.
2. Must display City decal on front and rear.
3. Must be inspected by City Police Chief or designated representative.
4. Must have valid Driver's License.
5. Must be equipped with seatbelts, a full windshield, horn, brakes, turn signals, a steering wheel, a rearview mirror, red reflective warning devices in the front and rear, a slow moving vehicle emblem (as required of other vehicles in 625 ILCS 5/12-709) on the rear of the vehicle, two headlights that emit a white light that is visible from a distance of 500 feet in front of vehicle, two tail lamps that emit a red light that is visible from a distance of 100 feet from the rear of vehicle, and brakes lights. An amber flashing warning light attached to the roof of the vehicle which shall be visible when flashing 360 degrees of the vehicle. When operated on a roadway, a golf cart or neighborhood vehicle shall have its headlights and taillights lighted.
6. Must obey all traffic laws of State of Illinois and City of Marshall, Illinois.
7. Must be 21 years of age or older.
8. No modification to golf cart suspension.

9. Must not exceed 20 miles per hour.

10. May only operate on City Streets with the exception of authorized crossing of State ~~and County~~ Roads when authorized by the State of Illinois Department of Transportation or County Road when authorized by Clark County.

~~10-11.~~ Golf carts may not be operated on streets, highways or roads under the jurisdiction of the Illinois Department of Transportation, except to cross at the designated intersection of Route 1 and Archer Avenue in the City of Marshall, Illinois or at any future location wherein the State of Illinois would create a four way signal or stop intersection within the boundaries of the City of Marshall.

~~11-12.~~ Golf carts may only be operated on designated City Streets from 6:00 a.m. to 10:00 p.m. during daylight savings time and from 6:00 a.m. to 5:00 p.m. during central standard time. They shall not be operated in inclement weather nor 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 vehicle on the roadway at a distance of 500 feet.

~~12-13.~~ A person who drives or is in actual physical control of the golf cart 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 through 5/11-502)

~~13-14.~~ Golf carts may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.

Section 82-242 **Permits**

1. No person shall operate a motorized golf cart without obtaining a permit from the City Chief of Police as provided herein. Permits shall be granted for a period of one (1) year and may be renewed annually. All permits shall be issued or renewed as of May 1. The cost of a permit shall be \$35.00 and shall not be prorated. Insurance coverage is to be verified in effect by the City Chief of Police when renewing the permits.
2. Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
 - a. The name and address of applicant.

- b. Name of liability insurance carrier.
 - c. The serial number, make, model and description of the golf cart.
 - d. Photostatic copy of applicable liability insurance coverage card specifically for the golf cart to be operated on City Streets.
 - e. Such other information as the City may require.
3. No permit shall be granted unless the following conditions are met:
- a. The golf cart must be inspected by the Marshall Chief of Police (or designee) to insure that the vehicle is safe to operate on City Streets and is in compliance with the requirements of this Ordinance.
 - b. The handicapped applicant must submit a certificate signed by a physician, that the handicapped applicant is able to safely operate a motorized golf cart on the roadways designated.
 - c. The applicant must provide evidence of insurance in compliance with the provisions of Illinois Statutes regarding minimum liability insurance for passenger vehicles to be operated on the roads of the State of Illinois.

The City Council 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 motorized golf cart on the designated roadways.

Every person operating a golf cart pursuant to permit hereunder on designated City Streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the State highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts.

Any person who violates any provision of this Ordinance shall upon conviction be subject to a fine of not less than \$50.00 nor more than \$750.00, and the costs of prosecution.

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without

the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall take effect ten (10) days after its passage and approval as provided by law.

AYES

NAYS

ABSENT

Beverly K. Church
Terry Clatfelter
John D. Ferris
Warren J. Le Fever
James McKittrick
Cheryl A. Raisner
Tim J. Sanders
James White

✓
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20 12 PASSED this 8 day of October,

, 20 12 APPROVED this 8 day of October

Kenneth R. Smith
MAYOR

ATTESTED, filed in my office,
this _____ day of _____, 2012.

John W. [Signature]
CITY CLERK

(SEAL)