

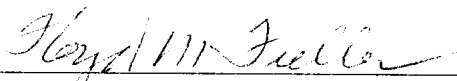
VILLAGE OF PALESTINE

ORDINANCE NO. 2005-0-09

AN ORDINANCE AUTHORIZING THE OPERATION
OF GOLF CARTS ON STREETS IN THE
VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS

ADOPTED BY THE BOARD OF TRUSTEES OF
THE VILLAGE OF PALESTINE, ILLINOIS
THIS 6 DAY OF October, 2005

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
BOARD OF TRUSTEES OF THE VILLAGE OF
PALESTINE, CRAWFORD COUNTY, ILLINOIS
THIS 6 DAY OF October, 2005



FLOYD M. FULLER, Village Clerk

ORDINANCE NO. 2005-O-09

AN ORDINANCE AUTHORIZING THE OPERATION
OF GOLF CARTS ON STREETS IN THE
VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, as follows:

The purpose of this ordinance is to protect, maintain, and enhance health, safety and general welfare of the citizens of the Village of Palestine. It has come to the attention of the Village President and the Board of Trustees that the use of golf carts on city streets creates a potential traffic hazard for other vehicular traffic as well as a danger to the occupants of golf carts. After consideration of the volume, speed and character of traffic on the village streets, the Village Board has determined that golf carts may safely travel on Village Streets.

Therefore, the intent of this Ordinance is to regulate the use of motorized carts within the corporate limits of the Village of Palestine as authorized by Illinois Compiled Statutes, being 625 ILCS 5/11-1428, OPERATION OF GOLF CARTS ON STREETS, ROADS AND HIGHWAYS.

A: Definitions

1. A golf cart shall not be capable of speeds exceeding 20 miles per hour. The definition of golf cart specifically excludes all terrain vehicles, ATV's, or any vehicle that is not a golf cart.

2. "Village Streets" means any of the streets within the boundaries of the Village of Palestine except for State and County roads.
3. "State roads" include Illinois Route 33.
4. "County roads" include any roads outside the boundaries of the Village limits of Palestine.

B. Requirements

All persons wishing to operate a golf cart on the streets of the Village of Palestine must insure compliance with the following requirements:

1. Proof of liability insurance.
2. Must display Village decal on front and rear.
3. Must be inspected by Village Police Chief or Designated representative.
4. Must have valid Driver's License.
5. Must be equipped with windshield, horn, brakes, turn signals, a steering wheel apparatus, tires, a rearview mirror, an approved slow moving vehicle emblem on the rear of the golf cart, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights and turn signals. When operated on a roadway, a golf cart shall have its headlight and tail lamps lighted. (625 ILCS 5/11-1428)
6. Must obey all traffic laws of State of Illinois and Village of Palestine.
7. Must be 21 years of age or older.
8. Side street use only.
9. No modification to golf cart suspension.
10. Must not exceed 20 miles per hour.
11. Crossing of State highway when authorized by the State of Illinois Department of Transportation.
12. May only operate on Village Streets with the exception of authorized crossing of State and County Roads, and on County and LaMotte Township Roads to and from Palestine Cemetery and Leaverton Park.
13. May only be operated between sunrise to sunset.
14. Golf carts may only be operated on designated Village Streets from sunrise to sunset. They shall not be operated in inclement weather nor when visibility is impaired by weather, smoke, fog, or other conditions, or at anytime when there is insufficient light to clearly see

persons and vehicle on the roadway at a distance of 500 feet.

15. A person who drives or is in actual physical control of a 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 thru 11-502).
16. Golf carts may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.
17. Golf carts may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (Illinois Route 33) or the County Highway Department, but may be operated on County Roads and LaMotte Township Roads to Palestine Cemetery and Leaverton Park.
18. Golf carts may not be operated on State or County roads except to cross at designated streets when authorized by the State of Illinois Department of Transportation or County Highway Department as applicable, except on County Roads and LaMotte Township Roads to Palestine Cemetery and Leaverton Park. The Village will insure that signs are erected to designate authorized crossing points.

C. Permits

1. No person shall operate a motorized golf cart without obtaining a permit from the Village Clerk as provided herein. Permits shall be granted for a period one (1) year and may be renewed annually. The cost of a permit is \$35.00. Insurance coverage is to be verified in effect by the Village Clerk when renewing the permits.
2. Every application for a permit shall be made on a form supplied by the Village 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. Signed general release of liability, waiver, discharge and covenant not to sue by applicant releasing the Village of Palestine, the County of Crawford, the Town of LaMotte and all other governmental entities which have approved the operation

of golf carts on their roadways of and from all liability for direct, indirect, special, incidental or consequential damages, whether arising in court, contract or any other legal theories, in connection with or arising out of the operator's use of a golf cart, and, in addition, the operator shall save, hold harmless and indemnify such governmental entities against any and all liability, claims, causes of action and costs of whatsoever kind and nature, including, without being limited to injury, damage, loss, including death, resulting from, arising out of, or occurring in connection with the use of a golf cart pursuant to this Ordinance, or any other Ordinance of the Village of Palestine.

- e. Photostatic copy of applicable liability insurance coverage card specifically for the golf cart to be operated on Village Streets.
 - f. Such other information as the Village may require.
3. No permit shall be granted unless the following conditions are met:
- a. The golf cart must be inspected by the Village Chief of Police (or designee) to insure that the vehicle is safe to operate on Village streets and is in compliance with the requirements of this Ordinance.
 - b. The handicapped applicant must submit a certificate signed by a physician, that he 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 motor vehicles to be operated on the roads of the State of Illinois.

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 motorized golf cart on the designated roadways.

Every person operating a golf cart pursuant to permit hereunder on designated Village 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 \$55.00 nor more than \$750.00, and the costs of prosecution.

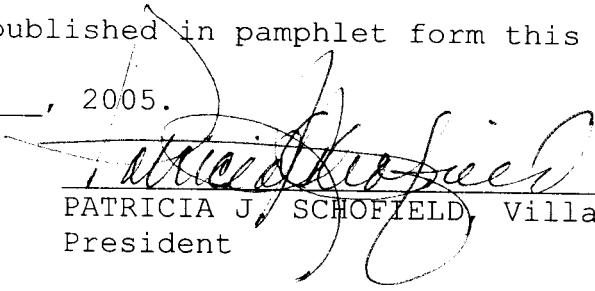
This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted aye:

Gene Purcell, Greta Dennison, David Branson, Walter Fritchie;
and Larry Surrells
Larry Miller was absent

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 6th
day of October 6, 2005.



PATRICIA J. SCHOFIELD, Village
President

ATTEST:



FLOYD M. FULLER, Village Clerk