



ORDINANCE NO. 1059

**AN ORDINANCE MAKING 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.

JULY 23, 2024

STATE OF ILLINOIS)
COUNTY OF TAZEWELL) SS
VILLAGE OF MACKINAW)

CERTIFICATE OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the **22ND day of July 2024**, insofar as same relates to the adoption of **Ordinance No. 1059**, entitled:

AN ORDINANCE MAKING AMENDMENTS TO PROVIDE AMANDMENTS RELATING TO GOLF CARTS AND UTILITY-TERRAIN VEHICLES

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of **Ordinance No.1059**, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on **JULY 23, 2024** and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by **FIVE** members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this **2ND day of AUGUST 2024**.



Village Clerk

ORDINANCE NO. 1059

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 ~~strikethrough font~~):

CHAPTER 79: GOLF CARTS AND UTILTIY 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 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 UTV's can only be operated from 7:00 am to 9:00 pm within the Village limits. 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.

§79.07 REVOCATION OF REGISTRATION.

Registrations shall be subject to revocation by the Chief of Police or his designee in the event of a violation of the requirements of ILCS 625, Act 5, § 11-1426.1 or any of the provisions of this chapter. A revocation shall be made in writing and shall set forth the provisions of statute or ordinance found to be violated. Revocations may be appealed in writing to the Village Board 14 days from the issuance of the revocation, and if appealed the Village Board shall hold a public hearing at which the affected owner may appear, present witnesses and evidence, and be represented by an attorney. The Village Board shall uphold the revocation if it determines by a preponderance of the evidence presented at the hearing that the violation which was the basis for the revocation occurred. During the appeal process, the revocation shall remain in full force and effect. (Ord. 773, passed 10-13-08; Am. Ord. 943, passed 6-26-17; Am. Ord. 961, passed 4-9-18)

§79.08 REINSTATEMENT OF REGISTRATION.

In the event a registration is revoked due to a failure to maintain the required liability insurance or a failure to maintain the condition of the neighborhood electric vehicle in compliance this chapter, including but not limited to maintaining the required safety systems, the Chief of Police or his designee, in his or her discretion, may reinstate the registration upon documentation of reinstatement of the required insurance or of the repair or modification of the neighborhood electric vehicle necessary to cure any deficiencies, as applicable, if the Chief of Police or his designee determines that the violation was not intentional and is not likely to recur. (Ord. 773, passed 10-13-08; Am. Ord. 943, passed 6-26-17; Am. Ord. 961, passed 4-9-18)

SECTION 2: Before adopting this Ordinance, the Board of Trustees of the Village of Mackinaw have determined that pursuant to 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 22nd day of July, 2024.

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>