

Chapter 21Operation of Non-Highway Vehicles on Village of Rossville Streets

Sections:

- 10.21.010 Policy Statement
- 10.21.020 Rules and Regulations
- 10.21.030 Permits
- 10.21.040 Enforcement
- 10.21.050 Definitions

10.21.010 Policy Statement. This ordinance is adopted in the interest of public safety. Non-Highway Vehicles hereinafter "Non-Highway Vehicles or (NHV)" as defined in 10.21.50.A are not designed or manufactured to be used on public streets and roads, hereinafter "Street(s)" and the Village of Rossville in no way advocates or endorses their operation on Streets. The Village, by regulating such operation is merely addressing safety issues. This Ordinance is not to be relied upon as determination that operation on Streets is safe or advisable even if done in accordance with this ordinance. All persons operating NHVs must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride NHVs on Streets inside the Village of Rossville do so at their own risk and peril. The Village of Rossville has no liability under any theory of liability for permitting NHVs to be operated on Village Streets.

10.21.020 rules and Regulations.

A. NHVs may only be operated on Streets within the Village of Rossville in accordance with the following rules and regulations:

1. Any person who operates a NHV in the Village of Rossville takes full responsibility for all liability associated with operating the NHV.
2. Any person who operates a NHV must be at least sixteen (16) years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
3. Any person who operates a NHV must possess proof of liability insurance for personal injury and property damage with limits of liability not less than the minimum required by the State of Illinois for passenger vehicles.

4. Removed in its entirety the limitations on hours and months of operation.
5. A NHV shall have its headlight and tail lamps lighted at all times when operated on Village Streets as required by Section 12-201 of the Illinois Vehicle Code.
6. NHVs may not be operated 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 vehicles on the Street at a distance of 500 feet.
7. NHVs may not be operated on any area other than Streets or parking areas within Parks. NHVs may not be operated on any Village sidewalks within the Village except for specific reasons approved by the Board of Trustees.
8. NHVs may be operated on Village Streets which have a posted speed limit of twenty-five (25) miles per hour or less. This section does not prohibit NHVs from crossing a Street or road at the intersection where the Street has a posted speed limit of more than twenty-five (25) miles an hour.
9. NHVs may not be operated on the following national or state highways except to cross said highways at the intersections in a path ninety (90) degrees to said highway: IL State Route #1
10. NHVs must be equipped with seat belts for the rear seats, brakes, a steering apparatus, tires, a rearview mirror, side reflectors or reflectorized tape, front and rear red reflectorized warning devices, a slow moving vehicle emblem on the rear of the cart in conformity with 625 ILCS 5/12-709 of the Illinois Vehicle Code, 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 a least 100 feet from the rear, brake lights, and turn signals.
11. Any person who operates a NHV on the Streets in the Village of Rossville must adhere to all applicable State laws, concerning the possession and use of alcoholic beverages, and other illegal drugs, as well as all other state traffic laws.

12. NHV drivers must yield the right-of-way to overtaking vehicles at all times.
13. The maximum occupancy of NHVs traveling on Village Streets will be one person per bucket seat or two people per bench seat.
14. Children must be properly seated while NHV is in motion and may not be transported in a negligent manner.
15. NHVs are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking sticker.
16. Removed intentionally
17. All NHVs operated on the Streets must be inspected by the Chief of Police of the Village of Rossville or his/her designee and must have valid permit documentation from the Village of Rossville.
18. Special Permits may be issued for special events for their duration for a fee of \$10.00. Those already issued permits shall be exempt from the special fee. These NHVs must comply with all equipment requirements listed in 10.21.020.10.

10.21.030 Permits.

A. No person shall operate a motorized NHV without obtaining a permit from the Village of Rossville as provided in this section.

B. Permits shall be granted and may be renewed annually as of March 1st each year and effective through the last day of February of the following year.

C. Effective March 1, 2011, the cost of a permit shall be fifty-dollars (\$50.00) per NHV. Effective March 1, 2023 the cost of a permit shall be fifty-dollars (\$50.00) per NHV or thirty-five (\$35.00) for owners age 65 and older to cover the costs of implementing and maintaining this ordinance. Insurance coverage will be verified as in effect by the Village when issuing or renewing a permit.

D. The Village of Rossville Police Chief or his/her designee retains the right to refuse to issue and/or revoke any permit sticker for any NHV at any time for any reason that is appropriate to ensure the safety and well-being of the citizens of the Village of Rossville.

E. NHV owners must complete the attached permit application form. The completed forms will be maintained by the Village of Rossville Police Department. The Rossville Police Department will issue visible proof of compliance that must be attached to the rear of the NHV.

10.21.040 Enforcement.

A. Any act constituting a violation of this Ordinance or failure to comply with any of its requirements is deemed a petty offense and shall be punishable in accordance with Section

1.16.010 of the Village of Rossville Ordinances.

B. Repeat offenders may have the privileges granted by the Ordinance revoked by the Board of Trustees of the Village of Rossville upon recommendation by the Village of Rossville Police Department and or the Village Mayor.

C. Upon investigation by and the recommendation of the Village Police Department, the Village Board may suspend or revoke a permit granted hereunder upon a finding that there is evidence that the permittee cannot safely operate the motorized NHV on the designated Streets or has violated one or more rules or Regulations under Section 10.21.020.

D. The Rossville Police Department's and/or the Village Board's interpretation of the above rules and regulations are final.

E. The Board of Trustees of the Village of Rossville reserves the right to revoke this Ordinance at any time.

10.21.050 Definitions.

A. "Non-Highway Vehicle (NHV)" for the purpose of this Ordinance is defined in Section 1-3 below.

- (1) A golf cart defined as 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. It is capable of obtaining a speed of more than twenty (20) miles per hour.
- (2) The definition of NHV does not include all-terrain vehicles (ATV's), off-highway motorcycle or any vehicle type not specifically listed herewithin.

(3) Recreational off-highway vehicle (ROV) or utility task vehicle (UTV) shall mean any motorized off-highway device designed to travel primarily off-highway, 64 inches or less is width, having manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. All passengers must be seated in a seat at any time such vehicles is moving. It is a violation of this Section if passenger is in the utility bed of an off-highway vehicle at any time said vehicle is in motion.

B. "Village Streets" or "Streets" is defined as any of the streets within the boundaries of the Village of Rossville except for state roads.

C. The Village may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this article or there is evidence that permittee cannot safely operate a qualified NHV on the designated Streets.

Chapter 1.16

GENERAL PENALTY

Sections:

1.16.010 Designated--Each day a separate offense.

1.18.010 Enforcement of Judgment

1.16.010 Designated--Each day a separate offense.

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the village, shall be guilty of an offense. Except in cases where different punishment is prescribed by any ordinance of the village any person convicted of an offense under the ordinances of the village shall be punished by a minimum fine of one hundred fifty dollars (\$150.00), and not to exceed five hundred dollars. Any person convicted of an offense will be required to pay court costs in addition to the fine.

B. Where violation of any ordinance is made a misdemeanor, any person convicted of violating such ordinance shall be punished by imprisonment not to exceed 30 days, or by fine established in 1.16.010 (A).

C. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the village is committed, continued, or permitted by any such person, and he shall be punished accordingly.

Section 1.12.040 amended Aug 19; Ref Ord # 2002-12
Section 1.16 amended Aug 19; Ref Ord # 2002-12
Section 1.16.010 Amended April 17, 2006; Ref Ord #2006-04
Section 10.21.050 Amended November 22, 2016; Ref Ord 2016-09