

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-21

“An Ordinance Regulating Snowmobiles”

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
13th DAY OF December, 2023

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt
County, Illinois

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PIATT COUNTY, ILLINOIS
ORDINANCE #2023-21

BE IT ORDAINED by the President and the Board of Trustees of the Village of Hammond, Piatt County, Illinois:

DEFINITIONS: The following definitions shall apply to the words used in this Ordinance.

- **Cowling:** The forward portions of a snowmobile surrounding the motor and clutch assembly.
- **Dangerous Drug:** Any drug defined as a depressant or stimulant substance in the “Illinois Controlled Substance Act” and cannabis as defined in the “Cannabis Control Act”, co 56 ½ s 701 c et seq. 1110 Rev. Stat. (1979).
- **Highway:** The entire width between boundary lines of any highway, road, street, avenue, alley, or public driveway.
- **Intoxicating Beverage:** Any beverage enumerated in the “Liquor Control Act”, co 43, 111 0 Rev. State. (1979).
- **Marks:** Any visible sign or barricades designating the boundaries of any or all restricted areas.
- **Operate:** To ride in or on, other than as a passenger, use or control the operation of a snowmobile in any manner whether or not the snowmobile is under way.
- **Operator:** Every person who operates or is in actual physical control of a snowmobile.
- **Owner:** A person other than a lien holder, having title to a snowmobile. The term includes a person entitled to the use or possession of a snowmobile subject to an interest in another person reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.
- **Person:** An individual, partnership, firm, corporation, association, or other legal entity.
- **Roadway:** That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term “roadway” as used in this Ordinance refers to any such roadway separately but not to all such roadways collectively.
- **Routes:** Streets, roads, or highways designated and approved by the Village Board as snowmobile routes within the Village limits.
- **Snowmobiles:** A self-propelled device designed for travel on snow, ice, or natural terrain steered by skis or runners, and supported in part by skis, belts, or cleats.
- **Special Events:** Snowmobile races, derbies, carnivals, and the like.
- **Village:** The Village of Hammond.

ENFORCEMENT: The Village Board of Trustees shall have the power, duty, and authority to enforce this Ordinance by whatever means it deems appropriate.

EQUIPMENT: All snowmobiles operating within the Village of Hammond shall be equipped with:

- At least one white head lamp having a minimum candlepower of sufficient intensity to exhibit a white light plainly visible from a distance of at least 500 feet ahead during hours of darkness under normal atmospheric conditions.

- At least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of at least 500 feet to the rear during hours of darkness under normal atmospheric conditions.
- A brake system in good mechanical condition.
- Reflective material of a minimum area of 16 square inches mounted on each side of the cowling. Identifying numbers may be included in computing the required 16 square inches.
- Adequate sound suppression equipment. No snowmobile shall be modified by any person in any manner that shall amplify or otherwise increase total noise emission above that emitted by the snowmobile as originally constructed, regardless of date of manufacture. Snowmobiles manufactured after June 1, 1972, shall be equipped with sound suppression devices that limit total machine noise in accordance with noise pollution standards established pursuant to the “Environmental Protection Act”, co 111 ½ S1001, et seq., 1110 Revo. Stat. (1979).

SECTION ROUTES: The following roadways within the Village of Hammond are hereby dedicated as snowmobile routes:

- “D” Street
- 1st Street
- Don Ryan Street from the railroad tracks north to the Village limits
- Snowmobiles may be parked along said dedicated roadways in the same manner and in the same locations as automobiles may be parked.
- Other roadways within the Village may be used for the operation of snowmobiles only for the purpose of traveling to and/or from a dedicated snowmobile route as defined herein and the residence of the operator.

OPERATION GENERALLY: It is unlawful for any person to drive or operate any snowmobile within the Village in the following ways:

- At a rate of speed too fast for conditions. The fact that the speed of the snowmobile does not exceed the applicable maximum speed limit allowed does not relieve the driver from the duty to decrease speed as may be necessary to avoid colliding with any person, vehicle, or object and the duty of all persons to exercise due care. At no time shall the speed of a snowmobile exceed 30 miles per hour within the Village limits.
- In a careless, reckless, or negligent manner.
- While under the influence of intoxicating beverages, narcotics, or dangerous drugs.
- At any time without at least one lighted head lamp and one lighted tail lamp on the snowmobile.
- On the tracks or right of way of an operating railroad.
- On private property of another without the written consent of the owner or lessee thereof. Any person operating a snowmobile upon lands of another shall stop and identify himself/herself upon the request of the landowner or his/her duly authorized representative and if requested to do so by the landowner, shall promptly remove the snowmobile from the premises.
- Within any area designated as a public park in the Village.

USE OF DEDICATED ROUTES: Snowmobiles may be operated on the roadway of any dedicated snowmobile routes within the Village limits of Hammond, Illinois, for the purpose of entering and exiting the Village and other legitimate travel needs, excluding pure entertainment use. No other roadway within the Village of Hammond may be used for the operation of any snowmobile unless otherwise authorized herein. This Ordinance in no way authorizes the random and continuous use of a dedicated snowmobile route by anyone operating a snowmobile, and such use is hereby expressly prohibited and declared to be illegal.

YOUTHFUL OPERATORS: It is a violation of this Section for any person without a valid Illinois Motor Vehicle Driver's License to operate a snowmobile upon any public roadway within the Village. No person under 10 years of age may operate a snowmobile. Persons at least 10 years old and less than 12 years old may operate a snowmobile only if they are either accompanied on the snowmobile by a parent or guardian, or such operator is in possession of a certificate issued by the Department of Conservation authorizing the holder to operate snowmobiles. Violations of this section, done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian, as well as, the operator, and shall be punishable under the penalty section of this Ordinance.

HOURS AND AREAS OF OPERATION: No person shall operate a snowmobile between 12:00 am and 7:00 am within the Village.

FIREARMS AND BOWS: No person shall operate or ride on any snowmobile with any firearm in his/her possession unless it is unloaded and enclosed in a carrying case, nor any bow unless it is unstrung or enclosed in a carrying case.

Each person operating a snowmobile shall strictly observe all traffic signs and signals, and all other traffic laws, rules, and regulations applicable thereto.

No person shall deposit from a snowmobile on the snow, ice, or ground surface any items of trash, glass, garbage, insoluble material or other offensive matter.

SUMMARY ABATEMENT:

Whenever, in the opinion of the Village, the maintenance or continuation of a nuisance creates an imminent threat of serious injury to persons or serious damage to real or personal property, and the continuation of the nuisance poses a substantial threat of injury to persons or property, the Village may proceed immediately and summarily to abate such nuisance.

Penalty:

Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.

3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:

- 1st Offense: \$180.00
- 2nd Offense-committed within 12 months of any prior offense: \$330.00
- 3rd Offense-committed within 12 months of any prior offense: \$580.00

Each day that a violation continues beyond the 10-day notice period described above shall constitute a separate offense.

Notice shall be deemed to be properly served by:

- Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- Personal service; or
- Posting of notice upon property

EFFECT DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form as required by law.

SEVERABILITY: Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this day 13th day December, 2023, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 2

Brenda Sebens
Village Clerk, Village of Hammond
Piatt County, Illinois

Marsha Burgener
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

State of Illinois)
) ss.
 County of Piatt)
 Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on December 13, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-21, entitled "An Ordinance Authorizing and Regulating the Use/Operation of Snowmobiles Within the Corporate Limits of the Village of Hammond", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-21, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on December 14, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 13th day of December, 2023.

(SEAL)

Brenda Sebens
 Municipal Clerk