

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-23

"An Ordinance Authorizing and Regulating the Use/Operation of Electric or Gas-Powered Golf Carts & UTVs Within the Corporate Limits of the Village of Hammond"

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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WHEREAS, residents of the Village of Hammond have requested the Village to permit the use of Golf Carts and UTVs for travel on Village streets; and

WHEREAS, the Board of Trustees for the Village of Hammond have considered the volume, speed, and character of traffic on the Village streets; and

WHEREAS, it is the intent of this Ordinance to regulate the use of motorized Golf Carts and UTVs within the corporate limits of the Village of Hammond as authorized by the State of Illinois compiled statutes.

WHEREAS, Golf Carts and UTVs may safely travel thereon and that public safety will not be jeopardized.

NOW, THEREFORE, be it ordained by the Village President and the Village Board of the Village of Hammond:

SECTION 1 - POLICY STATEMENT

This Ordinance is adopted in the interest of public safety. Golf Carts and UTVs are not designed or manufactured to be used on public streets and roads, hereinafter referred to as "streets", and the Village of Hammond does not advocate or endorse their operation on streets. This Village, by regulating such operation, is merely addressing safety issues. This Ordinance is not to be relied upon as determination that operation of Golf Carts and UTVs on streets is safe or advisable even if done in accordance with this Ordinance. All persons operating Golf Carts and UTVs 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 in Golf Carts and UTVs on the streets inside the Village of Hammond do so at their own risk and peril. The Village of Hammond disavows any liability for permitting Golf Carts and UTVs to be operated on the Village streets. Use of a Golf Cart and/or UTV on public streets is a privilege, not a right.

SECTION 2 – DEFINITIONS

"Golf Cart" - 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 playing of golf, or maintaining the condition of the grounds on a public or private golf course. The definition of Golf Cart specifically excludes all-terrain vehicles (ATV's) and any other vehicle that is not a Golf Cart.

“UTV” – Any recreational motor vehicle other than an ATV, motorcycle, or snowmobile, designed for and capable of travel over designated unpaved roads, traveling on four (4) or more low-pressure tires of 20 (twenty) psi or less, maximum width less than 74” (seventy-four inches), maximum weight less than 3,000 (three thousand) pounds, or having a wheel base of 94”

(ninety-four inches) or less. UTV does not include golf carts or vehicles specifically designed to carry a disabled person or implements of husbandry.

"Village Streets" - Any of the streets within the boundaries of the Village of Hammond, Illinois, except for state and county controlled and maintained roads.

SECTION 3 - RULES AND REGULATIONS

Golf Carts or UTVs may only be operated on streets within the Village of Hammond in accordance with the following rules and regulations:

1. Any person who operates a Golf Cart or UTV in the Village of Hammond takes full responsibility for all liability associated with operating a Golf Cart or UTV.
2. Any person who operates a Golf Cart or UTV must be at least 16 years of age and possess a valid driver's license to operate a motor vehicle issued by the State of Illinois or any other state.
3. Any person who operates a Golf Cart or UTV 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 the operation of a passenger vehicle.
4. Golf Carts or UTVs may only be operated on streets from sunrise to sunset.
5. Golf Carts or UTVs 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 or vehicles on the roadway at a distance of 500 (five hundred) feet.
6. A Golf Cart or UTV shall have its headlights and taillights lighted at all times when operated on Village streets (as required by Section 12-201 of the Illinois Vehicle Code.)
7. Golf Carts or UTVs may not be operated on sidewalks or Village parks other than parking areas.
8. Golf Carts or UTVs may be operated on Village streets which have a posted speed limit of 35 miles per hour or less.
9. Golf Carts or UTVs may not be operated on the following national or state highways and may not be used to cross said highways as no safe avenue of travel exists: Illinois State Route 36.
10. Golf Carts or UTVs must be equipped with the following:
 - a. Brakes and brake lights on the rear,
 - b. Seat Belts-the maximum occupancy of the golf car or UTV shall be equal to the number of safety belts or passenger restraints
 - c. Turn signals on front and rear,
 - d. A steering wheel apparatus,

- e. Tires,
 - f. Rearview mirror,
 - g. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625ILCS 5/12-709),
 - h. Headlights that emit a white light visible from a distance of 500 (five hundred) feet to the front,
 - i. Tail lights that emit a red light visible from at least 100 (one hundred) feet from the rear,
 - j. Any additional requirements which may be amended to 65ILCS 5/11-1428 or the Illinois Motor Vehicle Code, and
 - k. All requirements set forth in the State of Illinois Compiled Statutes.
12. Any person who operates a Golf Cart or UTV on Village streets must obey and adhere to all applicable State laws concerning the possession and use of alcoholic beverages and all other illegal drugs, as well as, all other State traffic laws.
13. Any person who operates a Golf Cart or UTV on Village streets must yield the right of way to all vehicles approaching and overtaking them at all times.
14. The maximum occupancy of Golf Carts or UTVs traveling on Village streets shall be equal to the number of safety belts or passenger restraints in the golf cart or UTV.
15. Each driver and passenger of a golf car or UTV shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the Child Passenger Protection Act (625 ILCS 25/1 et seq.).
16. Golf Carts or UTVs are ONLY allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking sticker and that sticker is clearly visible in the Golf Cart or UTV.
17. All Golf Carts or UTVs on the streets must be inspected annually by the person(s) or entity(s) designated by the Village of Hammond President or Village Board of Trustees and must have a valid permit displayed on the slow-moving sign from the Village of Hammond on the rear of the Golf Cart or UTV.
18. No person should operate a golf cart or UTV on a Village Street in excess of the posted speed limit.

SECTION 4 – PERMITS

1. No person shall operate a motorized Golf Cart or UTV without obtaining a permit from the Village of Hammond as provided in this section.
2. Permits shall be granted for a period of one year and may be renewed annually.

3. The cost of the permit is \$40.00 per Golf Cart or UTV 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.
4. The Village of Hammond President, Board of Trustees, or person(s) or entity(s) designated by the Village of Hammond President or Board of Trustees retains the right to refuse to issue and/or revoke any permit for any Golf Cart or UTV at any time for any reason that he/she feels is appropriate to ensure the safety and well-being of the citizens of the Village of Hammond.
5. Golf Cart or UTV owners must complete the attached permit application form. The completed forms will be maintained by the Village of Hammond. The Village of Hammond may issue visible proof of compliance that must be attached to the rear of the Golf Cart or UTV.
6. Every application for permit shall be made on a form supplied by the Village and shall contain the following information:
 - a. Name and address of applicant,
 - b. Name of liability insurance carrier,
 - c. The serial number, make, model, and description of the Golf Cart or UTV,
 - d. Signed waiver of liability by applicant releasing the Village and agreeing to indemnify and hold the Village of Hammond harmless from any and all future claims resulting from the operation of their Golf Cart or UTV(s) on Village streets,
 - e. Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit, and
 - f. Such other information as the Village may require.
7. No permit shall be granted unless the following conditions are met:
 - a. The Golf Cart or UTV must be inspected by the designated representative to ensure that the golf car is safe to operate on Village streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code. The owner will pay the annual fee and receive his/her permit each year thereafter, unless said owner purchases another or a different Golf Cart or UTV.
 - b. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.
8. 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 the permittee cannot safely operate a qualified Golf Cart or UTV on the designated roadways.

SECTION 5 – ENFORCEMENT

1. Any act constituting a violation of this Ordinance or failure to comply with any of its requirements within the permit's valid year is subject to a fine, suspension, or permanent revocation of a permit.

2. 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

Permanent revocation of a permit granted hereunder upon finding that there is evidence that the permittee has not safely operated the motorized Golf Cart or UTV on the designated streets.

3. Anyone caught driving while permit is suspended will lose privileges for one year from date of violation.

4. Upon investigation by and the recommendation of the Village President, any person(s) or entity(s) designated by the Village President or Board of Trustees, or the Piatt County Sheriff or a representative assigned by the Sheriff, 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 Golf Cart or UTV on the designated streets.

5. The Village President and the Board of Trustees interpretation of the above rules and regulations are final.

6. Any fine levied for a violation of this Ordinance is to be paid to the Village Clerk within 30 (thirty) days of the issuance of the violation. Any failure to pay will result in the Board placing a lien against your property for the amount of the fine and any cost associated with securing this lien.

7. The Board of Trustees of the Village of Hammond reserve the right to revoke this Ordinance at any time for any reason.

SECTION 6

Except as detailed above, all other Ordinances of the Village of Hammond shall retain their current language and remain in full force and effect.

SECTION 7 - SEVERABILITY

Should any part of this Ordinance be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8 - EFFECTIVE DATE

This Ordinance shall take effect and be in full force from and after its passage and approval, and publication in pamphlet form as required by law. Any and all prior Ordinances not in conformity herewith are hereby revoked and declared null and void.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 13th day of 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 #2023-23, entitled "An Ordinance Authorizing and Regulating the Use/Operation of Electric or Gas-Powered Golf Carts & UTVs 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 #2023-23, 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