

Chapter 34

TRAFFIC AND VEHICLES

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ARTICLE I. IN GENERAL**Sec. 34-1. State vehicle code adopted.**

The village has adopted by reference, as a part of this chapter, the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq., except those administrative and regulatory provisions which by their nature cannot apply to the village. The references in that code to its provisions generally shall apply to this chapter.

Sec. 34-2. Definitions.

The definitions in 625 ILCS 5/1-101 et seq., adopted by reference in section 34-1, shall apply to this chapter. In addition, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Motorized scooter means a device with two or more wheels connected by a platform with a steering handle or wheel which is designed for standing and which is motorized.

Motorized skateboard means a device with two or more tandem axles and a combination of wheels connected by a platform designed for standing and which is motorized.

Public building means a building used by the village, the county, any park district, school district, the state, or the United States government.

Roller skate/rollerblade means a shoe or device which attaches to a shoe that has small wheels attached to it for skating on sidewalks, hard floors and similar surfaces.

Scooter means a board which has small wheels attached and also has a perpendicular pole or similar extension attached to it which is used to steer or as a hand rest.

Skate means to glide or move along on roller skates or on a skateboard.

Skateboard means a board that has small wheels attached to it.
(Code 1981, § 10-1-1; Ord. No. 719, 11-4-2003; Ord. No. 781, 9-21-2010)

Sec. 34-3. Violations and penalties.

(a) *Generally.* Except as otherwise specifically provided, any person violating any provision of this chapter shall be fined in accordance with the general penalty provisions of section 1-19 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(b) *Prima facie evidence based on ownership of vehicle.* The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such violation.

(c) *Parking violations.* Any person accused of a violation of an ordinance prohibiting parking a vehicle in a designated area, or restricting the length of time a vehicle may be there parked, may settle and compromise the claim against him for such illegal parking by

paying to the village the sum of \$2.00 for the first and second violations and \$5.00 for subsequent violations within 24 hours of the time such alleged offense was committed. Such payment may be made to the clerk, and a receipt shall be promptly turned over to the treasurer to be credited to the parking meter fund. The members of the police department are authorized to refrain from instituting a prosecution for the alleged offense involved.

(d) *Exceptions.* This subsection and subsection (c) of this section shall not apply to persons parking a vehicle so as to obstruct the entrance or exit of any place where police or fire department apparatus or other emergency equipment is kept or housed, or so as to block an emergency entrance to a hospital. Nor shall this subsection and subsection (c) of this section apply to any persons charged with parking a vehicle so as to entirely obstruct traffic in any street or alley, nor parking in such a way as to reduce traffic on an arterial street to one-way traffic only, nor to any person who refuses to move a vehicle illegally parked at the request of any member of the police department, nor to any person charged with parking a vehicle overnight.

(Code 1981, §§ 10-8-1—10-8-3)

Sec. 34-4. Traffic authority of fire department personnel at scene of fires.

The fire department officer in command or any firefighter designated by him may exercise the powers and authority of a police officer in directing traffic at the scene of any fire or when the fire department has responded to an emergency call for so long as fire department equipment is on the scene in the absence of or in assisting the police.

(Code 1981, § 10-1-4)

Sec. 34-5. Advertising signs.

(a) It is unlawful to maintain, anywhere in the village, any sign, signal, marking or device, other than a traffic sign or signal, unauthorized by the village board or the state department of public works and buildings, which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, in view of any street or highway, and it is unlawful to place or maintain any sign which hides from view any lawful traffic control device.

(b) It is unlawful to maintain or operate in view of any street or highway any flashing or rotating beacon of light.

(Code 1981, § 10-1-9)

Sec. 34-6. Small vehicles and other motorized devices.

(a) It is unlawful and is declared a nuisance for any person to operate any motorized skateboard, motorized scooter, golf cart, low-speed vehicle, all-terrain vehicle of any kind or other motorized, unlicensed vehicles on the private property of another person, which shall include property of the village, without first obtaining the permission of the owner of such property.

(b) It is unlawful to operate or to ride on a motorized skateboard or a motorized scooter in the public streets, upon the public sidewalks or within a public right-of-way.

(c) Roller skates, rollerblades and skateboards are allowed on village sidewalks using due caution, except in the business district. No person shall skate on roller skates, rollerblades, or on skateboards on any other village property, including, but not limited to, alleys, park property, streets or property otherwise controlled by the village, unless indicated otherwise by a sign.

(d) The provisions of this section shall not apply to any of the devices referenced in subsection (a) through (c) of this section when participating in a parade authorized by the village or when operated by a law enforcement officer in the performance of official duties.

(e) The provisions of this section shall not apply to a motorized wheelchair or scooter which is being used to transport a physically challenged person.
(Code 1981, § 10-1-12; Ord. No. 781, 9-21-2010)

Sec. 34-7. Gas and smoke emissions.

It is unlawful to operate any vehicle which emits emissions in excess of those permitted under 625 ILCS 5/13C-20.
(Code 1981, § 10-6-2)

Sec. 34-8. Mechanical exhaust braking devices.

(a) No person shall operate, or cause to be used or operated, within the corporate limits of the village any mechanical exhaust device designed to aid in the braking or deceleration of any vehicle by converting engine power to compressed air that emits excessive noise.

(b) This section does not apply to the use of an engine braking system that has an adequate sound muffling system in proper working order that prevents excessive noise.

(c) It is an affirmative defense to this section that the driver used an engine braking system that emits excessive noise in an emergency to avoid a collision with a person or another vehicle on the roadway.

(Code 1981, § 10-7-5; Ord. No. 795, 12-20-2011)

Sec. 34-9. Toy vehicles.

It is unlawful for any person upon skates, a coaster, a sled or other toy vehicle to go upon any roadway other than at a crosswalk.
(Code 1981, § 10-3-26)

Sec. 34-10. Vehicle weight restrictions.

(a) *Truck routes.* All trucks over 10,000 pounds gross vehicle weight traveling within the village shall confine their movement to the marked truck routes, except that:

- (1) All trucks over 10,000 pounds gross vehicle weight may be permitted off of the truck routes within the village only for the purpose of making local delivery and, when

such local delivery is made, the truck leaving the truck route for the purpose of making local delivery shall take the shortest route from the truck route to the point of local delivery, traveling, if possible, on hard surface streets, and shall return, if possible, after making the local delivery by the same route to the truck route.

- (2) All trucks over 10,000 pounds gross vehicle weight may park for one hour only along the established truck routes.

(b) *Inspection; weighing of vehicles.* Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest public scales.

(c) *Reducing excess loads.* When an officer, upon weighing a vehicle and load, determines that the weight is unlawful, such officer may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this section. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

(d) *Refusal to permit inspection.* Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses, when directed by an officer upon weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section shall be guilty of violating a village ordinance and subject to the penalties provided in section 1-19.

(e) *Exceptions.* The weight limitations in this section shall not apply to vehicles operated by a public utility when required for the installation or repair of public service facilities or properties and shall not apply to fire apparatus, equipment designed for snow and ice removal, garbage or refuse equipment, school buses picking up or discharging passengers on such streets, and recreational vehicles.

(Code 1981, § 10-3-34; Ord. No. 726, 9-7-2004)

Sec. 34-11. Operating motorcycle on one wheel prohibited.

Any person who operates a motorcycle on one wheel is guilty of reckless driving.
(Code 1981, § 10-3-37)

Sec. 34-12. Pedestrian use of sidewalks, streets, and crossings.

(a) No pedestrian will cross a roadway other than at a crosswalk in any business district.

(b) When sidewalks are provided, it is unlawful for any pedestrian to walk along and upon an adjacent roadway.

(c) When sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic and, upon meeting a vehicle, shall step off to the left.
(Code 1981, §§ 10-4-4, 10-4-5)

Secs. 34-13—34-42. Reserved.

ARTICLE II. PARKING

Sec. 34-43. During street cleaning.

It is unlawful to park any vehicle on any public street or portion thereof in the village at any time when such street is being cleaned. Signs indicating that a street or portion thereof is being cleaned shall be posted immediately before the cleaning of the street is finished.
(Code 1981, § 10-5-2)

Sec. 34-44. During snowfall.

It is unlawful to park any vehicle on any public street in the village at any time within 12 hours after a snowfall of three inches or more has occurred unless the snowfall has ended and the street has been plowed.
(Code 1981, § 10-5-3)

Sec. 34-45. Time limit parking.

Except on Sundays or holidays, it is unlawful to park any vehicle for more than one hour in any consecutive period of time between the hours of 8:00 a.m. and 6:00 p.m. in any area designated by ordinance as a restricted parking area.
(Code 1981, § 10-5-4)

Sec. 34-46. At curb.

No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, and it is unlawful to stand or park any vehicle in a street, other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curbline, except that, upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks.
(Code 1981, § 10-5-6)

Sec. 34-47. For purposes of peddling merchandise.

It is unlawful to park any vehicle upon any business street from which vehicle merchandise is peddled.
(Code 1981, § 10-5-7)

Sec. 34-48. In alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten feet of width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
(Code 1981, § 10-5-8)

Sec. 34-49. On private property of another.

It is unlawful to park any motor vehicle on any private property without the consent of the owner of the property.
(Code 1981, § 10-5-9)

Sec. 34-50. Overnight parking.

No person shall park any vehicle weighing in excess of 8,000 pounds on any street, alley, public way or public property, for a period of time longer than 30 minutes between the hours of 2:00 a.m. and 5:00 a.m. on any day; excepting vehicles loaded with grain on Main and Minier Avenues from September 15 to November 15.
(Code 1981, § 10-5-12)

Sec. 34-51. Signs disclosing that parking is restricted or prohibited.

Appropriate signs shall be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions.
(Code 1981, § 10-5-10)

Sec. 34-52. Authority to remove parked vehicles.

The police department and all members thereof assigned to traffic duty are authorized to remove and tow away, or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle. Cars so towed away shall be stored on any village property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expenses incurred by the village in removing and storing such vehicle.
(Code 1981, § 10-5-5)

Secs. 34-53—34-77. Reserved.

ARTICLE III. GOLF CARTS

Sec. 34-78. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Child restraint system shall have the definition set forth in 625 ILCS 25/4.

Disabled operator means a person over the age of 18 years who has registered with the village as a disabled operator as provided in this article.

Golf cart means a vehicle specifically designed and intended for 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 conditions of the grounds on a public or private golf course. The term "golf cart" does not include utility vehicles, low-speed vehicles, all-terrain vehicles, recreational off-highway vehicles, or other off-road vehicles.

Prohibited route means any federal, state, county or township roadway or route, as may from time to time be designated as such by the state, county, or township, including, as of the adoption date of the ordinance from which this article is derived, Illinois Route 122 (a state route), Minier Avenue (a county highway), and Stringtown Road (a township road).

Recreational operator means a person over the age of 18 years who has registered with the village as a recreational operator as provided in this article.

Required equipment means, without exception:

- (1) Seat belts, including a child restraint system when transporting a child subject to such use;
- (2) Brakes;
- (3) A steering apparatus;
- (4) Tires;
- (5) A rearview mirror;
- (6) Red reflectorized warning devices in the front and rear;
- (7) A slow-moving vehicle emblem on the rear of the golf cart, in the form and of the size then required by state law;
- (8) A headlight that emits a white light visible from a distance of 500 feet to the front;
- (9) Brake lights; and
- (10) Turn signals.

Restricted route means any truck route, as may from time to time be designated as such by the state, county, or village.

Village permit means the village-issued permit authorizing a specific golf cart to be operated on village streets.

Village streets means the streets, roadways, alleys, and other thoroughfares within the village, except for restricted routes and prohibited routes, and shall not include sidewalks or other pedestrian areas.

(Ord. No. 872, exh. A(10-3-38), 1-19-2021)

Sec. 34-79. Operation restrictions.

A golf cart shall not be operated:

- (1) In violation of state law;
- (2) At a speed in excess of 25 miles per hour;
- (3) By any person other than a disabled operator or a recreational operator as defined in section 34-78;
- (4) On any village sidewalk, park path, or similar walkway, provided that a golf cart may directly cross a sidewalk at designated entrance and egress locations to parking lots and driveways;
- (5) On public grounds not designated as village streets, including, but not limited to, parks, grass, or other non-roadway surfaces where such operation may cause damage to the surface, including, but not limited to, rutting, erosion, or damage to grass and other plant life;
- (6) On or across any prohibited route;
- (7) On any restricted route, provided that a golf cart may directly cross a restricted route at intersections of such route and a village street;
- (8) While under the influence of drugs or alcohol, as may from time to time be defined by the state;
- (9) While transporting open containers of alcoholic beverages of any type;
- (10) In an aggressive or reckless manner;
- (11) Transporting any person not properly secured in a seat belt or child restraint system;
- (12) While transporting a child under the age of 12 years and subject to the height and weight requirements of the Child Passenger Protection Act, unless properly restrained in a child restraint system;
- (13) When the golf cart is not equipped with all required equipment, when such required equipment is not in a safe and proper operating condition, or without displaying headlights and taillights after dusk and before dawn; or
- (14) When the operator and golf cart are not covered by not less than state-required minimum liability insurance.

(Ord. No. 872, exh. A(10-3-39(b)), 1-19-2021)

Sec. 34-80. Exception for certain disabled operators.

A disabled operator using the golf cart as another power-driven mobility device, as defined by the Americans with Disabilities Act, may request a waiver or modification of the requirements and prohibitions of this article where such waiver or modification can be made consistent with the village's legitimate concerns for public safety.
(Ord. No. 872, exh. A(10-3-39((a)), 1-19-2021)

Sec. 34-81. Registration and permit; fees.

(a) *Permit and registration required.* A golf cart operated on village streets must be registered with the village. Registered golf carts will be issued a village permit.

(b) *Issuance; term.* The permit shall be issued annually and be valid for the period from the date of issuance to the last day of the month of May next following issuance. Permits for less than one full year shall be assessed a prorated fee and renew in May of the following year.

(c) *Application.* Every initial and renewal application for a village permit shall be made on a form supplied by the village and shall include the following information:

- (1) Name and address of applicant;
- (2) Name of liability insurance carrier;
- (3) The serial number, make, model and description of the golf cart;
- (4) A signed acknowledgement that the subject vehicle meets the requirements of this Code, has all required equipment in good and operating condition, and will be kept and maintained in that condition by the applicant; and
- (5) Payment of the initial registration fee as required herein.

(d) *Authorized operator disclosure.*

- (1) Upon registration, the applicant shall identify to the village all persons authorized to operate the golf cart within the village on a form supplied by the village and shall include the following information:
 - a. Each authorized operator's complete name;
 - b. A statement that the authorized operator possess a valid driver's license;
 - c. A statement that the authorized operator has been advised of and agreed to operate the golf cart in a manner consistent with this article;
 - d. A statement that the authorized operator is fully insured by the insurance policy identified in subsection (c)(2) of this section.
- (2) The applicant shall advise the village and amend its statement of authorized operators prior to allowing a person not identified to the village to operate the golf cart.

(e) *Fees.* A person registering a golf cart as a recreational user shall pay an annual registration/renewal of registration fee as established by the village fee schedule and shall provide a signed release and waiver of liability releasing the village and agreeing to indemnify and hold the village harmless from any and all future claims resulting from the operation of the golf cart on village streets.

(f) *Exception for disabled persons.* A golf cart registered by a disabled operator shall not be subject to payment of registration or renewal of registration fees. A person registering a golf cart as a disabled operator shall state that he or she meets the definition of a person with a disability as provided in 625 ILCS 5/1-159.1 and that she or he has been issued a persons with disabilities parking placard/license plates by the secretary of state. The state permit shall be displayed to the village on request.

(Ord. No. 872, exh. A(10-3-40), (10-3-41), 1-19-2021)

Sec. 34-82. Penalty.

Any person or entity violating any provision of this article shall be fined not less than \$75.00 nor more than \$500.00 for each offense, and the registration of a golf cart involved in a violation of this article may, at the discretion of the village board after an opportunity for the applicant to be heard, be revoked.

(Ord. No. 872, exh. A(10-3-42), 1-19-2021)