

CHAPTER 24

MOTOR VEHICLE CODE

ARTICLE I - DEFINITIONS

24-1-1 **ILLINOIS VEHICLE CODE; DEFINITIONS ADOPTED.** The Illinois Vehicle Code, **Illinois Compiled Statutes, Chapter 625, Chapter 1**, entitled "**Title and Definitions**", as passed, approved and amended by the Illinois General Assembly is hereby adopted by the City, the provisions thereof shall be controlling within the corporate limits of the City. **(See 65 ILCS Sec. 5/1-3-2)**

ARTICLE II - GENERAL REGULATIONS

24-2-1 **OBEDIENCE TO POLICE.** Members of the Police Department, Special Police, and Auxiliary Police assigned to traffic duty are hereby authorized to direct all traffic in accordance with the provisions of this Article or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a policeman. Except in cases of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic. **(See 625 ILCS Sec. 5/11-203)**

24-2-2 **SCENE OF FIRE.** The Fire Department officer in command or any fireman designated by him may exercise the powers and authority of a policeman in directing traffic at the scene of any fire or where the Fire Department has responded to an emergency call for so long as the Fire Department equipment is on the scene in the absence of or in assisting the Police Department.

24-2-3 **SIGNS AND SIGNALS.** It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the corporate authorities or in accordance with the laws of the State of Illinois except upon direction of a police officer. All signs and signals established by direction of the governing body shall conform to the Illinois State Manual of Uniform Traffic Control Devices for Streets and Highways. It shall be unlawful for any person to leave the roadway and travel across private property to avoid an official traffic-control device. **Schedule "V" - Signs and Signals** shall be an integral part of this Section. **(See 625 ILCS 5/11-301)**

24-2-4 UNAUTHORIZED SIGNS. No person shall place, maintain or display upon or in view of any street, any unauthorized sign, signal, marking, light, reflector or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, nor shall any person place, maintain or display upon or in view of any street, any other sign which hides from view or interferes with the movement of traffic or effectiveness of any traffic-control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. No tree, bush or foliage of any kind shall be so placed, maintained, allowed to remain, or be displayed upon either public or private property in such a manner as to hide from view or interfere with the movement of traffic or the effectiveness of any traffic-control device, sign or signal.

(A) No person may place or maintain nor may any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(B) Every such prohibited sign, signal or marking is a public nuisance and any policeman is empowered to remove the same or cause it to be removed without notice.

24-2-5 INTERFERENCE WITH SIGNS OR SIGNALS. It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal.

24-2-6 ADVERTISING SIGNS. It shall be unlawful to maintain anywhere in the City any sign, signal, marking or device other than a traffic sign or signal authorized by the City Council or the Illinois Department of Transportation, 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 shall be unlawful to place or maintain any sign which hides from view any lawful traffic-control device. It shall be unlawful to maintain or operate any flashing or rotating beacon of light in view of any street or highway. **(See Chapters 27 and 33) (Also See Chapter 40 - Zoning Code)**

24-2-7 ANIMALS OR BICYCLES. Any person riding a bicycle or an animal or driving any animal drawing a vehicle upon any street shall be subject to the provisions of this Code applicable to the driver of a vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal. **(See 625 ILCS Sec. 5/11-206)**

24-2-8 REGULATION OF SKATEBOARDS, IN-LINE SKATES (ROLLERBLADES OR ROLLERSKIS) AND ROLLERSKATES. All on-street operation of skateboards, in-line skates (rollerblades and rollerskis) and rollerskates shall be conducted as far to the right of the traffic lane as possible, in a single file and flowing with traffic. All

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operations of these skateboards, in-line skates and rollerskates shall be during daylight hours unless the operator has a white light showing to the front and is wearing some type of reflective clothing or reflective strips on his or her clothing which can be seen from a distance of **five hundred (500) feet** to the rear and side. Further, all operation shall be consistent with the rules of the road established for bicycles. Skateboards, in-line skates and rollerskates shall be allowed on all City streets and sidewalks except for those listed in **Schedule "Z"** at the conclusion of this Code.

ARTICLE III - STOP AND THROUGH STREETS

24-3-1 **THROUGH STREETS.** The streets and parts of streets of the City designated by ordinance as "through streets" are hereby declared to be through streets. The driver of a vehicle shall stop at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so close on a through street as to constitute an immediate hazard unless directed otherwise by the traffic officer. See **Schedule "A"** for applicable through and stop streets.

24-3-2 **ONE-WAY STREETS OR ALLEYS.** It shall be unlawful to operate any vehicle on any streets or alleys designated as one-way streets or alleys by ordinance in any direction other than that so designated. See **Schedule "B"** for the designated one-way streets and alleys. **(See 625 ILCS Sec. 5/11-208)**

24-3-3 **STOP STREETS.** The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected pursuant to ordinance at one or more entrances thereto and shall proceed cautiously, yielding to the vehicles not so obliged to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer on duty, in which event, the directions of the police officer shall be complied with. See **Schedule "A"** for designated stop intersections. **(See 625 ILCS Sec. 5/11-302)**

24-3-4 **YIELD RIGHT-OF-WAY STREETS.** The driver of a vehicle approaching a yield sign, in obedience to such sign, shall slow down to a speed reasonable for the existing conditions and if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection. **(See Schedule "C")**

24-3-5 **SCHOOL CROSSING SIGNALS.**
(A) **Definition: School Crossing Signal.** A permanently mounted two-way electrically operated signal device equipped with two-way, two color (red and yellow) signal heads, together with a square shaped, single-faced sign reading, "School Cross Walk", by which at predetermined times and when actuated by push-button, traffic is directed to stop so as to permit school children to cross the street or highway safely.

(B) Whenever the red lens of a school crossing signal is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked or, if none, then before entering the intersection, and pedestrians within or entering the crosswalk at either edge of the roadway shall have the right-of-way over vehicles so stopped. Drivers of vehicles having so yielded the right-of-way to pedestrians entering or within the nearest crosswalk at an intersection may proceed but shall also yield the right-of-way to pedestrians within any other crosswalk at the intersection. If in the event a school crossing signal is erected and maintained at a place other than an intersection, the provisions of this Section also shall be applicable, except as to provisions which by their nature can have no application.

(C) School crossing signals shall be erected at the following locations, and if such locations are under the jurisdiction of the State of Illinois, Department of Public Works and Buildings, the erection of such signals shall be subject to the approval of said Department.

(1) At the intersection of Adams and Hamilton streets on State Route #32 in Sullivan, Illinois.

(D) All vehicles and all persons operating any vehicles approaching the stop sign when the sign is present and in place at the crosswalk on Main Street at the east side of the front entrance of the Sullivan High School, which sign shall be located on Main Street approximately **three hundred twenty-five (325) feet** north of the intersection of Main Street and Magill Street, including both northbound and southbound traffic, shall be required to come to a complete stop before proceeding in either direction across the crosswalk.

24-3-6 **POSTING SIGNS.** Appropriate signs shall be posted to show all through, stop and yield right-of-way streets, all one-way streets and alleys and all stop intersections. **(See 625 ILCS Sec. 5/11-304)**

ARTICLE IV - DRIVING RULES

24-4-1 ILLINOIS VEHICLE CODE; RULES OF THE ROAD ADOPTED.

The Illinois Vehicle Code, **Illinois Compiled Statutes, Chapter 625, Section 11**, entitled "**Rules of the Road**", as passed, approved and amended by the Illinois General Assembly is hereby adopted by the City and the provisions thereof shall be controlling within the corporate limits of the City except for the following changes, deletions and omissions:

(A) Omissions:

- (1) Omit Sections 11-207, 11-208.1, 11-208.2, 11-209.1, 11-302, 11-303, 11-310(f), 11-313, 11-401 to and including 11-416, 11-500 to and including 11-502, 11-602, 11-603, 11-604, 11-606(b), 11-608, 11-1419, and 11-1422.

(B) Changes and Additions:

- (1) Change 11-904(a) to read: "Preferential right-of-way at an intersection may be indicated by stop or yield signs as authorized by this Code."
- (2) Change 11-1416(a) to read: "Any person who shall willfully and unnecessarily attempt to delay, hinder or obstruct any other person in lawfully driving and traveling upon or along any highway within this State or who shall offer for barter or sale, merchandise on said highway so as to interfere with the effective movement of traffic shall, upon conviction, be guilty of a violation of this Code."

24-4-2 DRIVING RULES.

(A) Careless Driving. It shall be unlawful to operate a vehicle in the City in a careless manner so as to interfere with the safe or lawful operation of any other vehicle or so as to interfere with or to injure, damage, or endanger persons or property engaged in the lawful use of the street.

(B) Drag Racing. No person shall participate within the City in drag racing as such activity is defined by **625 ILCS Sec. 5/11-504**.

(C) Fleeing or Attempting to Elude Police Officer. Any driver or operator of a motor vehicle who, having been given a visual or audible signal by a police officer directing such driver or operator to bring his vehicle to a stop, willfully fails to or refuses to obey such direction, increases his speed, extinguishes his lights or otherwise flees or attempts to elude the officer is guilty of a violation of this Chapter. The signal given by the police officer may be by hand, voice, siren, red or blue light. Provided, however, the officer giving such signal shall be in police uniform and if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle.

(D) **Unlawful Possession of Highway Sign or Marker.** Traffic control signals, signs or markers owned by the City shall be possessed only by the City's employees, police officers, contractors, or their employees engaged in highway construction, contract or work upon the roadways or public ways approved by the City. No person shall possess a traffic control signal, sign or marker owned by the City except as provided in this paragraph without the prior written authority of the City. It shall be a violation of this Chapter for a person to possess such a traffic control signal, sign or marker without lawful authority.

(E) **Special Speed Limitations on Elevated Structures.** No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure when such structure is sign-posted.

Upon the trial of any person charged with the violation of this section, proof of the determination of the maximum speed by the City and the existence of such signs is conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure. **(See 625 ILCS Sec. 5/11-608)**

(F) **General Speed Restrictions.** The speed limits on the various streets shall be approved by the City Council, but shall not exceed **twenty miles per hour (20 MPH)** in a school zone and not to exceed **twenty-five miles per hour (25 MPH)** on a residential street; otherwise, **thirty miles per hour (30 MPH)** on an arterial street unless otherwise posted. **Schedule "D"** shall list the applicable streets that have specific speed limits thereon. **(See 625 ILCS Sec. 5/11-604)**

(G) **Special Speed Limit While Passing Schools.** No person shall drive a motor vehicle at a speed in excess of **twenty miles per hour (20 MPH)** while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school during school days when school children are present.

This section shall not be applicable unless appropriate signs are posted upon streets and maintained by the City or State wherein the school zone is located. **(See 625 ILCS Sec. 5/11-605)**

(H) **Failure to Reduce Speed.** A vehicle shall be driven upon the streets and alleys of this City at a speed which is reasonable and proper with regard to traffic conditions and the use of the street or alley. The fact that the vehicle does not exceed the applicable maximum speed limit does not relieve the driver of the duty to decrease speed when approaching and crossing an intersection or when special hazard exists with respect to pedestrian or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(I) **Traffic Lane Usage.** Whenever any roadway within the City has been divided into **two (2)** or more clearly marked lanes for traffic, a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(J) **U-Turns Prohibited.** No driver of a vehicle shall make a "U-turn" on any street or at any intersection of any streets in the City.

24-4-3 **DUTY TO REPORT ACCIDENT.** The driver of a vehicle which is in any manner involved in an accident within the City shall, without unnecessary delay, notify the Police Department and shall make a report of such action. Failure to report an accident within the City within **twenty-four (24) hours** shall result in arrests of the person or persons involved. **(See 625 ILCS Sec. 5/11-415)**

24-4-4 **TRANSPORTING LIQUOR IN VEHICLES.** No person shall transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle in this City except in the original container and with the seal unbroken. **(See 625 ILCS Sec. 5/11-502)**

24-4-5 **EXCESSIVE NOISE - STOPPED VEHICLE.** No operator of a motor vehicle shall, when the motor vehicle is stopped, unreasonably accelerate the engine thereof with the gears of the vehicle in neutral, thereby causing an unreasonably loud or excessive noise.

24-4-6 **EXCESSIVE NOISE - WHEELS.** No operator of a motor vehicle shall when the motor vehicle is stopped, accelerate the engine with the gears of such vehicle in neutral and while so accelerating the engine, shift the gears of the vehicle into a forward or reverse movement, thereby causing an unreasonably loud noise with the drive wheels of the vehicle.

24-4-7 **EXCESSIVE NOISE - SQUEALING TIRES.** No operator of a motor vehicle shall cause the wheels of such vehicle to spin violently, thereby causing an unreasonably loud or excessive noise. **(See 625 ILCS Sec. 5/11-505)**

24-4-8 **RECKLESS, NEGLIGENT OR CARELESS DRIVING.** It shall be unlawful to operate any vehicle in the City in a careless, reckless, negligent or wanton manner, or carelessly so as to endanger life or property.

24-4-9 **EXCESSIVE NOISE WHILE DRIVING.** No operator of a motor vehicle shall, when operating the vehicle, accelerate the vehicle or rapidly stop the vehicle causing an unreasonably loud noise.

24-4-10 SOUND AMPLIFICATION SYSTEMS. No driver of any motor vehicle within this State shall operate or permit operation of any sound amplification system which can be heard outside the vehicle from **seventy-five (75) feet** or more when the vehicle is being operated upon a highway, unless such system is being operated to request assistance or warn of a hazardous situation. **(See 65 ILCS Sec. 5/12-611)**

24-4-11 DUTIES WHEN LEAVING VEHICLE UNATTENDED. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade without effectively setting the brake and turning the front wheels to the curb or side of the highway.

24-4-12 TRAFFIC NOT TO BE OBSTRUCTED. No vehicle shall be operated or allowed to remain upon any street in such manner as to form an unreasonable obstruction to traffic thereon, or to impede any parked car from leaving its parking space.

24-4-13 EXCESSIVE ENGINE BRAKING NOISE PROHIBITED.

(A) For purposes of this Section, COMPRESSION/RELEASE ENGINE BRAKING is defined as any mechanical exhaust device designed to aid in the braking or deceleration of any vehicle by converting engine power to compressed air which results in excessive, loud, unusual or explosive noise from such vehicle or otherwise known as "jake-braking".

(B) No person shall operate or cause to be used or operated within the City any compression/release engine braking on any vehicle; provided, however, this prohibition shall not apply if operation of the brake is necessary in an emergency situation to avoid imminent injury to persons or damage to property. 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) The City shall cause to have appropriate signs posted that are prepared consistent with the Illinois Vehicle Code, specifically **625 ILCS 5/12-602.1** thereof, in reference to the size, working and location of signs on state highways which signs shall include the language "excessive engine braking noise prohibited", and as aforesaid, be compliant with **625 ILCS 5/12-602.1** of the Illinois Vehicle Code as well as being compliant with such other rules as may be adopted by the Illinois Department of Transportation regarding the erection and placement of said sign.

(Ord. No. 23-42; 11-27-23)

ARTICLE V - EQUIPMENT OF VEHICLES

24-5-1 **MUFFLER.** No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cut-out is prohibited. No muffler shall cause an unreasonably loud or excessive noise. (See 625 ILCS Sec. 5/12-602)

24-5-2 **OBSTRUCTIONS TO VISION.** It shall be unlawful to operate any vehicle which is loaded or in such a condition that the operator thereof does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle. Any vehicle which is so constructed or loaded that the driver's view of the roadway to the rear is obstructed shall be equipped with a mirror so attached as to give him a view of the roadway behind.

24-5-3 **LIGHTS.** It shall be unlawful to operate or park on any street any vehicle not equipped with adequate lights conforming to the requirements of State law.

24-5-4 **HORNS AND WARNING DEVICES.**

(A) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than **two hundred (200) feet**, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(B) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this Section. Any authorized emergency vehicle may be equipped with a siren, whistle or bell capable of emitting sound audible under normal conditions from a distance of not less than **five hundred (500) feet**, but such siren, whistle or bell shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law in which said latter events the driver of such vehicle shall sound the siren, whistle or bell when necessary to warn pedestrians and other drivers of the approach thereof.

(C) No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

24-5-5 **BRAKES.** It shall be unlawful to drive any vehicle upon any street in the City unless such motor vehicle is equipped with good and sufficient brakes in good working order, as required by the State traffic law, or to operate any vehicle which is so loaded that the operator does not have ready access to the mechanism operating the brakes of such vehicle.

24-5-6 **TIRES.** It shall be unlawful to operate on any street any motor vehicle which is not equipped with tires conforming to the requirements of the State traffic law.

24-5-7 **NONSKID DEVICES.** It shall be unlawful to operate any vehicle upon any street equipped with any nonskid devices, lugs, steel wheels or other traction devices as provided by State law.

24-5-8 **WIDTH, LENGTH, HEIGHT OF VEHICLE AND LOAD.**

(A) The maximum width, length and height of any vehicle and its load shall not exceed the limits expressed in the Illinois State Traffic Law.

(B) No passenger-type vehicle shall be operated on the streets with a load extending beyond the line of the fenders on the left side of the vehicle nor extending more than **six (6) inches** beyond the line of the fenders on the right side thereof.

(C) No combination of vehicles coupled together shall consist of more than **two (2) units**, but such limitation shall not apply to vehicles operated in daytime when transporting pipes, poles, machinery and other objects which cannot be readily dismembered, nor to such vehicles operated at nighttime by a public utility when engaged in emergency repair work, but such loads carried at night shall be clearly marked with sufficient lights to show the full dimensions of the load.

(D) No part of the load of a vehicle shall extend more than **three (3) feet** in front of the extreme front portion of the vehicle.

24-5-9 **WEIGHT OF VEHICLE.**

(A) It shall be unlawful to drive on any concrete street any motor vehicle with a weight, including the weight of the load, in excess of that permitted by the State traffic law for driving on improved highways or with the weight distributed in a manner not conforming to such law.

(B) It shall be unlawful to drive on any improved street other than concrete paved streets, any motor vehicle with a weight, including the weight of the load, in excess of **twenty thousand (20,000) pounds**, except for deliveries to premises located on such improved streets.

24-5-10 **CITY VEHICLE IDENTIFICATION.** All City vehicles shall have uniform decals or lettering on the drivers and passenger doors of all vehicles operated by the City departments. Lettering shall indicate the department to which it is assigned. Also all off the highway equipment shall have uniform lettering or decal indicating the department to which it is assigned. **(Ord. No. 03-03; 05-12-03)**

ARTICLE VI - PARKING RULES

24-6-1 **TIME LIMIT PARKING.** It shall be unlawful to park any vehicle for a period of time in excess of the amount of time designated by law and so posted.

24-6-2 **PARKING FOR SALE, REPAIR OR PEDDLING PROHIBITED.** No person shall park a vehicle upon any street for the purpose of:

- (A) displaying such vehicle for sale; or
- (B) washing, greasing or repairing such vehicle, except when emergency repairs are necessary; or
- (C) peddling merchandise.

24-6-3 **PRIVATE PROPERTY.** It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

24-6-4 **STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES.**

(A) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control devices, no person shall:

- (1) **Stop, Stand or Park a Vehicle:**
 - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (b) On a sidewalk.
 - (c) Within an intersection.
 - (d) On a crosswalk.
 - (e) Between a safety zone and the adjacent curb or within **thirty (30) feet** of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
 - (f) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - (g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
 - (h) On any railroad tracks.
 - (i) At any place where official signs prohibit stopping.
 - (j) On any controlled-access highway.
 - (k) In the area between roadways of a divided highway, including crossovers.
 - (l) In any alley that is open and maintained.
- (2) **Stand or Park a Vehicle** (whether occupied or not, except momentarily to pick up or discharge passengers):

- (a) In front of a public or private driveway.
 - (b) Within **fifteen (15) feet** of a fire hydrant.
 - (c) Within **twenty (20) feet** of a crosswalk at an intersection.
 - (d) Within **thirty (30) feet** upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of the roadway.
 - (e) Within **twenty (20) feet** of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within **seventy-five (75) feet** of such entrance (when properly sign-posted).
 - (f) At any place where official signs prohibit standing or parking.
 - (g) In an area **three (3) parking spaces** in width officially designated as a fire lane in front of the Little Theatre on the Square on Harrison Street **one (1) hour** prior to the doors opening and during theater performances. The curb in front of said spaces shall be appropriately marked as a fire lane by the City. **(Ord. No. 05-26; 09-25-05)**
- (3) **Parking a Vehicle** (whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers):
- (a) within **fifty (50) feet** of the nearest rail of a railroad crossing;
 - (b) at any place where official signs prohibit parking;
 - (c) in yellow zones.
- (B) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
- (C) Schedules "E", "F" and "G" shall list all applicable no-parking zones.
- (D) **Truck Parking Prohibitions.** No person shall park any vehicle, vehicles or trailer the length of which exceeds **twenty (20) feet** or any Second Division vehicle licensed for an "F" classification or higher:
- (1) Upon any street, alley or any public way within the City except for the purpose and time period reasonably necessary to load and unload the same.
 - (2) Upon public or private property within the City with the motor running for a continuous period in excess of **thirty (30) minutes**. **(See 625 ILCS Sec. 5/3-815)**

24-6-5 PARKING FOR THE HANDICAPPED.

(A) **Designated Parking.** Certain parking spaces within the confines of the City shall be designated for use by handicapped persons' vehicles only and will be posted with appropriate signs to that effect.

(B) **Use of Designated Handicapped Parking.** The use of designated handicapped parking locations, duly posted and signed shall to that effect, be open to any vehicle which bears the appropriate handicapped Illinois Registration Plate issued by the Secretary of State for the State of Illinois, or a valid handicapped parking permit issued by another governmental agency or which bears a handicapped card furnished in accordance with **Illinois Compiled Statutes, Chapter 625; Section 5/11-1301.1, et. seq.** furnished by the City.

(C) **Application for Illinois Handicapped Registration Plate.** The issuance of an Illinois Handicapped Motor Vehicle Registration Plate shall be made with the Secretary of State of the State of Illinois at any facility provided and approved for that purpose by the Secretary of State. **(See 625 ILCS Sec. 5/11-1301.2)**

(D) **Penalty.** Any vehicle parked in violation of this Article in a posted designated handicapped space which does not bear an Illinois Handicapped Registration Plate, or a valid handicapped parking permit issued by another governmental agency of a City Handicapped Registration Card will be ticketed and the vehicle will be removed in accordance with departmental policies and in accordance with **Section 5/11-1302, Chapter 625 of the Illinois Compiled Statutes.** The registered owner of the vehicle as ascertained by the registration plates of the vehicle will be presumed to be in control of the vehicle and will be fined **One Hundred Dollars (\$100.00)**. The same registered owner will be held liable for the cost of removal of the vehicle and must pay that cost, plus storage charges, if any, prior to the release of the vehicle.

(E) **Handicapped Parking Areas.** Those places designated as "Handicapped Parking Spaces" are listed in **Schedule "H"**.

24-6-6 LOAD LIMITS.

(A) **Established.** There is hereby established "gross load limit" on City streets listed in **Schedule "J"**. The term "gross load limit" shall mean the total weight of a vehicle and the load it is carrying. All load limits shall be governed by Illinois Department of Transportation regulations.

24-6-7 TRUCKS PARKING IN CERTAIN DESIGNATED AREAS.

(A) It shall be unlawful for the operator or owner of any motor vehicle except a passenger vehicle, public utility truck or trucks licensed by the State under the classification of A or B license, to park such vehicle within residential areas in the City for a period of longer than **one (1) hour**. For the purpose of this paragraph, recreational vehicles classified as RV by the State shall not be considered above an A or B license.

(B) It shall be unlawful to park any vehicle weighing in excess of **eight thousand (8,000) pounds** gross weight, including vehicle and maximum load, within any residential area of the City for a period of longer than **one (1) year**.

(C) The requirements of this Section shall not apply to commercial vehicles parked within the City limits for the purpose of delivering or collecting persons, materials or merchandise or performing some service to the residents on whose property or adjacent to whose property the vehicle is being parked. **(Ord. No. 87-20; 12-14-87)**

24-6-8 TOWING CARS AWAY. The Police Department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away, or have removed and towed away by commercial towing service, any car, boat, trailer, 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; or any vehicle which has been parked in any public street or other public place for a period of **twenty-four (24) hours**.

Vehicles towed away shall be stored on any City property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expense incurred by the City in removing and storing such vehicle(s).

24-6-9 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 or her for such illegal parking by paying to the City **Ten Dollars (\$10.00)** for each such offense and **Fifteen Dollars (\$15.00)** for the second offense within **six (6) months**. Such payment may be made at the City Hall and a receipt shall be issued for all money so received and such money shall be promptly turned over to the Treasurer to be credited to the General Fund. The members of the Police Department are hereby authorized to refrain from instituting a prosecution for the alleged offense involved for at least **five (5) days**.

Provided, this Section shall not apply to persons parking a vehicle so as to obstruct the entrance or exit of any place where Police and Fire Department apparatus or other emergency equipment is kept or housed or so as to block an emergency entrance in a hospital. Nor shall this section apply to any person charged with parking a vehicle so as to entirely obstruct traffic in any street or alley or 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 remove a vehicle illegally parked at the request of any member of the Police Department.

(A) **Removal - Time Limit.** Any vehicle illegally parked for a period in excess of **twenty-four (24) hours** may be removed by a towing service authorized by the Police Department of the municipality. In any emergency, any vehicle may be removed by any means when authorized by the Police Department of the municipality.

(B) **City Parking Lots.** No person shall park a motor vehicle on a City parking lot unattended for more than **five (5)** consecutive days.

24-6-10 PRIMA FACIE PROOF. The fact that a vehicle which is illegally parked or operated is registered in the name of a person shall be considered prima facie proof that such person was in control of the vehicle at the time of such violation.

24-6-11 PARKING TICKETS - STATE STATUTE. The City Council intends to utilize **Illinois Compiled Statutes, Chapter 625; Section 5/6-306.5** and the procedure set forth therein.

The appropriate authorities are hereby authorized to utilize the statute and the procedure set forth therein.

ARTICLE VII - ABANDONED VEHICLES

24-7-1 **DEFINITIONS.** For the purpose of this Code, the following words shall have the meanings ascribed to them as follows:

"ABANDONED VEHICLE" shall mean all motor vehicles or other vehicles in a state of disrepair, rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for **seven (7) consecutive days** or more and is apparently deserted.

"ANTIQUE VEHICLE" means any motor vehicle or other vehicle **twenty-five (25) years** of age or older.

"COMPONENT PART" means any part of a vehicle other than a tire having a manufacturer's identification number or an identification number issued by the Secretary of State.

"DERELICT VEHICLE" means any inoperable, unregistered, or discarded motor vehicle, regardless of title, having lost its characteristic as a substantial property and left unattended without justification on the owner's, lienholder's or other legally entitled person's land contrary to the public policy expressed in this Code.

"HIGHWAY" means any street, alley or public way within this municipality.

"REMOVE" means to remove, deface, cover, or destroy.

"VEHICLE" means every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, whether subject to or exempt from registration, excepting, however, bicycles, snowmobiles and devices used exclusively upon stationary rails or tracks. **(See 625 ILCS Sec. 5/4-201)**

24-7-2 **ABANDONMENT.**

(A) **Highway.** The abandonment of a motor vehicle or other vehicle or part thereof on any highway in this municipality is unlawful and subject to penalties as set forth herein.

(B) **Private Property.** The abandonment of a vehicle or any part thereof on private or public property other than a highway in view of the general public anywhere in this municipality is unlawful, except on property of the owner, or bailee of such abandoned vehicle.

(C) **Owner's Property.** A vehicle or any part thereof so abandoned on private property shall be authorized for removal by the police department, after a waiting

period of **seven (7) days** or more, or may be removed immediately if determined to be a hazardous dilapidated motor vehicle under **Ch. 65 Sec. 5/11-40-3 of the Illinois Compiled Statutes**. A violation of this section is subject to penalties as set forth in **Section 1-1-20** of the City Code. **(See 625 ILCS Sec. 5/4-201)**

24-7-3 POSSESSION OF VEHICLE BY OTHER PARTY; TOWING. Where an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle comes into the temporary possession or custody of a person in this municipality who is not the owner, lienholder or other legally entitled person of the vehicle, such person shall immediately notify the Police Department when the vehicle is within the corporate limits of the municipality. Upon receipt of such notification, the Police Department or designated representative shall authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed motor vehicle or other vehicle. The towing service will safely keep the towed vehicle and its contents, maintain a record of the tow, as set forth in **Section 24-7-5**, until the vehicle is claimed by the owner, lienholder, or any other person legally entitled to possession thereof or until it is disposed of as provided in this Chapter. **(See 625 ILCS Sec. 5/4-202)**

24-7-4 REMOVAL OF MOTOR VEHICLES OR OTHER VEHICLES - TOWING OR HAULING AWAY.

(A) When a vehicle is abandoned or left unattended on a highway in an urban district for **ten (10) hours** or more, its removal by a towing service may be authorized by the Police Department.

(B) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by the Police Department.

(C) When a vehicle removal from either public or private property is authorized by the Police Department, the owner, lienholder or other legally entitled person of the vehicle shall be responsible for all towing costs.

(D) The remaining provisions of **Section 4-203 of Chapter 625**, of the **Illinois Compiled Statutes** are hereby adopted by reference and the provisions thereof shall be controlling within the corporate limits of this municipality. **(See 625 ILCS Sec. 5/4-203)**

24-7-5 POLICE RESPONSIBILITIES. When a vehicle is authorized to be towed away as provided herein, the Police Department shall keep and maintain a record of the vehicle towed, listing by color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing and the name of the officer authorizing the tow. **(See 625 ILCS Sec. 5/4-204)**

24-7-6 UNKNOWN OWNER. When the Police Department does not know the identity of the registered owner, lienholder or other legally entitled person, they will cause the motor vehicle registration records of the State of Illinois to be searched by a directed communication to the Secretary of State for the purpose of obtaining the required ownership information.

The Police Department authorizing the impoundment shall cause the stolen motor vehicle files of the Illinois State Police to be searched by a directed communication to the Illinois State Police for stolen or wanted information of the vehicle. The information determined from these record searches shall be used by the Police Department in sending notification by certified mail to the owner, lienholder or legally entitled person advising where the vehicle is held, requesting a disposition to be made and setting forth public sale information. (See 625 ILCS Sec. 5/4-205)

24-7-7 IDENTIFYING AND TRACING VEHICLE. When the registered owner, lienholder, or other person legally entitled to the possession of a motor vehicle or other vehicle cannot be identified from the registration files of this State or from the registration files of a foreign state, if applicable, the Police Department shall notify the Illinois State Police for the purpose of identifying the vehicle's owner, lienholder, or other person legally entitled to the possession of the vehicle. The information obtained by the Illinois State Police shall be immediately forwarded to the Police Department having custody of the vehicle for notification purposes as set forth in **Section 24-7-6** of this Chapter. (See 625 ILCS Sec. 5/4-206)

24-7-8 RECLAIMED VEHICLES - EXPENSES. Any time before a motor vehicle or other vehicle is sold at public sale or disposed of as provided in **Section 24-7-9**, the owner, lienholder, or other person legally entitled to its possession may reclaim the vehicle by presenting to the Police Department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner, lienholder, or other legally entitled person under this section until all towing and storage charges have been paid. (See 625 ILCS Sec. 5/4-207)

24-7-9 DISPOSAL OF UNCLAIMED VEHICLE. Whenever an abandoned, lost, stolen, or unclaimed motor vehicle or other vehicle **seven (7) years** of age or newer remains unclaimed by the registered owner, lienholder, or other person legally entitled to its possession for a period of **thirty (30) days** after notice has been given as provided herein, the Police Department having possession of the vehicle shall cause it to be sold at public auction to a person licensed as an automobile parts recycler, rebuilder or scrap processor under **Article 5 of Chapter 625, of the Illinois Compiled Statutes**. Notice of the time and place of the sale shall be posted in a conspicuous place for at least **ten (10) days** prior to the sale on the premises where the vehicle has been impounded. At least **ten (10) days** prior to the sale, the Police Department shall cause a notice of the time and place to be sent by certified mail to the

registered owner, lienholder, or other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification specified herein has been returned by the postal authorities to the Police Department due to the addressee having moved or being unknown at the address obtained from the registration records of this State, the sending of a second certified notice shall not be required.

24-7-10 DISPOSAL OF UNCLAIMED VEHICLES WITHOUT NOTICE.

(A) **New Car.** When the identity of the registered owner, lienholder, or other person legally entitled to the possession of an abandoned, lost, or unclaimed vehicle of **seven (7) years** of age or newer cannot be determined by any means provided for in this Chapter, the vehicle may be sold as provided for in **Section 24-7-9** of this Code without notice to any person whose identity cannot be determined.

(B) **Old Car.** When an abandoned vehicle of more than **seven (7) years** of age is impounded as specified by this Code, it shall be kept in custody for a minimum of **ten (10) days** for the purpose of determining the identity of the registered owner and lienholder and contacting the registered owner and lienholder by the U.S. Mail, public service or in person for a determination of disposition; and an examination of the Illinois State Police stolen motor vehicle files for theft and wanted information. (At the expiration of the **ten (10) day** period without the benefit of disposition information being received from the registered owner, lienholder or other legally entitled person, the Chief of Police shall authorize the disposal of the vehicle as junk.)

(C) **Antique Vehicle.** A vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it. **(See 625 ILCS Sec. 5/4-209)**

24-7-11 POLICE RECORD FOR DISPOSED VEHICLE. When a motor vehicle or other vehicle in the custody of the Police Department is reclaimed by the registered owner, lienholder, or other legally entitled person or when the vehicle is sold at public sale or otherwise disposed of as provided in this Chapter, a report of the transaction shall be maintained by the Police Department for a period of **one (1) year** from the date of the sale or disposal. **(See 625 ILCS Sec. 5/4-210)**

24-7-12 PUBLIC SALE PROCEEDS. When a vehicle located within the corporate limits of this municipality is authorized to be towed away by the Police Department and disposed of as set forth in this Code, the proceeds of the public sale or disposition, after the deduction of towing, storage and processing charges, shall be deposited in the municipal treasury. **(See 625 ILCS Sec. 5/4-211)**

24-7-13 **LIABILITY.** A law enforcement officer or agency, towing service owner, operator or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner or his legal representative, lienholder, or any other person legally entitled to the possession of a vehicle when the vehicle was processed and sold or disposed of as provided by this Code. **(See 625 ILCS Sec. 5/4-213)**

24-7-14 **PENALTY.**

(A) The City may prosecute violators of this Chapter under the provisions of **Section 1-1-20 “General Penalty”** of the Municipal Code and

(B) shall be required by the Court to make a disposition on the abandoned or unclaimed vehicle and pay all towing and storage charges pursuant to this Article. **(See 625 ILCS Sec. 5/4-214)**

[NOTE: The Cafeteria Court provisions in Section 1-1-26 of Chapter 1 shall apply to this Chapter.]

ARTICLE VIII – PEDESTRIANS

24-8-1 PEDESTRIAN OBEDIENCE TO TRAFFIC-CONTROL DEVICES AND TRAFFIC REGULATIONS.

- (A) A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to him, unless otherwise directed by a police officer.
- (B) Pedestrians shall be subject to traffic and pedestrian control signals provided for in this Chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Article.

24-8-2 PEDESTRIANS' RIGHT-OF-WAY AT CROSSWALKS.

- (A) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (B) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- (C) Whenever stop signs or flashing red signals are in place at an intersection or at a plainly marked crosswalk between intersections, pedestrians shall have the right-of-way over drivers of vehicles.

24-8-3 CROSSING AT OTHER THAN CROSSWALKS.

- (A) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
- (B) Notwithstanding the provisions of this Section every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

24-8-4 PEDESTRIAN-CONTROL SIGNALS. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place, such signals shall indicate as follows:

- (A) **Walk.** While the "Walk" indication is illuminated, pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.

(B) **Don't Walk.** While the "Don't Walk" indication is illuminated, either steady or flashing, no pedestrian shall start to cross the roadway in the direction of the signal, but any pedestrian who has partly completed his crossing during the "Walk" indication shall proceed to a sidewalk or to a safety island if one is provided.

24-8-5 BLIND PERSONS. Any blind person who is carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, or who is being guided by a dog, shall have the right-of-way in crossing any street or highway, whether or not traffic on such street or highway is controlled by traffic signals, anything in this Chapter to the contrary notwithstanding. The driver of every vehicle approaching the place where a blind person, so carrying such a cane or walking stick or being so guided, is crossing a street or highway shall bring his vehicle to a full stop and before proceeding shall take such precautions as may be necessary to avoid injury to the blind person. The provisions of this Section shall not apply to a blind person who is not so carrying such a cane or walking stick or who is not guided by a dog, but the other provisions of this Chapter relating to pedestrians shall then be applicable to such person. However, the failure of a blind person to so use or carry such a cane or walking stick or to be guided by a guide dog when walking on streets, highways or sidewalks shall not be considered evidence of contributory negligence.

24-8-6 PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

24-8-7 PEDESTRIANS SOLICITING RIDES OR BUSINESS.
(A) No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any vehicle.
(B) Outside a business or residence district, no person shall stand on or in the proximity of a roadway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.
(C) No person shall stand on or in the proximity of a roadway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

24-8-8 PEDESTRIANS WALKING ON HIGHWAYS.
(A) Any person walking along or upon improved highways shall keep on the left of the paved portion, or on the left shoulder thereof, and upon meeting a vehicle when walking on such paved portion shall step off to the left.
(B) Where sidewalks are provided it is unlawful for any pedestrian to walk along and upon an adjacent roadway except at a crosswalk.
(C) It is unlawful for any pedestrian who is under the influence of intoxicating liquors to be upon any highway of the City.

24-8-9 PEDESTRIANS' RIGHT-OF-WAY ON SIDEWALKS. The driver of a vehicle emerging from or entering an alley, building, private road or driveway shall yield the right-of-way to any pedestrian approaching on any sidewalk or any sidewalk area extending across such alley, building entrance, road or driveway.

ARTICLE IX – BICYCLES AND LOW-SPEED ELECTRIC AND/OR GAS-POWERED
BICYCLES

24-9-1 **DEFINITIONS.** For the purpose of this Code the following words shall have the meanings ascribed to them as follows:

(A) **"Bicycle"** shall mean a vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel.

(B) **"Low-Speed Electric Bicycle"** shall mean a bicycle equipped with fully operable pedals and an electric motor of less than **seven hundred fifty (750) watts**, where such motor:

- (1) Provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of **twenty (20) miles per hour**; or
- (2) May be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches a speed of **twenty (20) miles per hour**; or
- (3) Provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of **twenty-eight (28) miles per hour**.

(C) **"Low-Speed Gas Bicycle"** shall mean a two-wheeled or three-wheeled device with fully operable pedals and a gasoline motor of less than one horsepower, whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs **one hundred seventy (170) pounds**, is less than **twenty (20) miles per hour**.

24-9-2 **RULES AND REGULATIONS.**

(A) A person propelling any type of bicycle shall not ride other than upon or astride the permanent or regular seat attached thereto, nor carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle other than as authorized.

(B) No bicycle of any type shall be used to carry more persons at one time than the number for which it is designed and equipped.

(C) When permitted or required by this Section to ride on sidewalks, bicycle riders shall use the right side of the sidewalks insofar as practicable. A person riding a bicycle on a sidewalk shall yield the right-of-way to every pedestrian, and when approaching a pedestrian from the rear, shall give audible warning signal when at least **twenty-five (25) feet** distance from the pedestrian.

(D) No person riding a bicycle, of any kind, shall ride faster than is reasonable and proper in regard to the safety of the rider and others.

(E) Any person riding a bicycle, of any kind, shall not attach the same or himself to any moving vehicle upon a roadway.

(F) Persons riding bicycles upon a roadway shall not ride more than **two (2)** abreast.

(G) No rider of a bicycle, of any type, shall move both hands from the handlebars or feet from the pedals or practice any acrobatic or fancy riding on any street; nor

shall any person operating a bicycle upon a public roadway participate in any race for speed or endurance contest with any other vehicle.

(H) Low-speed electric and/or low-speed gas bicycles may not be operated on the sidewalks or in City parks other than parking areas.

(I) No person shall park a bicycle of any type upon a roadway or in front of any theatre, church, or other public place. Any bicycle parked on the public square shall be parked on the inside of said square, in such a manner as not to obstruct traffic thereon.

(J) No bicycle of any type shall be allowed to be operated on City streets **one-half (1/2) hour** before sunrise, or after **ten o'clock (10:00) P.M.**

(K) No person shall operate a low-speed electric and/or low-speed gas bicycle on a City street in excess of the posted speed limits.

(L) Low-speed electric and/or low-speed gas bicycles may not be operated on the following nations or state highways except to cross said highways at intersections in a path **ninety (90) degrees** to said highways: State Highway 121, State Highway 32.

(M) Low-speed electric and/or low-speed gas bicycles must yield the right-of-way to overtaking vehicles at all times.

(N) Any person who operates any type of bicycle on the streets of the City must adhere to all applicable state laws concerning the possession and use of alcoholic beverages and all illegal drugs, as well as all other state traffic laws.

(O) All low-speed electric and/or low-speed gas bicycle riders shall obey all ordinances of the City and all provisions of the Illinois Vehicle Code, as amended from time to time.

24-9-3 BICYCLE LAMPS, REFLECTORS, AND EQUIPMENT.

(A) When used at nighttime, all bicycles shall be equipped with a lamp upon the front which emits a white light visible from a distance of at least **five hundred (500) feet** to the front.

(B) When used at nighttime, all bicycles shall be equipped with a red reflector on the rear which shall be visible to a distance of **six hundred (600) feet** to the rear when directly in front of lawful lower beams of headlights on a motor vehicle.

(C) When used at nighttime, all bicycles shall be equipped with a reflex reflector on each pedal visible from the front and rear of the bicycle from a distance up to **two hundred (200) feet** when viewed within the lawful lower beams of headlights on a motor vehicle.

(D) When used at nighttime, all bicycles shall be equipped with side reflectors upon each side of the bicycle which shall be visible up to a distance of **five hundred (500) feet** when viewed directly in front of a lawful lower beam of motor vehicle headlights. The requirements of this subparagraph may be met by reflective materials which shall be at least **three-sixteenths (3/16) of an inch** wide on each side of each tire or rim which may indicate as clearly as possible the continuous circular shape and size of the tires or rims of such bicycle and which reflective materials may be of the same color on both the front and rear tire or rim.

(E) No low-speed electric and/or low-speed gas bicycle shall be operated on any street at any time unless such vehicle is provided with a muffler in efficient actual working condition; the use of a cut-out is prohibited. No muffler shall cause an unreasonably loud or excessive noise.

24-9-4 PERMITS.

(A) No person shall operate a low-speed electric and/or gas bicycle without obtaining a permit from the City Police Department as provided in this Section.

(B) An application for a permit to operate a low-speed electric and/or gas bicycle shall be made upon a form provided by the Chief of Police. The owner shall furnish the Police Department with his/her name, address, make and serial number of the low-speed electric and/or gas bicycle and any other information requested.

(C) The owner shall pay an annual permit fee for any low-speed electric and/or gas bicycle of **Fifty Dollars (\$50.00)** which shall be due at the time of application. Permits shall be granted for a period of **one (1) year** and must be renewed annually on **May 1st** of each year. Permit payments shall be made at the City of Sullivan Police Department.

(D) Upon receipt of such application, the Chief of Police, or any official he or she shall designate, shall have authority to inspect all low-speed electric and/or gas bicycles for mechanical fitness, and may refuse to grant or may revoke the permit if deemed to be in unsafe mechanical condition.

(E) After inspection, the Chief of Police shall provide a tag that shall be firmly attached to the frame of the bicycle as required by the Police Department. The removal of any such tag, except by proper authority, shall be a violation of this Section.

(F) It shall be the duty of every person who sells or transfers ownership of any low-speed electric and/or gas bicycle to report within **five (5) days** of the date of such sale or transfer to the Chief of Police, the name and address of the person to whom the bicycle was sold or transferred. It shall be the duty of the purchaser or transferee of such low-speed electric and/or low-speed gas bicycle to apply for a transfer of the registration thereof within **five (5) days** of the sale or transfer.

(G) The license of an operator of a low-speed electric and/or gas bicycle issued pursuant to this Article may be revoked by the Chief of Police, or his/her designee, if:

- (1) There is any material misrepresentation made by the applicant on the application, or
- (2) There is evidence that the license holder can no longer safely operate the low-speed electric and/or gas bicycle for any reason that he/she feels is appropriate to ensure the safety and well-being of the citizens of the City.

(H) The Chief of Police, or his/her designee, shall issue a notice of revocation of a license in writing and either hand deliver the notice to the license holder or send the notice by certified mail to the license holder at the address on the application. The revocation of a license shall be effective immediately after personal service, or on the third day after the post mark of the certified mail receipt.

24-9-5 PENALTY, ENFORCEMENT.

(A) The City may prosecute violators of this Article under the provisions of **Section 1-1-20** "General Penalty" or **Section 1-1-26** "Cafeteria Court" of the Municipal Code. **[NOTE: The Cafeteria Court provision in Section 1-1-26 of Chapter 1 shall apply to this Chapter.]**

(B) Each day a person fails to comply with the provisions of this Article constitutes a separate offense.

(C) Any person who fails to register their low-speed electric and/or gas bicycle and to pay the registration fee within the time frame required by this Chapter shall be

assessed a late fee of **Ten Dollars (\$10.00)**, which shall be due in addition to the registration fee set forth in **Section 24-9-4(C)** and in addition to any penalty provided herein.

(D) Any person found to be in violation of any of the provisions of this Chapter shall be subject to a fine of **One Hundred Dollars (\$100.00)** to **Five Hundred Dollars (\$500.00)**.

(E) In addition to fines, any person who has been issued a citation for the same offense under this Article within a **twelve (12) month** period of time shall, at the time of issuance of the second such citation for the same offense, be required to surrender the low-speed electric bicycle and/or low-speed gas bicycle to the police officer or other authorized officer of the City who issues the citation. The surrendered low-speed electric bicycle and/or low-speed gas bicycle shall be impounded and held by the Police Department and shall be returned to the owner only after the person to whom the citation was issued has paid all outstanding fines or registration fees related to both citations as well as an administrative fee to the City for impoundment in the amount of **One Hundred Fifty Dollars (\$150.00)**.

24-9-6 FAILURE TO RETRIVE IMPOUNDED BICYCLE.

(A) If a low-speed electric and/or low-speed gas bicycle impounded pursuant to this Chapter is not retrieved from the Police Department within **thirty (30) days**, the Chief of Police shall send written notice to the owner thereof that the low-speed electric and/or gas bicycle will be deemed abandoned and disposed of by the Police Department if it is not retrieved by the owner within an additional **thirty (30) days** of the date of said notice. If the low-speed electric and/or gas bicycle remains unclaimed **sixty (60) days** after the provision of a notice as described, the Police Department may dispose of said low-speed electric and/or gas bicycle as it sees fit.

(B) Any payment received by the Police Department in exchange for the low-speed electric and/or low-speed gas bicycle will be applied to any fines and fees owed by the owner from whom it was impounded.

24-9-7 BICYCLE TRAIL.

(A) **Established.** The following streets, or portions of streets, are hereby designated a bicycle trail, to be called the Sullivan Rotary Bicycle Trail.

- (1) Main Street north from Hunter Street to a point south of the Illinois State Armory building where the street immediately on the north side of Wyman Lake intersects with Main Street, thence following said street immediately north of said Wyman Lake around the circumference of said lake to the east side of said lake, thence south on said street to the intersection of said street with Worth Street on the southeast corner of said park;
- (2) Hunter Street from Camfield Street to Main Street;
- (3) Blackwood Street from Graham Street to Calhoun Street;
- (4) Scott Street from Camfield Street to Graham Street;
- (5) Monroe Street from Lincoln Street to Pierce Street;
- (6) Adams Street from Grant Street to Pierce Street;
- (7) Prairie Street from Grant Street to 5th Street;
- (8) Roane Street from Lincoln Street to 5th Street.
- (9) Water Street from Main Street to Lebanon Street;
- (10) Mattox Street from Main Street to Worth Street;

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- (11) Corey Avenue from Worth Street to Patterson Road;
- (12) Camfield Street from Scott Street to Hunter Street;
- (13) Lincoln Street from Roane Street to Scott Street;
- (14) Grant Street from Prairie Street to Adams Street;
- (15) 5th Street from Roane Street to Prairie Street;
- (16) Pierce Street from Adams Street to Monroe Street;
- (17) Graham Street from Scott Street to Blackwood Street;
- (18) Main Street from Mattox Street to Water Street;
- (19) Worth Street from Blackwood Street to the intersection of the Wyman Park circumference street and Worth Street on the southeast corner of said park, and from Corey Avenue to Mattox Street;
- (20) Calhoun Street from Water Street to Blackwood Street;
- (21) Lebanon Street from Water Street to Patterson Road; and
- (22) Patterson Road from Lebanon Street south to City limits.

(B) **Marked.** The Street Department of the City of Sullivan shall designate the bicycle trail herein established by the placement of appropriate signs and roadway markings.

(C) **Bicycle Lanes Established.** When signs and markings are in place giving notice of the existence of a bicycle trail established by this ordinance operators of bicycles shall remain within a lane **six (6) feet** in width measured from the curbs along each side of the street designated as such bicycle trail unless overtaking another vehicle or when about to make a left turn.

(Ord. No. 21-11; 09-13-21)

ARTICLE X – SNOWMOBILES AND ALL-TERRAIN VEHICLES

24-10-1 **PURPOSE.** The purpose of this Article is to protect the public parks, playgrounds and cemeteries of the City from damage by snowmobiles and all-terrain vehicles, and to make it possible for snowmobile users and all-terrain motor vehicle users to find their way out of town and into town within minimum danger from other traffic and minimum interference with other traffic.

24-10-2 **DEFINITIONS.** The following words shall have the meanings ascribed to them in this Article.

(A) **Snowmobile** is defined as a self propelled device designed for travel on snow or ice or natural terrain steered by skis or runners, and supported in part by skis, belts, or cleats.

(B) **All-Terrain Vehicle** is defined as any motorized off-highway vehicle **fifty (50) inches** or less in width, having a manufacturer's dry weight of **six hundred (600) pounds** or less, traveling on **three (3)** or more low-pressure tires, designed with a seat or saddle for operator use, and handle bars or steering wheel for steering control.

24-10-3 **SNOWMOBILES AND ALL-TERRAIN VEHICLES PROHIBITED.** No person shall operate any snowmobile or all-terrain vehicle in or on any public park, playground or cemetery in the City.

24-10-4 **THE USE OF ROUTES REQUIRED.** Any person operating a snowmobile or all-terrain motor vehicle in the City shall use certain hereinafter designated snowmobile and all-terrain vehicle routes to the extent possible. Other streets and highways in the City shall be used only to get to a snowmobile and all-terrain vehicle route by the most direct route or return by the most direct route.

24-10-5 **ROUTES DESIGNATED.** The following streets and parts of streets are designated as snowmobile and all-terrain vehicle routes:

- (A) North Worth Street south to Mattox Street.
- (B) Mattox Street from Patterson Road west to Worth Street.
- (C) Patterson Road north to Lebanon Street.
- (D) Eden Street east to South Hamilton Street.
- (E) Market Street.

24-10-6 **PENALTY.** Any person, firm, or corporation violating any provision of this Chapter shall be fined not less than **One Hundred Dollars (\$100.00)** nor more than **Five Hundred Dollars (\$500.00)** for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to the aforementioned penalties, all court costs, which shall include all costs incurred by the City in prosecuting said case, including reasonable attorney's fees, shall be recoverable from anyone convicted of violation of this Article.

(Ord. No. 00-01; 01-10-00)

ARTICLE XI – EMERGENCY SNOW ROUTES

24-11-1 **ROUTES ESTABLISHED.** The following streets are hereby declared to be emergency snow routes within the City.

- (A) Harrison Street from Hamilton Street (Illinois Route 32) west to West Jackson Street (Illinois Route 121).
- (B) Hamilton Street from Jackson Street north to Parkway Drive.
- (C) Main Street from Jackson Street north to East Park Street.
- (D) East Park Street from North Main Street east to North Worth Street.
- (E) Worth Street from Park Street south to East Jackson Street (Illinois Route 121).
- (F) Water Street from Hamilton Street (Illinois Route 32) east to the City dump lot.
- (G) Worth Street from Jackson Street (Illinois Route 121) south to Hawthorne Lane.
- (H) Hawthorne Lane from Hamilton Street (Illinois Route 32) east to South Worth Street.
- (I) Courtyard Boulevard from Hawthorne Lane to the end of the roadway.
- (J) Eastview Drive from Jackson Street (Illinois Route 121) north to the end of the roadway.
- (K) West Street from Jackson Street (Illinois Route 121) north to the end of the roadway.
- (L) Hagerman Street from Illinois Route 32 to the entrance of the Moultrie County Jail.
- (M) Seymour Street from Harrison Street to the Electric Distribution Shop.

(Ord. No. 23-40; 12-11-23)

24-11-2 **DECLARATION.** Whenever the Commissioner of the Department of Streets and Public Improvements or the Street Foreman find, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the U.S. Weather Bureau or other weather service of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on the aforementioned City streets shall be prohibited or restricted for snow removal and other purposes, the Commissioner or Foreman shall put into effect a parking prohibition on parts of or all of the snow emergency routes as necessary by declaring it in a manner prescribed by this Article. **(Ord. No. 21-12; 09-27-21)**

24-11-3 **EFFECTIVENESS.** Notwithstanding the provisions of **Section 24-11-2** hereof, a parking prohibition shall automatically go into effect on any part of any snow emergency route **four (4) hours** after which there has been an accumulation of snow and ice of **two (2) inches** or more within any **twenty-four (24) hour** period.

24-11-4 **DURATION OF NO PARKING.** Once in effect, a prohibition under this Section shall remain in effect until terminated by announcement of the Commissioner or Foreman in accordance with this Article. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies. However, nothing in this Section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law. **(Ord. No. 21-12; 09-27-21)**

24-11-5 **PUBLIC ANNOUNCEMENT.** The Mayor, Commissioner, or Street Foreman shall cause each declaration made by him pursuant to this Article to be publicly on the City's website under Recent News and Alerts. Alerts will be sent to those individuals who have signed up to the City's E-Notify System. **(Ord. No. 18-1; 01-08-18)**

24-11-6 **RECORDS.** The Commissioner or Foreman shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this Section. **(Ord. No. 21-12; 09-27-21)**

24-11-7 **CESSATION OF CONDITIONS.** Whenever the Commissioner or Foreman shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this Article, no longer exists, he may declare the prohibition terminated, in whole or in part, in a manner prescribed by this Article, effective immediately upon announcement. **(Ord. No. 21-12; 09-27-21)**

24-11-8 **PRECEDENCE OF ORDERS.** Any provision of this Article which becomes effective by declaration of the Commissioner or Foreman or upon the occurrence of certain weather conditions shall, while temporarily in effect, take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency traffic directions by a police officer. **(Ord. No. 21-12; 09-27-21)**

24-11-9 **SIGNAGE.** On each street designated by this Article as a snow emergency route, the Commissioner or Foreman shall post special permanent signs at intervals not exceeding **four hundred (400) feet** with the wording: "SNOW ROUTE. NO PARKING AFTER **TWO (2) INCH** SNOWFALL." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons travelling on the street or highway. **(Ord. No. 21-12; 09-27-21)**

24-11-10 **VEHICLE REMOVAL BY POLICE.** Members of the Police Department are hereby authorized to remove or have removed a vehicle from a street to the nearest garage or other place of safety (including another place on a street), or to a garage designated or maintained by the Police Department, or otherwise maintained by this City, when:

(A) The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect.

(B) The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet or ice or on which there is a parking prohibition in effect and the person who is operating such vehicles does not appear to be removing it in accordance with the provisions of this Article.

(C) The vehicle is parked in violation of any parking ordinance or provision of law and is interfering or about to interfere with snow removal operations.

24-11-11 NOTIFICATION OF OWNER. Whenever an officer removes or has removed a vehicle from the street, as authorized in this Section, and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice, in writing, to such owner of the fact of such removal and the reasons therefor, and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

24-11-12 OWNER NOT KNOWN. Whenever an officer removes or has removed a vehicle from a street under this Section, and does not know and is not able to ascertain the name the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of **three (3) days**, then and in that event, the officer shall immediately send or cause to be sent a written report of such removal by mail, to the State Department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reason for such removal, and the name of the garage or place where the vehicle is stored.

24-11-13 RECOVERY COSTS. No person shall recover any vehicle removed in accordance with this Section except as provided herein. Before the owner or person in charge of such vehicle shall be allowed to recover it from the place where it has been placed or impounded, he shall present to a member of the Police Department evidence of his identity and right to possession of the vehicle, shall sign a receipt for its return, shall pay the cost of removal, and shall pay any cost of storage accrued. Until paid, these charges constitute a lien on the vehicle which may be enforced in the same manner as a garage-keeper's lien, in accordance with the provisions of the Laws of the State of Illinois.

24-11-14 REMOVAL RECORD. The record shall include the description of the vehicle, its license number, the date and time of its removal, where it was removed from, its location, the name and address of its owner and last operator, if known, its final disposition, and the parking violation involved.

24-11-15 ADDITIONAL AUTHORITY. This Section shall be supplemental to any other provisions of law granting members of the Police Department authority to remove vehicles.

24-11-16 CITATION FOR ILLEGAL PARKING. Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this Article, and is not removed and impounded, as provided for in this Article, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the City for the driver to answer to the charge against him in the manner as provided for in said citation.

24-11-17 FAILURE TO APPEAR. If a violator of this Article does not appear in response to a traffic citation affixed to such motor vehicle in accordance with this Article, the Clerk of the Circuit Court or the City Clerk or other appropriate person shall send the owner of the motor vehicle to which the traffic citation was affixed, a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of **seven (7) days**, a warrant of arrest will be issued.

24-11-18 PRIMA FACIE EVIDENCE. In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this Article, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this Article, together with proof that the defendant named in the complaint was at the time the registered owner of such vehicle shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this Article.

(Ord. No. 82-12; 12-13-82)

ARTICLE XII - OPERATION AND REGULATION OF GOLF CARTS AND UTVS ON CITY STREETS

24-12-1 DEFINITIONS.

(A) **"Golf Cart"**: A vehicle specifically designed and intended for the purpose 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.

(B) **"UTV"**: Any recreational motor vehicle other than an ATV, motorbike, or snowmobile as defined in **Article X** of this Chapter, designed for and capable of travel over designated unpaved roads, traveling on **four (4)** or more low-pressure tires of **twenty (20) PSI** or less, maximum width less than **seventy-four (74) inches**, maximum weight less than **two thousand (2,000) pounds**, or having a wheel base of **ninety-four (94) inches** or less. UTV does not include golf carts, vehicles specifically designed to carry a disabled person or implements of husbandry.

24-12-2 RULES AND REGULATIONS. Golf carts and UTVs may only be operated on streets within the City in accordance with the following rules and regulations:

(A) Any person who operates a golf cart or UTV in the City takes full responsibility for all liability associated with operating a golf cart or UTV.

(B) Any person who operates a golf cart or UTV must be at least **eighteen (18) years** of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.

(C) No person shall operate, and no owner shall permit another person to operate a golf cart or UTV on a City street unless: (1) the golf cart or UTV is covered by a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code (**625 ILCS 5/7-601**); and (2) the operator of the golf cart or UTV carries with him proof of liability insurance as required by Section 7-602 of the Illinois Vehicle Code (**625 ILCS 5/7-602**).

(D) Golf carts or UTVs shall only be allowed to be operated on City streets **one-half (1/2) hour** before sunrise, and **10:00 P.M. (Ord. No. 15-21; 11-09-15)**

(E) No person shall operate a golf cart or UTV on a City street in excess of the posted speed limits.

(F) Golf carts or UTVs may not be operated on the following national or state highways except to cross said highways at intersections in a path **ninety (90) degrees** to said highways: State Highway 121, State Highway 32.

(G) Golf carts or UTVs shall have their headlights, taillights and amber flashing light lighted at all times when operated on City streets.

(H) Golf carts and 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 and vehicles on the roadway at a distance of **five hundred (500) feet**.

(I) Golf carts and UTVs may not be operated on the sidewalks or in City parks other than parking areas.

(J) Golf cart and UTV drivers must yield the right-of-way to overtaking vehicles at all times.

(K) Any person who operates a golf cart or UTV on the streets of the City must adhere to all applicable state laws concerning the possession and use of alcoholic beverages and all illegal drugs, as well as all other state traffic laws.

(L) The maximum occupancy of golf carts or UTVs traveling on City streets shall be **one (1) person** per bucket seat or **two (2) people** per bench seat.

(M) Children must be properly secured in a child restraint system as required pursuant to the Child Passenger Protection Act (**625 ILCS 25/1 et seq.**). Children **eight (8) years** and younger must be equipped with a properly sized crash helmet. An open face or "3/4" style helmet, shall be the minimum coverage allowed hereunder.

(N) Each driver and passenger shall wear a properly fastened and adjusted seat safety belt.

(O) Golf carts and UTVs are only allowed to park in handicapped parking spaces if the driver or at least **one (1) passenger** has a valid handicapped parking sticker.

(P) The operator of a golf cart or UTV shall obey all ordinances of the City and all provisions of the Illinois Vehicle Code, as amended from time to time.

24-12-3 REQUIRED EQUIPMENT. A golf cart or UTV operated on a City street shall have the following equipment in good working condition at all times:

(A) Brakes;

(B) Steering apparatus;

(C) Tires;

(D) Rearview mirror;

(E) A slow moving emblem as required by **625 ILCS 5/12-709** attached to the rear;

(F) Headlights that emit white light visible from at least **five hundred (500) feet** to the front;

(G) Taillights that emit red light visible from at least **one hundred (100) feet** from the rear;

(H) Brake lights on the rear;

(I) Turn signals on the front and rear;

(J) Seat belts for each passenger;

(K) An amber flashing warning light attached to the roof of the vehicle, if so equipped, or if not so equipped, then to a pole attached to the vehicle of a height to be over the heads of the driver and passengers when seated, which shall be visible when flashing **three hundred sixty (360) degrees** of the vehicle.

24-12-4 PERMITS.

(A) No person shall operate a motorized golf cart or UTV without obtaining a permit from the City Police Department as provided in this Section.

(B) Permits shall be granted for a period of **one (1) year** and may be renewed annually on **May 1st** of each year.

(C) The annual cost of a permit is **Fifty Dollars (\$50.00)** per golf cart or UTV, to cover the costs of implementing and maintaining this Article, and shall be paid to the City Clerk by the applicant. Insurance coverage shall be verified as in effect by the Police Department when issuing or renewing a permit.

(D) After completion of the application and payment of the requisite fee, the applicant shall present the golf cart or UTV to the Chief of Police, or his designee, for an inspection to determine whether the golf cart or UTV may be operated on a City street. If the applicant and golf cart or UTV are qualified under the terms and conditions of this Article, a license shall be issued to the applicant which must be kept on the vehicle at all times. The Police Department shall issue a sticker as visible proof of compliance, which shall be valid for a period of **one (1) year** from the date of registration, and which must be displayed on the front uppermost part of the body on the driver's side of the vehicle at all times.

(E) Golf cart or UTV owners must complete the attached permit application form as shown on **Exhibit A** attached hereto. The completed forms will be maintained by the City Police Department.

(F) The license of an operator of a golf cart or UTV issued pursuant to this Article may be revoked by the Chief of Police, or his/her designee, if (1) there is any material misrepresentation made by the applicant on the application or (2) the required liability insurance is no longer in full force and effect or (3) there is evidence that the license holder can no longer safely operate the golf cart or UTV or (4) for any reason that he/she feels is appropriate to insure the safety and well-being of the citizens of the City.

(G) The Chief of Police, or his/her designee, shall issue a notice of revocation of a license in writing and either hand deliver the notice to the license holder or send the notice by certified mail to the license holder at the address on the application. The revocation of a license shall be effective immediately after personal service, or on the third day after the post mark of the certified mail receipt.

24-12-5 ENFORCEMENT.

(A) The City may prosecute violators of this Article under the provisions of **Section 1-1-20 "General Penalty"** or **Section 1-1-26 "Cafeteria Court"** of the Municipal Code. **(NOTE: The Cafeteria Court provision in Section 1-1-26 of Chapter 1 shall apply to this Chapter.)**

(B) Each day a person fails to comply with the provisions of this Article constitutes a separate offense.

(C) Repeat offenders may have the privileges granted by this Article revoked by the City Council upon recommendation by the Police Department.

(D) Upon investigation by and the recommendation of the Police Department the City Council 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.

(Ord. No. 08-19; 08-25-08)

ARTICLE XIII - PENALTY

24-13-1 **PENALTY.** The City may prosecute violators of this Chapter under the provisions of **Section 1-1-20 "General Penalty"** or **Section 1-1-26 "Cafeteria Court"** of the Municipal Code.

[NOTE: The Cafeteria Court provisions in Section 1-1-26 of Chapter 1 shall apply to this Chapter.]