

CITY OF SULLIVAN, ILLINOIS

ORDINANCE NO. 21-11

**ORDINANCE AMENDING CHAPTER 24- MOTOR VEHICLE CODE, ARTICLE IX OF
THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN, ILLINOIS**

**PASSED BY THE CITY COUNCIL
OF THE
CITY OF SULLIVAN, ILLINOIS
THIS 13th DAY OF SEPTEMBER 2021**

Published in pamphlet form by authority of the City Council
of the City of Sullivan, Moultrie County, Illinois,
this 14th day of September 2021

ORDINANCE NO. 21-11
**ORDINANCE AMENDING CHAPTER 24 – MOTOR VEHICLE CODE, ARTICLE IX OF
THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN, ILLINOIS**

BE IT ORDAINED by the Mayor and City Council of the City of Sullivan, Moultrie County, Illinois, that:

SECTION 1: CHAPTER 24 – MOTOR VEHICLE CODE, Article IX – Bicycles and Low-Speed Electric and/or Gas-Powered Bicycles shall be amended to read as follows:

**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 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 distant 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 tire 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 (\$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 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.

34-9-5 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 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 (\$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 \$150.00.

34-9-6 **FAILURE TO RETRIEVE 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.

34-9-7 **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;
- (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.

SECTION 2: All previous ordinances in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

SECTION 4: This ordinance shall be known as Ordinance 21-11.

PASSED the 13th day of September 2021, by the City Council of the City of Sullivan, Moultrie County, Illinois, and deposited and filed in the office of the City Clerk of said City on that date.

NAME	AYE	NAY	ABSTAIN	ABSENT
Glazebrook	✓			
Sherwood	✓			
Fowler	✓			
Woodworth	✓			
Booker	✓			

Carrie Creek

 Carrie Creek, City Clerk

Signed by the Mayor of the City of Sullivan, Moultrie County, Illinois this 13th day of September 2021.



Richard Glazebrook, Mayor

ATTEST:



Carrie Creek, City Clerk

STATE OF ILLINOIS)
)
COUNTY OF MOULTRIE)

CERTIFICATE

I, Carrie Creek, certify that I am the duly appointed and acting City Clerk of the City of Sullivan, Moultrie County, Illinois.

I further certify that on September 13, 2021, the Corporate Authorities of said municipality passed and approved Ordinance No. 21-11, entitled **ORDINANCE AMENDING CHAPTER 24 – MOTOR VEHICLE CODES, ARTICLE IX OF THE REVISED CODE OF ORDINANCES OF THE CITY OF SULLIVAN, ILLINOIS**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance 21-11, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Building, commencing on September 14th, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Sullivan, Moultrie County, Illinois, this 14th day of September, 2021.


Carrie Creek, City Clerk