



Village of Downs
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APPLICATION FOR USE OF GOLF CART AND UTILITY-TERRAIN VEHICLE

Owner's Name: _____

Physical Address: _____

Mailing Address: _____

Phone #: _____ **Email Address:** _____

Driver's License #: _____

Make of Golf Cart or Utility-Terrain Vehicle: _____

Model: _____ **Serial #:** _____

Color: _____ **Description of Vehicle:** _____

Insurance Company and Agent: _____

Address: _____

Phone #: _____

I hereby release and agree to indemnify and hold the Village of Downs harmless from any and all future claims resulting from operation of the golf cart or utility-terrain vehicle on the Village Streets.

Signature of Applicant **Date:** _____

MAKE COPY OF DRIVER'S LICENSE & INSURANCE CARD



GOLF CART UTV INFORMATION/SPECIFICATIONS/REQUIREMENTS

DEFINITIONS: Per Chapter 8 Article X of the Village of Downs Code

Golf Cart: A "golf cart" is a motorized vehicle with three or four wheels that is not designed to be operated at a speed of more than twenty-five miles per hour (25 m.p.h.) whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.

Utility-Terrain Vehicle: A "utility-terrain vehicle" is a self-propelled electrically powered four-wheel motor vehicle or a self-propelled gasoline or diesel powered four wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters which is capable of attaining in one mile speed of more than fifteen miles per hour (15 m.p.h.) but not more than twenty-five miles per hour (25 m.p.h.) and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.

Village Streets: The "Village streets" consist of any of the streets within the boundaries of the Village of Downs.

REQUIREMENTS FOR OPERATION:

- A. All persons wishing to operate a golf cart or a utility-terrain vehicle on the Village streets must ensure compliance with the following requirements:
- B.
 - 1. Apply for and receive a permit issued by the Village.
 - 2. Have and maintain proof of current liability insurance.
 - 3. Have the vehicle inspected by the Chief of Police or his duly authorized designee and receive a certification or permit from the Village.
 - 4. Have a decal or registration approved by the Village visibly displayed on the vehicle.
 - 5. Have a copy of the permit issued by the Village, valid registration, and valid insurance in the golf cart or utility-terrain vehicle at all times.
 - 6. Have a current, valid Illinois driver's license.
 - 7. Any operator of any golf cart or utility-terrain vehicle shall be at least eighteen (18) years of age and have held a valid driver's license for at least 12 months preceding the date of issuance of the permit by the Village.



8. Golf carts shall, at a minimum, be equipped with the following properly operating equipment:
 - a. Horn;
 - b. Brakes and brake lights;
 - c. Turn signals;
 - d. A steering wheel apparatus;
 - e. Tires;
 - f. Rearview mirror;
 - g. Seat Belts if equipped by manufacturer;
 - h. Approved “Slow Moving Vehicle” emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - i. Headlight that emits a white light visible from a distance of at least 300 feet from the front which shall be illuminated at all times when the golf cart is in operation;
 - j. Tail lamp that emits red light visible from at least 100 feet from the rear which shall be illuminated at all times when the golf cart is in operation; and
 - k. Any additional requirements which may be amended to 65 ILCS 5/11-1426 or the Illinois Vehicle Code.¹

9. Utility-terrain vehicles shall at a minimum be equipped with the following properly operating equipment:
 - a. Brakes and brake lights;
 - b. Turn signals on the front and rear;
 - c. Steering wheel apparatus;
 - d. Tires;
 - e. Rearview mirror;
 - f. Seat Belts if equipped by manufacturer;
 - g. Approved “Slow Moving Vehicle” emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - h. Headlight that emits a white light visible from a distance of at least 300 feet from the front which shall be illuminated at all times when the utility-terrain vehicle is in operation;
 - i. Tail lamp that emits red light visible from at least 100 feet from the rear which shall be illuminated at all times when the utility terrain vehicle is in operation; and
 - j. Any additional requirements which may be amended to 65 ILCS 5/11-1426 or the Illinois Vehicle Code.

9. Shall obey all traffic laws of the State of Illinois and the Village of Downs.

10. Shall be operated only on Village streets, except where prohibited.

¹ See 65 ILCS 5/11-1428



11. Shall not be operated on any county highway or any other Illinois Department of Transportation roadway except to cross the roadways at any intersection.

12. Shall not be operated in excess of posted speed limits and, with respect to utility-terrain vehicles, may not exceed twenty-five miles per hour (25 1 See 65 ILCS 5/11-1428. mph).

13. A person operating or in actual physical control of a golf cart or utility terrain vehicle as described herein on a roadway while under the influence of alcohol or drugs is subject to Sections 11-500 through 11-502 et al. of the Illinois Compiled Statutes (625 ILCS 5/11-550 – 625 ILCS 5/11-502).

14. Golf carts and utility-terrain vehicles shall not be operated on sidewalks or in the Village parks, other than in designated parking areas.

15. All golf carts and utility-terrain vehicles shall be limited to the number of passengers permitted per the manufacturer's requirements.

16. Shall comply with all other standards and requirements set forth by the manufacturer.

PERMIT REQUIRED:

A. No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the Chief of Police of the Village of Downs as provided herein. Permits shall be granted for a period of one (1) year and renewed annually. Proof of insurance coverage shall be submitted and verified by the Chief of Police when obtaining or renewing a permit.

B. Every application for a permit shall be made on a form supplied by the Village and shall contain at a minimum the following information:

1. Name and address of applicant;
2. Name and address of liability insurance carrier;
3. The serial number, make, model and description of golf-cart or utilityterrain vehicle;
4. Signed Waiver of Liability by applicant releasing the Village and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from operation of thegolf cart or utility-terrain vehicle on the Village streets;
5. Photocopy of applicable liability insurance coverage card specifically for the golf cart or utility-terrain vehicle to be operated pursuant to the permit;
6. The applicant shall be required to submit all documents and information and meet all the requirements of this chapter;
7. Such other information as the Village may from time to time require.



C. No permit shall be granted unless the following conditions are met:

1. The golf cart or utility-terrain vehicle shall be inspected by the Village of Downs Chief of Police or his duly authorized designee to insure that the golf cart or utility-terrain vehicle is safe to operate on Village streets and is in compliance with this Ordinance and with the State of Illinois Motor Vehicle Code.

2. Any applicant who has a physical disability that interferes with the applicant's ability to perform the essential functions of operating a motor vehicle and or holds a restricted driver's license shall submit a certificate signed by a licensed physician certifying that the applicant is able to safely operate a golf cart or utility-terrain vehicle on Village streets.

3. The applicant shall provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

D. The Village may suspend or revoke a permit granted hereunder upon finding that the permit holder has violated any provision of this Ordinance, which suspension or revocation is within the sole discretion of the Village and not subject to appeal by the permit holder.

E. Fees: The cost of the permit is Fifty and 00/100s Dollars (\$50.00) per golf cart or utility-terrain vehicle.

F. Exception:

1. The permit fee shall be waived for all governmental or recognized charitable or non-profit entities.

2. The Village may issue a temporary special event permit for use of golf carts or utility-terrain vehicles that may not be in compliance with the requirements of this Ordinance, in its sole discretion, which permit is valid only during that special event.



VIOLATIONS:

A. It is unlawful for any person to drive or operate any golf cart or utility-terrain vehicle in the following ways:

1. In violation of any requirement of this Ordinance.
2. Careless Operation: No person shall operate any golf cart or utility-terrain vehicle in a careless or heedless manner so as to be grossly indifferent to the person or property of other persons, or at a rate of speed greater than will permit him in the exercise of reasonable care to bring the golf cart or utility-terrain vehicle to a stop with the assured clear distance ahead.
3. Reckless Operation: No person shall operate any golf cart or utility-terrain vehicle in such a manner as to endanger the life, or limb or property of any person.
4. Within any nature preserve as defined in Section 3.11 of the Illinois Natural Areas Preservation Act.²
5. On the tracks or right of way of an operating railroad.
6. In any tree nursery or planting in a manner which damages or destroys growing stock, or creates a substantial risk thereto.
7. On private property, without the written or verbal consent of the owner or lessee thereof. Any person operating any golf cart or utility-terrain vehicle upon lands of another shall stop and identify himself upon the request of the landowner or his duly authorized representative, and, if requested to do so by the landowner shall promptly remove the golf cart or utility-terrain vehicle from the premises.
8. Notwithstanding any other law to the contrary, an owner, lessee, or occupant of premises owes no duty of care to keep the premises safe for entry or use by others for use by a golf cart or a utility-terrain vehicle or to give warning of any condition, use, structure or activity on such premises. This subsection does not apply where permission to drive or operate a golf cart or a utility-terrain vehicle is given for a valuable.
9. Nothing in this subsection limits in any way liability which otherwise exists for willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.

² See 65 ILCS 5/11-1428



10. On publicly owned lands unless such lands are designated for use by golf carts or utility-terrain vehicles. For publicly owned lands to be designated for use by golf carts or utility-terrain vehicles a public hearing shall be conducted by the governmental entity that has jurisdiction over the designation. Nothing in this subsection limits in any way liability which otherwise exists for willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.

11. Other Provisions:

a. No persons, except persons by law, shall operate or ride any utility-terrain vehicle with any firearm in his or her possession unless he or she is in compliance with Section 2.33 of the 2 See 65 ILCS 5/11-1428. Wildlife Code.³

b. No person shall operate any golf cart or utility-terrain vehicle emitting pollutants in violation of Standards established pursuant to the Environmental Protection Act.⁴

c. No person shall deposit from a golf cart or any utility-terrain vehicle on the snow, ice or ground surface, trash, glass, garbage, insoluble material, or other offensive matter.

PENALTIES:

Any person who violates any provisions of this Ordinance shall be guilty of a petty misdemeanor and shall be punished by a minimum fine of Seventy Five and 00/100s Dollars (\$75.00). Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three (3) nor more than five (5) years. To the extent that any violation of this Ordinance also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

Revised August 2, 2018
October 5, 2018

³ See 525 ILCS 30/3.11.

⁴ See 520 ILCS 5/2.33.