

CITY OF SESSER, ILLINOIS

ORDINANCE NO. 1-2023

**AN ORDINANCE AMENDING CHAPTER 24 ARTICLE VIII
OF THE REVISED CODE OF ORDINANCES
FOR THE
CITY OF SESSER, ILLINOIS**

**ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF SESSER, ILLINOIS**

THIS 13TH DAY OF APRIL, 2023

**Published in pamphlet form by authority of the Mayor and the City Council of
the City of Sesser, Franklin County, Illinois this 13th day of April, 2023.**

ORDINANCE NO. 1-2023

AN ORDINANCE AMENDING CHAPTER 24 ARTICLE VIII OF THE REVISED CODE OF ORDINANCES OF THE CITY OF SESSER, FRANKLIN COUNTY, ILLINOIS.

WHEREAS, the City of Sesser ("The City") is an Illinois home rule municipality operating under the provisions of the Illinois Constitution, and other laws; and

WHEREAS, the City has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SESSER, FRANKLIN COUNTY, ILLINOIS, THAT:

Section 1: Amending the Revised Code of Ordinances. The following Exhibit "A" shall amend **Chapter 24, Article VIII** entitled "**Golf Carts/Utility-Terrain Vehicles**" of "**The Revised Code of Ordinances**" of the **City of Sesser, Franklin County, Illinois** and shall be as follows:

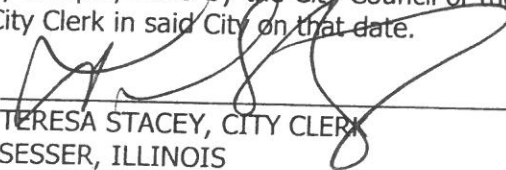
SEE EXHIBIT "A" FOLLOWING

Section 2: Severability of Provisions. Each section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than that part affected by such decision.

Section 3: Conflicting Ordinances. Any conflicting ordinances, code provisions or pertinent portions thereof in effect at the time this ordinance takes effect are hereby repealed.

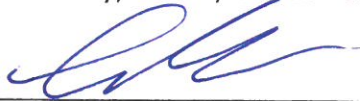
Section 4: Effective. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Section 5: Adoption. Adopted this 13th day of April, 2023 by the City Council of the City of Sesser and deposited and filed in the office of the City Clerk in said City on that date.


TERESA STACEY, CITY CLERK
SESSER, ILLINOIS

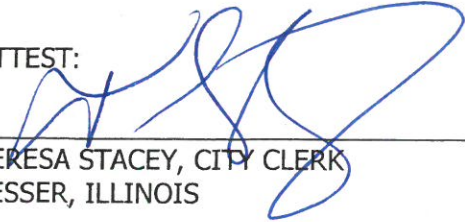
NAME	AYE	NAY	ABSTAIN	ABSENT
David Bates	X			
Dana Laur	X			
Rose Bochantin	X			
Wayne Shannon	X			
Jeff Hamburger	X			
Travis Zettler				X
Jason Ashmore, Mayor				

Approved by the Mayor of the City of Sesser, Franklin County, Illinois, this 13th day of April, 2023.



JASON ASHMORE, MAYOR
SESSER, ILLINOIS

ATTEST:



TERESA STACEY, CITY CLERK
SESSER, ILLINOIS

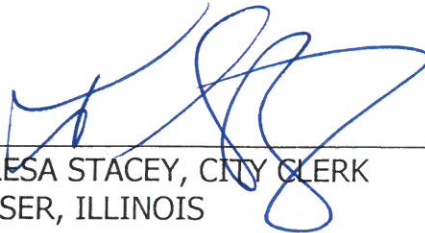
(SEAL)

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF FRANKLIN) ss. VILLAGE CLERK'S OFFICE
CITY OF SESSER)

I, Teresa Stacey, City Clerk of the City of Sesser, do hereby certify that the following Ordinance of the City of Sesser, Franklin County, Illinois, published by authority of the City Council was duly passed by the City Council of the City of Sesser, Illinois, approved by the Mayor, and published in pamphlet form according to law on this date, and that this ordinance is a true and perfect copy of the ordinance, as passed, approved, and now of record and on file in my office as provided by law.

In witness whereof, I have set and affixed the Corporate Seal of the City of Sesser, Illinois, this 13th day of April, 2023.



TERESA STACEY, CITY CLERK
SESSER, ILLINOIS

(SEAL)

EXHIBIT "A"

ARTICLE VIII – GOLF CARTS/UTILITY-TERRAIN VEHICLES

24-8-1 **AUTHORIZED GOLF CARTS.** Golf carts and utility-terrain vehicles (not intended for four-wheelers), as defined and qualified herein shall be allowed on City streets under the conditions as stated herein.

24-8-2 **DEFINITIONS.**

(A) A "**Golf Cart**" shall be defined as a vehicle specifically designed and intended for the purposes of, including but not limited to, transporting **one (1)** 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 and generally designed to carry persons including the driver. **(625 ILCS 5/1-123.9) (Ord. No. 2015-08; 09-10-15)**

(B) "**Utility-Terrain Vehicle**", also known as, "**Recreational Off-Highway Vehicles**" shall be defined as (not intended for four-wheelers): any motorized off-highway device designed to travel primarily off-highway, **sixty-four (64) inches** or less in width, having a manufacturer's dry weight of **two thousand (2,000) pounds** or less, traveling on **four (4)** or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. **(625 ILCS 5/1-168.8) (Ord. No. 2015-08; 09-10-15)**

(C) "**City Streets**" means any of the streets within the boundaries of the City.

24-8-3 **REQUIREMENTS.** All persons wishing to operate a golf cart or a utility-terrain vehicle on the City streets must ensure compliance with the following requirements:

- (A) Proof of current liability insurance.
- (B) Must be certified with the City and have the vehicles certified with the City by inspection by the Chief of Police or designated representative.
- (C) Must comply with the published "**Rules Concerning Alternate Transportation for the City of Sesser**" as periodically updated.
- (D) Must have City decal on the rear of the vehicle.
- (E) Must have current, valid Illinois driver's license.
- (F) Golf carts must be equipped as follows:

- (1) Brakes and brake lights;
- (2) A steering wheel apparatus;
- (3) Tires;
- (4) Rearview mirror;
- (5) Approved "Slow Moving Vehicle" emblem on the rear of the vehicle **(625 ILCS 5/12-709), if applicable and as required based upon speed requirements as set forth in the Illinois Vehicle Code;**

- (7) Tail lamp that emits red light visible from at least **one hundred (100) feet** from the rear which must be illuminated when in operation;
 - (8) Any additional requirements which may be amended to **65 ILCS 5/11-1428** or the **Illinois Vehicle Code**.
- (G) Utility-terrain vehicles must be equipped as follows:
- (1) Brakes and brake lights;
 - (2) Turn signals on the front and rear;
 - (3) A steering wheel apparatus;
 - (4) Tires;
 - (5) Rearview mirror;
 - (6) Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (**625 ILCS 5/12-709**); **if applicable and as required based upon speed requirements as set forth in the Illinois Vehicle Code**;
 - (7) Headlight that emits a white light visible from a distance of **three hundred (300) feet** to the front of which illuminate when in operation;
 - (8) Tail lamp that emits red light visible from at least **one hundred (100) feet** from the rear which must be illuminated when in operation;
 - (9) Any additional requirements which may be amended to **65 ILCS 5/11-1426** or the **Illinois Vehicle Code**.
- (H) Must obey all traffic laws of the State of Illinois and the City, including all hand/arm signals required for notice by the driver when turning and in the event the vehicle is not equipped with front and/or rear turn signals.
- (I) In order to drive a golf cart, the driver shall be either age **sixteen (16)** with a driver's license or age **fifteen (15)** with a learner's permit and accompanied by a licensed adult.
- (J) In order to drive a utility-terrain vehicle, the driver shall be **eighteen (18) years** old with a driver's license.
- (K) Must be operated only on City streets, except where prohibited.
- (L) May not be operated on **US Highway 154 or 148** except to cross highway at any intersection.
- (M) Must not be operated in excess of posted speed limit and, with respect to utility-terrain vehicles, may not exceed **twenty-five miles per hour (25 MPH)**.
- (N) A person operating or is in actual physical control of a golf cart or utility-terrain vehicle as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (**625 ILCS 5/11-500 – 5/11-502**)
- (O) Golf carts and utility-terrain vehicle shall not be operated on sidewalks or in City parks other than parking areas.
- (P) Golf carts and utility-terrain vehicles may not be operated on streets and highways and roads under the jurisdiction of Illinois Department of Transportation (US Highway 154 and US Highway 148).
- (Q) The operation of a Golf Cart or a Utility-Terrain Vehicle, as defined herein, shall not be operated in excess of the posted speed limit and may be operated only on streets where the posted speed limit is **thirty-five (35) miles per hour**. (**625 ILCS 5/11-1426.1(b)**) (**Ord. No. 2015-08; 09-10-15**) (**Ord. No. 1-2023; 04-13-23**)

24-8-4 PERMITS.

(A) No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the City Clerk as provided herein. Permits shall be granted for a period of **one (1) year** and renewed annually. The cost of the permit is **Twenty Dollars (\$20.00)**. Insurance coverage to be verified by the Police Department when obtaining or renewing a permit.

(B) Every application for a permit shall be made on a form supplied by the City and shall contain the following:

- (1) Name and address of applicant;
- (2) Name and liability insurance carrier;
- (3) The serial number, make, model and description of golf cart or utility-terrain vehicle;
- (4) Signed Waiver of Liability by applicant releasing the City and agreeing to indemnify and hold the City harmless from any and all future claims resulting from any and all future claims resulting from the operation of their golf cart or utility terrain vehicle on the City streets;
- (5) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
- (6) Such other information as the City may require.

(See Appendix "A" and "B")

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

- (1) The vehicle must be inspected by the Chief of Police (or designee) to insure that the vehicle is safe to operate on City streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code;
- (2) A physically handicapped applicant must submit a certificate signed by a physician certifying that the applicant is able to safely operate a qualified golf cart or utility-terrain vehicle on City streets;
- (3) The applicant must provide evidence of insurance in compliance with provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicle to be operated on the roads of the State of Illinois.

(D) The City may suspend or revoke a permit granted hereunder upon finding that the holder thereof has violated any provision of this Article or there is evidence that permittee cannot safely operate a qualified golf cart or utility-terrain vehicle on the designated roadways.

24-8-5 VIOLATIONS. Any person who violates any provisions of this Article shall be guilty of a petty misdemeanor and shall be punished by a fine of **Seventy-Five Dollars (\$75.00)**. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than the **three (3)** nor more than **five (5) years**. To the extent that any violation of this Article also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

(Ord. No. 2008-1; 07-03-08)