

CITY OF NOKOMIS

ORDINANCE NO. 2028

**AN ORDINANCE AUTHORIZING THE OPERATION OF NON-HIGHWAY VEHICLES ON
STREETS WITHIN THE CORPORATE CITY LIMITS OF THE
CITY OF NOKOMIS, ILLINOIS**

**ADOPTED BY THE CITY COUNCIL
OF THE
CITY OF NOKOMIS**

THIS 27TH DAY OF JUNE 2016

**Published in pamphlet form by authority of the City Council of the City of Nokomis,
Montgomery County, Illinois, this 28TH day of JUNE, 2016.**

ORDINANCE NO. 2028

FILED
JUL 11 2016

**AN ORDINANCE ESTABLISHING THE REQUIREMENTS FOR
OPERATION OF NON-HIGHWAY VEHICLES ON STREETS
WITHIN THE CORPORATE CITY LIMITS OF THE
CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS**

Steph Leithuser
COUNTY
CLERK

WHEREAS, the Illinois Vehicle Code Section 625 ILCS 5/11-1426.1 authorizes municipalities, by Ordinance, to permit certain non-highway vehicles on municipal streets and roads and highways under the jurisdiction of the municipality and sets forth minimum requirements for the operation of such vehicles; and

WHEREAS, the City Council of the City of Nokomis, Montgomery County, Illinois, believes that such an Ordinance would be in the best interest of the citizens of the City of Nokomis, Montgomery County, Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, as follows:

SECTION I: Recreational off-highway vehicle, as defined and qualified herein shall be allowed on City streets under the conditions as stated herein.

SECTION II: DEFINITIONS

"Non-highway vehicle" MEANS A MOTOR VEHICLE NOT SPECIFICALLY DESIGNED TO BE USED ON A PUBLIC HIGHWAY, INCLUDING:

- (A) A golf cart, defined as a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course. 625 ILCS 5/1-101.8
- (B) A recreational off-highway vehicle, defined as any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 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

SECTION III: That all recreational off-highway vehicles must be equipped as follows:

- (A) Brakes and brake lights;
- (B) Turn signals on the front and rear;
- (C) A steering wheel apparatus;

- (D) Tires;
- (E) Rearview mirror;
- (F) Approved "slow moving vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
- (G) Headlight that emits a white light visible from a distance of 500 feet to the front which must illuminate when in operation;
- (H) Tail lamp that emits a red light visible from at least 100 feet from the rear of the vehicle which must be illuminated when in operation;
- (I) Red reflectorized warning devices in the front and rear;
- (J) Seat belts for each passenger and the driver of the vehicle;
- (K) A valid Illinois driver's license or the equivalent from another jurisdiction;
- (L) Any and all additional requirements which may be amended or added to 625 ILCS 5/11-1426.1 or the Illinois Motor Vehicle Code.

SECTION IV: PERMITS

- (A) No person shall operate a recreational off-highway vehicle without first obtaining a permit from the City Clerk as provided herein and shall have liability insurance coverage at all times. Permits shall be granted for a period of one (1) year and renewed annually. The cost of the permit is **Forty Dollars (\$40.00)** per year. Liability insurance coverage is to be verified to be in effect by the Police Department when obtaining or renewing a permit.
- (B) All persons obtaining a permit shall fully complete the Non-Highway Vehicle Application and Inspection Form prior to being issued a permit.
- (C) The City may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of the article or there is evidence that a permittee cannot safely operate a qualified recreational off-highway vehicle on the designated roadways. The chief of police may temporarily suspend the permit pending action by the Board of Commissioners.

SECTION V: Permitted vehicles shall not be permitted on the following state or county streets, but may cross perpendicular to these streets as permitted by Illinois Statute:

- (A) State Street (Route 16)
- (B) North Spruce Street
- (C) Oberle Street

- (D) South Elm Street
- (E) East Union Street
- (F) Madison Street between Logan Street & N. Spruce Ave.

SECTION VI: That all ordinances in conflict herewith are hereby repealed.

SECTION VII: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

SECTION VIII: PENALTY.

- (A) Notwithstanding anything to the contrary within this Code, any person convicted of a violation of any Section of this Ordinance shall be fined not less than **Seventy-Five Dollars (\$75.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for any one (1) offense.
- (B) Any minor or person designated a juvenile by this State convicted of a violation of any Section of this Ordinance shall be fined not less than **Seventy-Five Dollars (\$75.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for any one (1) offense, but may not be confined except by provisions of the Juvenile Court Act of the State of Illinois.

Passed by the City Council and signed by the Mayor of the City of Nokomis, Illinois this 27th day of June 2016, to be effective July 6, 2016.



Terry Hill, Mayor

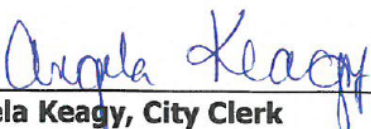
AYES: Commissioners Voyles, Brookshire, Lehnen, and Mayor Hill

NAYS: Commissioner Voils

ABSENT: None

(CORPORATE SEAL)

ATTEST:



Angela Keagy, City Clerk

STATE OF ILLINOIS)
)
COUNTY OF MONTGOMERY) SS.
)
CITY OF NOKOMIS)

I, Angela Keagy, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on June 27, 2016 the City Council of such municipality passed and approved Ordinance No. 2028 entitled AN ORDINANCE AUTHORIZING THE OPERATION OF NON-HIGHWAY VEHICLES ON STREETS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF NOKOMIS, ILLINOIS, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2028 including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on June 28, 2016 and continuing for a least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

DATED at Nokomis, Illinois, this 27th day of June, 2016.

(SEAL)



ANGELA KEAGY, CITY CLERK

CITY OF NOKOMIS, ILLINOIS

NON-HIGHWAY VEHICLE APPLICATION AND INSPECTION FORM

Applicant Name: _____

Address: _____
(Street) (City) (State) (Zip Code)

Phone/Cell #: _____

E-mail Address: _____

Serial Number of Vehicle: _____ Make/Model: _____

Description of Vehicle: _____

Name and Address of Liability Insurance Carrier: _____

Policy Number and Expiration Date: _____

Driver's License#: _____ Issuing State: _____

I have reviewed a copy of the City of Nokomis's Ordinance Establishing the Requirements of Non-Highway Vehicles on Streets within the Corporate City Limits of the City of Nokomis, Montgomery County, Illinois, and agree to abide thereby.

(Date)

(Signature of Applicant)

INSPECTION REPORT

___ Brakes and Brake Lights

___ Red Reflector Warning Devices (front/rear)

___ Turn Signals

___ Headlights (as required)

___ Steering Wheel Apparatus

___ Tail Lamps (as required)

___ Tires

___ Proof of Liability Insurance – Copy

___ Rearview Mirror

___ Driver & Passenger Seat Belts

___ Approved "Slow Moving Vehicle" Emblem

Date & Time of Inspection: _____ / _____ _____ a.m. /p.m.

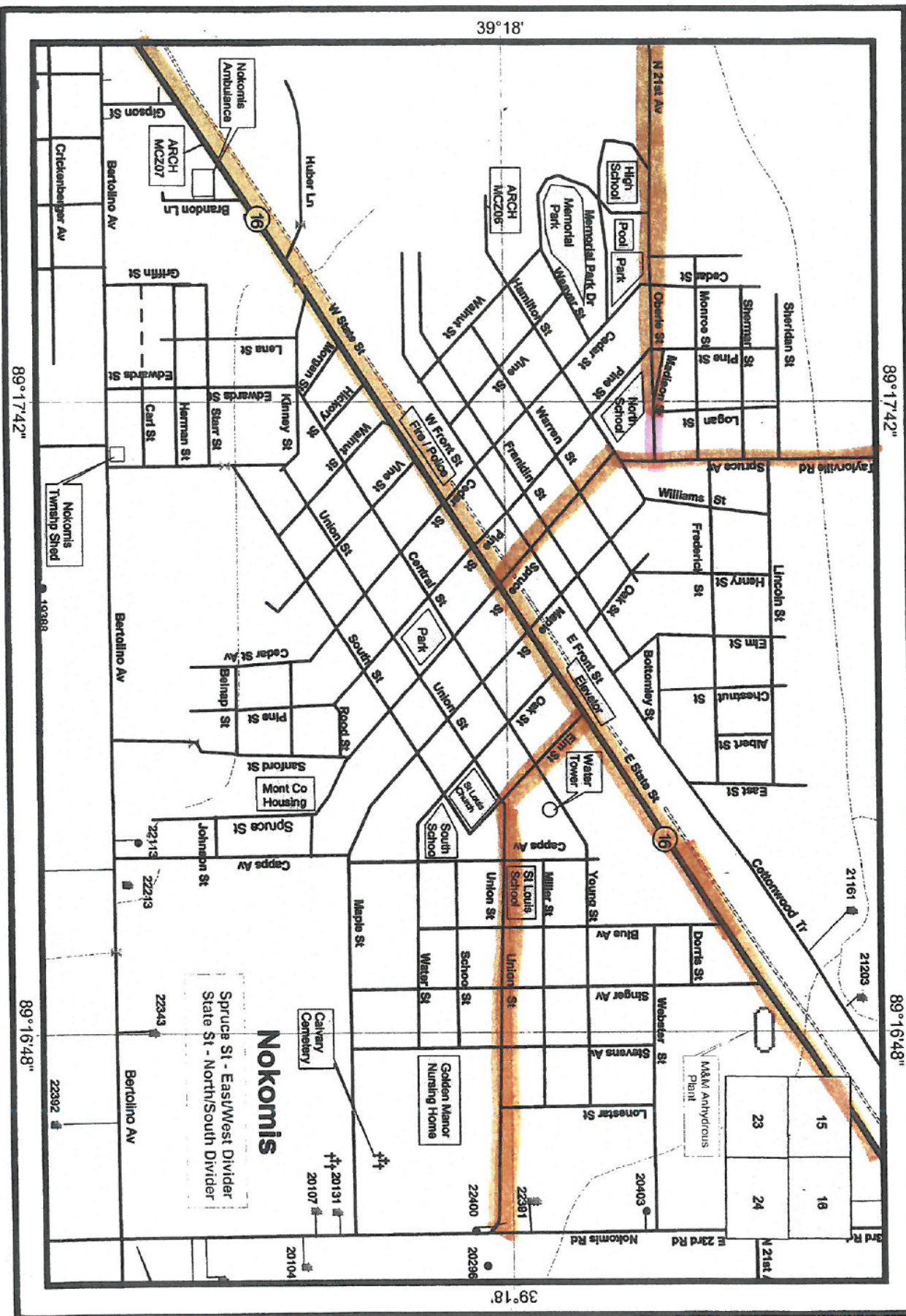
___ New or ___ Renewal

Inspector Signature: _____

For Office of City Clerk Use Only:

___ \$40.00 Fee for One (1) Year Permit; Permit # _____

Permit Issue Date: _____ Permit Expiration Date: _____



39°18'

89°17'42"

89°16'48"

39°18'

89°17'42"

89°16'48"