

**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.

**ARTICLE II - GENERAL REGULATIONS**

**24-2-1**      **OBEDIENCE TO POLICE.** Members of the Police Department, Special Police, Auxiliary Police and Marshals 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. **(625 ILCS 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.** **(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.

**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 State Department of Public Works and Buildings, 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 Chapter 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. **(625 ILCS 5/11-206)**

**24-2-8      LAMPS AND OTHER EQUIPMENT ON BICYCLES.**

(A) Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least **five hundred (500) feet** to the front and with a red reflector on the rear of a type approved by the Department which shall be visible from all distances of **one hundred (100) feet to six hundred (600) feet** to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A lamp emitting a red light visible from a distance of **five hundred (500) feet** to the rear may be used in addition to the red reflector.

(B) A bicycle shall not be equipped with, nor shall any person use any siren upon a bicycle.

(C) Every bicycle shall be equipped with a brake which will adequately control movement of and stop and hold such bicycle.

(D) No person shall sell a new bicycle or pedal for use on a bicycle that is not equipped with a reflex reflector or conforming to specifications prescribed by the State on each pedal, visible from the front and rear of the bicycle during darkness from a distance of **two hundred (200) feet.**

(E) No person shall sell or offer for sale a new bicycle that is not equipped with side reflectors. Such reflectors shall be visible from each side of the bicycle from a distance of **five hundred (500) feet** and shall be essentially colorless or red to the rear of the center of the bicycle and essentially colorless or amber to the front of the center of the bicycle provided. The requirements of this paragraph may be met by reflective materials which shall

be at least **three-sixteenths of an inch (3/16")** wide on each side of each tire or rim to 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. Such reflectors shall conform to specifications prescribed by the State.

(F) No person shall sell or offer for sale a new bicycle that is not equipped with an essentially colorless front-facing reflector.

**[See Section 1-1-20 for penalty.]**

**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. (625 ILCS 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. (625 ILCS 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**      **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. **(625 ILCS 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 Unlawful.** No person shall be a participant in drag racing as defined in **Section 5/11-504 of the Illinois Compiled Statutes.**

(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.** The Department of Local Authorities with reference to traffic-control signals, signs or markers owned by the Department of Local Authorities are authorized to indicate the ownership of such signs, signals or markers on the back of such devices in letters not less than **three-eighths of an inch (3/8")** or more than **three-fourths of an inch (3/4")** in height, by use of a metal stamp, etching or other permanent means and except for employees of the Department of Local Authorities, police officers, contractors and their employees engaged in highway construction, contract or work on the highway approved by the Department of Local Authorities, it is a

violation of this Chapter for any person to possess such sign, signal or marker so identified. **(625 ILCS 5/11-313)**

(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. **(625 ILCS 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. **(See Schedule "D") (625 ILCS 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. **(See Schedule "D")**

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. **(625 ILCS 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. **(625 ILCS 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. **(625 ILCS 5/11-502)**

## MOTOR VEHICLE CODE 24-4-5

**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. **(625 ILCS 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.

**ARTICLE V - EQUIPMENT OF VEHICLES**

**24-5-1 ILLINOIS VEHICLE CODE; EQUIPMENT OF VEHICLES ADOPTED.**

The Illinois Vehicle Code, **Illinois Compiled Statutes, Chapter 625, Section 12, entitled "Equipment of Vehicles"**, 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. **(625 ILCS 5/12-605, 5/12-605.1; and 5/12-605.2)**

**24-5-2 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. **(625 ILCS 5/12-602)**

**24-5-3 USE OF BLUE LIGHTS.** The use of blue oscillating, rotating or flashing lights, whether lighted or unlighted, by the operator of a vehicle is prohibited except as permitted by this Code or Illinois law. **(Ord. No. 1673; 08-20-12)**

**24-5-4 USE BY FIRE DEPARTMENT.** Volunteer firefighters, responding to a paid fire call, may operate a vehicle with the blue oscillating, rotating or flashing lights when responding to a bona fide emergency or when parked or stationed at the scene of a fire. Such lights shall not be used, except under the circumstances described above. Any volunteer fireman shall abide by all traffic laws, rules and regulations while such blue lights are in use. Any person using such blue lights in accordance with the Code must carry on their person an identification card or letter identifying them as a bona fide member of the fire department. This card or letter must including the following: the name of the Fire Department, being the Carlinville Fire Department; the member's position within the Fire Department; the member's term of service in the Fire Department; the name of the person within the Fire Department to contact to certify the information provided. **(Ord. No. 1673; 085-20-12)**

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 OR REPAIR.** 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.

**24-6-3**        **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.
- (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.

(4) **Temporary Parking Ban for Designated Snow Removal Areas.**

- (a) Following snowfall resulting in an accumulation exceeding **two (2) inches**, there shall be a temporary parking ban in the areas designated below as the snow removal area in effect between the hours of **9:00 P.M.** and **6:00 A.M.** Streets designated below as snow removal areas shall have appropriate signage posted at suitable intervals.
- (b) Cars parked in violation of the temporary parking ban shall be ticketed and towed at the owner's expense. **(See Section 24-6-5)**
- (c) Vehicles violating this provision shall be subject to a fine not to exceed an amount as set by the City from time to time. **(See Section 24-6-6)**
- (d) The following areas are designated as the City's snow route: The parking areas on the exterior of the square.

(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 "F", "G" and "H" shall list all applicable special parking restrictions and 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.** **(625 ILCS 5/3-815)**

**(Ord. No. 1866; 03-17-25)**

**24-6-4 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. **(625 ILCS 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 **Two Hundred Dollars (\$200.00)**. 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. **(625 ILCS 5/11-1301.3(C))**

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

**24-6-5 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).

**24-6-6 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 **Thirty Dollars (\$30.00)** for each such offense, provided that if said amount is not paid within **ten (10) days** of the date of the violation, then the amount of the fine shall be increased to **Sixty Dollars (\$60.00)**. 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 **forty-eight (48) hours**; provided, however, that this Section shall not apply to persons parking a vehicle so as to obstruct the entrance or 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. **(Ord. No. 1753; 05-18-15)**

**24-6-7 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.

**24-6-8 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, LOST, STOLEN OR UNCLAIMED VEHICLES**

**24-7-1 ABANDONMENT OF VEHICLES PROHIBITED.**

(A) The abandonment of a vehicle or any part thereof on any highway in this City is unlawful and subject to penalties as set forth under **Section 1-1-20** of this Code.

(B) 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 City is unlawful except on property of the owner or bailee of such abandoned vehicle. A vehicle or any part thereof so abandoned on private property shall be authorized for removal, by the City, 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 Section 5/11-40-3.1 of the Illinois Municipal Code. A violation of subsections (A) or (B) of this Section is subject to penalties as set forth under **Section 1-1-20** of this Code.

(C) A towing service may begin to process an unclaimed vehicle as abandoned by requesting a record search by the Secretary of State up to **ten (10) days** after the date of the tow, or any later date acceptable to the Secretary of State. This paragraph shall not apply to vehicles towed by order or authorization of the City or a law enforcement agency. **(625 ILCS 5/4-201)**

**24-7-2 ABANDONED, LOST, STOLEN OR UNCLAIMED VEHICLE NOTIFICATION TO LAW ENFORCEMENT AGENCIES.**

When an abandoned, lost, stolen or unclaimed vehicle comes into the temporary possession or custody of a person in this City, not the owner of the vehicle, such person shall immediately notify the municipal police when the vehicle is within the corporate limits of any City having a duly authorized police department, or the State Police or the county sheriff when the vehicle is outside the corporate limits of the City. Upon receipt of such notification, the municipal police will authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed vehicle. The towing service will safely keep the towed vehicle and its contents, maintain a record of the tow as set forth in **625 ILCS 5/4-204** for law enforcement agencies, until the vehicle is claimed by the owner or any other person legally entitled to possession thereof or until it is disposed of as provided in this Code. **(625 ILCS 5/4-202)**

**24-7-3 REMOVAL OF MOTOR VEHICLES OR OTHER VEHICLES; TOWING OR HAULING AWAY.**

(A) When a vehicle is abandoned on a highway in an urban district **ten (10) hours** or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(B) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for **twenty-four (24) hours** or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(C) 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 a law enforcement agency having jurisdiction.

**24-7-4      POLICE TOWS; REPORTS, RELEASE OF VEHICLES, PAYMENT.**

When a vehicle is authorized to be towed away as provided in **Section 24-7-2** or **24-7-3**:

(A)            The authorization, any hold order, and any release shall be in writing, or confirmed in writing, with a copy given to the towing service.

(B)            The police headquarters or office of the law officer authorizing the towing shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, Vehicle Identification Number, license plate year and number and registration sticker 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.

(C)            The owner, operator, or other legally entitled person shall be responsible to the towing service for payment of applicable removal, towing, storage, and processing charges and collection costs associated with a vehicle towed or held under order or authorization of the law enforcement agency. If a vehicle towed or held under order or authorization of a law enforcement agency is seized by the ordering or authorizing agency or any other law enforcement or governmental agency and sold, any unpaid removal, towing, storage, and processing charges and collection costs shall be paid to the towing service from the proceeds of the sale. If applicable law provides that the proceeds are to be paid into the treasury of the appropriate civil jurisdiction, then any unpaid removal, towing, storage, and processing charges and collection costs shall be paid to the towing service from the treasury of the civil jurisdiction. That payment shall not, however, exceed the amount of proceeds from the sale, with the balance to be paid by the owner, operator, or other legally entitled person.

(D)            Upon delivery of a written release order to the towing service, a vehicle subject to a hold order shall be released to the owner, operator, or other legally entitled person upon proof of ownership or other entitlement and upon payment of applicable removal, towing, storage, and processing charges and collection costs. **(625 ILCS 5/4-204)**

**24-7-5      RECORD SEARCHES FOR UNKNOWN OWNER.**

(A)            When a law enforcement agency authorizing the impounding of a vehicle does not know the identity of the registered owner, lienholder or other legally entitled person, that law enforcement agency will cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State for the purpose of obtaining the required ownership information.

(B)            The law enforcement agency authorizing the impounding of a vehicle will cause the stolen motor vehicle files of the State Police to be searched by a directed communication to the State Police for stolen or wanted information on the vehicle. When the State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the State Police. The information determined from these record searches will be returned to the requesting law enforcement agency for that agency's use in sending a notification by certified mail to the registered owner, lienholder and other legally entitled persons advising where the vehicle is held, requesting a disposition be made and setting forth public sale information. Notification shall be sent no later than **ten (10) business days** after the date the law enforcement agency impounds or authorizes the impounding of a vehicle, provided that if the law enforcement agency is unable

to determine the identity of the registered owner, lienholder or other person legally entitled to ownership of the impounded vehicle within a **ten (10) business day period** after impoundment, then notification shall be sent no later than **two (2) days** after the date the identity of the registered owner, lienholder or other person legally entitled to ownership of the impounded vehicle is determined. Exceptions to a notification by certified mail to the registered owner, lienholder and other legally entitled persons are set forth in **625 ILCS 5/4-209**.

(C) When ownership information is needed for a towing service to give notification as required under this Code, the towing service may cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State.

The written request of a towing service, in the form and containing the information prescribed by the Secretary of State by rule, may be transmitted to the Secretary of State in person, by U.S. Mail or other delivery service, by facsimile transmission, or by other means the Secretary of State deems acceptable.

The Secretary of State shall provide the required information, or a statement that the information was not found in the vehicle registration records of the State, by U.S. Mail or other delivery service, facsimile transmission, as requested by the towing service, or by other means acceptable to the Secretary of State.

(D) The Secretary of State may prescribe standards and procedures for submission of requests for record searches and replies via computer link.

(E) Fees for services provided under this Section shall be in amounts prescribed by the Secretary of State under Section 3-821.1 of the Illinois Municipal Code. Payment may be made by the towing service using cash, any commonly accepted credit card, or any other means of payment deemed acceptable by the Secretary of State. **(625 ILCS 5/4-205)**

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

**24-7-7 RECLAIMED VEHICLES; EXPENSES.**  
(A) Any time before a vehicle is sold at public sale or disposed of as provided in **Section 24-7-8**, the owner, lienholder or other person legally entitled to its possession may reclaim the vehicle by presenting to the law enforcement agency having custody of the vehicle proof of ownership or proof of the right to possession of the vehicle.

(B) No vehicle shall be released to the owner, lienholder, or other person under this Section until all towing, storage, and processing charges have been paid. **(625 ILCS 5/4-207)**

**24-7-8 DISPOSAL OF UNCLAIMED VEHICLE.**  
(A) When an abandoned, lost, stolen or unclaimed vehicle **seven (7) years** of age or newer remains unclaimed by the registered owner, lienholder or other legally entitled

person for a period of **thirty (30) days** after notice has been given as provided in **Sections 24-7-5** and **24-7-6** of this Article, the law enforcement agency or towing service having possession of the vehicle shall cause it to be sold at public auction to a person licensed as an automotive parts recycler, rebuilder or scrap processor under **Article 5 of Chapter 625 of the Illinois Compiled Statutes** or the towing operator which towed the vehicle. 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 law enforcement agency where the vehicle is impounded, or the towing service where the vehicle is impounded, shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner, lienholder, or other legally entitled persons. Notice as provided in **Sections 24-7-5** and **24-7-6** of this Article as provided in this Section shall state the time and place of sale and shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled persons to reclaim the vehicle.

(B) If an abandoned, lost, stolen, or unclaimed vehicle displays dealer plates, notice under this Section and **Section 24-7-9** of this Code shall be sent to both the dealer and the registered owner, lienholder, or other legally entitled persons.

(C) In those instances where the certified notification specified in **Section 24-97-5** and **24-7-6** of this Article has been returned by the postal authorities to the law enforcement agency or towing service, the sending of a second certified notice will not be required. **(625 ILCS 5/4-208)**

**24-7-9      DISPOSAL OF UNCLAIMED VEHICLES WITHOUT NOTICE.**

(A) **New Car.** When the identity of the registered owner, lienholder, or other person legally entitled persons 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 Article, the vehicle may be sold as provided for in **Section 24-7-8** 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 Article, or when any such vehicle is towed at the request or with the consent of the owner or operator and is subsequently abandoned, it will be kept in custody or storage for a minimum of **ten (10) days** for the purpose of determining the identity of the registered owner, lienholder, or other legally entitled persons and contacting the registered owner, lienholder, or other legally entitled persons by the U.S. Mail, public service or in person for a determination of disposition; and an examination of the State Police stolen 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 persons, the vehicle may be disposed of in either of the following ways:

- (1) The law enforcement agency having jurisdiction will authorize the disposal of the vehicle as junk or salvage.
- (2) The towing service may sell the vehicle in the manner provided in **Section 24-7-8** of this Article, provided that the paragraph shall not apply to vehicles towed by order or authorization of a law enforcement agency.

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

**24-7-10 DISPOSAL OF HAZARDOUS DILAPIDATED MOTOR VEHICLES.**

Any hazardous dilapidated motor vehicle impounded pursuant to the provisions of this Article and **65 ILCS 5/11-40-3.1**, whether impounded at a public facility or on the property of private towing service, shall be kept in custody for a period of **ten (10) days** for the purpose of determining the identity of the registered owner or lienholder and contacting such owner or lienholder, if known, by regular U.S. Mail. At the expiration of the **ten (10) day** period, without benefit of disposition information being received from the registered owner or lienholder, the law enforcement agency having jurisdiction will authorize the disposal of the vehicle as junk. **(65 ILCS 5/4-209.1)**

**24-7-11 COLLECTION OF UNPAID CHARGES.** In an action to collect towing, storage, and processing charges that remain unpaid after disposition of a vehicle towed or relocated under this Code, the towing service may recover reasonable collection costs.

**24-7-12 POLICE RECORD FOR DISPOSED VEHICLE.** When a vehicle in the custody of the City or law enforcement agency 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 Article, a report of the transaction will be maintained by that law enforcement agency for a period of **one (1) year** from the date of the sale or disposal. **(625 ILCS 5/4-210)**

**24-7-13 PUBLIC SALE PROCEEDS; DISPOSITION OF.**

(A) When a vehicle located within the corporate limits is authorized to be towed away by a law enforcement agency having jurisdiction and disposed of as set forth in this Article, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges shall be deposited in the treasury of the City.

(B) The provisions of this Section shall not apply to vehicles disposed of or sold at public sale under subsection (k) of **625 ILCS 5/4-107** of the Illinois Vehicle Code. **(625 ILCS 5/4-211)**

**24-7-14 LIABILITY OF LAW ENFORCEMENT OFFICERS.**

(A) A law enforcement officer or agency, a department of municipal government designated under **625 ILCS 5/4-212.1** or its officers or employees, or a 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 Article.

(B) A towing service, and any of its officers or employees, that removes or tows a vehicle as a result of being directed to do so by a law enforcement officer or agency or a department of municipal government or its officers or employees shall not be held to answer or be liable for injury to, loss of, or damages to any real or personal property that occurs in the course of the removal or towing of a vehicle or its contents on a limited access highway in a designated Incident Management Program that uses fast lane clearance techniques as defined by the Department of Transportation. **(625 ILCS 5/4-213)**

**24-7-15**      **VIOLATIONS OF ARTICLE.**

(A) Any person who violates **Section 24-7-1** of this Article or who aids and abets in that violation:

- (1) shall be subject to a mandatory fine of **Two Hundred Dollars (\$200.00)**; and
- (2) shall be required by the court to make a disposition on the abandoned or unclaimed vehicle and pay all towing, storage, and processing charges and collection costs pursuant to **Section 24-7-3(A) and (E)**.

(B) When a vehicle is abandoned, it shall be presumed that the last registered owner is responsible for the abandonment and shall be liable for all towing, storage, and processing charges and collection costs, less any amounts realized in the disposal of the vehicle. The last registered owner's liability for storage fees may not exceed a maximum of **thirty (30) days'** storage fees.

The presumption established under this paragraph may be rebutted by a showing that, prior to the time of the tow:

- (1) a report of vehicle theft was filed with respect to the vehicle; or
- (2) the vehicle was sold or transferred and the last registered owner provides the towing service with the correct identity and address of the new owner at the time of the sale or transfer.

If the presumption established under this Section is rebutted, the person responsible for theft of the vehicle or to whom the vehicle was sold or transferred is liable for all towing, storage, and processing charges and collection costs. **(625 ILCS 5/4-214)**

**[See Section 1-1-20 for penalty.]**

**ARTICLE VIII - LOAD LIMITS**

**24-8-1 PARKING HOURS.** No truck, tractor, trailer, semi-trailer or other equipment whose total gross weight when loaded to the maximum capacity or the maximum allowable by law exceeds **eight thousand (8,000) pounds** capacity whether such vehicle is loaded during the time hereinafter specified or not, shall be parked or located on any City street or other public property adjacent to any street or public way between the hours of **six o'clock (6:00) P.M.** and **seven o'clock (7:00) A.M.** except when in the actual process of loading or unloading. In any case, where a motor vehicle is required by law to be licensed, the gross weight shall, for the purpose of this Article, be the maximum gross weight in pounds including vehicle and maximum load as allowed by the license which the vehicle bears. **(Ord. No. 952; 11-19-79)**

**24-8-2 TRAVELING ON CERTAIN STREETS.** It shall be unlawful for any motor vehicle of any type or character having an overall gross weight of more than **sixteen thousand (16,000) pounds** to travel over and upon the following described streets in Schedule "K" unless permission to do so, in writing, shall have been first obtained from the Mayor.

**24-8-3 TEN THOUSAND (10,000) POUND WEIGHT LIMIT.** It shall be unlawful for any motor vehicle of any type or character having an overall gross weight of **ten thousand (10,000) pounds** to travel over and upon the streets specified in Schedule "M".

**24-8-4 SIX THOUSAND (6,000) POUND WEIGHT LIMIT.** The load limit in Loveless Park shall be **six thousand (6,000) pounds**. It shall be unlawful for any car, truck or other vehicle, loaded or unloaded, weighing in excess of **six thousand (6,000) pounds** to drive or travel upon the said roadways and/or parking areas in Loveless Park, provided that this said weight limitation shall not apply to buses hauling people or picking up people or trucks making deliveries or picking up items to be hauled away.

**24-8-5 FIVE THOUSAND (5,000) POUND WEIGHT LIMIT.** There is hereby imposed a load and weight limit on the bridge which is located on the Old Water Works Road, owned by the City and located south of Carlinville. That said weight and load limit shall not exceed **five thousand (5,000) pounds.** **(Ord. No. 844; 08-05-74)**

**24-8-6 LOADING; UNLOADING TRUCKS; BUSES.** It shall be unlawful to park trucks or buses, including for the carrying of passengers, (excepting panel or pickup trucks up to **three-quarter (3/4) ton** capacity) on the Public Square in the City. However, buses carrying passengers have a right to stop for the purpose of loading and unloading passengers at such places on the Public Square as may be designated by the Illinois Department of Transportation or by the City. Trucks carrying merchandise shall have a right to stop on the Public Square for a period of time long enough to load or unload the said truck, providing a driver shall remain upon or about the said truck while it is so stopped and such truck shall only remain stopped for a reasonable time. **(Ord. No. 5-3-48)**

**24-8-7 OVERWEIGHT VEHICLES.**

(A) It shall be unlawful to drive any motor vehicle with a size or weight, including load, in excess of which is permitted by the Illinois Vehicle Code, specifically **625 ILCS5/15-102** (width), **15-103** (height), **15-107** (length) and **15-111** (weight), when operating on any highways owned and maintained by the City, unless a permit has been issued in accordance with the permit process described herein, as granted by the authority of **625 ILCS 5/15-301(a)**.

(B) The Chief of Police or his designee may issue a special permit authorizing the owner, operator or lessee of an oversize or overweight vehicle or combination of vehicles, to operate on any highway owned and maintained by the City, with a fee in the following amounts:

(1) **Overweight Vehicles (includes any over-dimension).**

Single Trip (5 days):	\$50.00
Round Trip (10 days):	\$80.00
Quarterly (90 days):	\$200.00

(2) **Oversize Only Vehicles.**

Single Trip (5 days):	\$25.00
Round Trip (10 days):	\$40.00
Quarterly (90 days):	\$100.00

For purposes of this Section, a "single trip" is defined as one movement of an oversize or overweight vehicle or load. A "round trip" is defined as one movement of an oversize or overweight vehicle or load, and a return trip of the same vehicle or load. "Quarterly" permits are to be considered limited continuous operation of the same oversize or overweight vehicle with interchangeable loads.

(C) Applications for permits shall be submitted in the method and form required by the Chief of Police or his designee and shall include at a minimum:

- (1) The type of vehicle;
- (2) The weights and dimensions of the vehicle(s);
- (3) The description of the load;
- (4) The requested route to be taken by the vehicle;
- (5) The destination of the vehicle within the City; and
- (6) The name of the carrier, if different than the applicant.

(D) Upon receipt of a completed application and proof of payment of the fee, the Chief of Police or designee may issue a permit, subject to the following conditions:

- (1) In consideration of seasonal or other time limitations, the Chief of Police or designee may restrict the number or time of daily trips authorized by each permit, as is consistent with the public safety;
- (2) In establishing the routes to be traveled, the Chief of Police or designee may establish the route consistent with public safety, taking into consideration existing traffic, the character of the road or roads and the configuration of the terrain;
- (3) All permits shall be nontransferable and shall be valid only for the applicant or his agent or employee and the specific vehicle listed on the application;
- (4) Every permit shall be carried in the vehicle in paper or electronic form to which it refers and shall be open to inspection by any police officer, or agent of the City;
- (5) No refunds of the permit fee shall be made to the applicant following the issuance of a permit;
- (6) The applicant shall comply with all township, City, county, and state statutes, ordinances, regulations, rules and requirements;
- (7) Altering or falsifying a permit will revoke the applicant's permit privileges for **twelve (12) months**;
- (8) The Chief of Police or his designee is authorized to create and amend reasonable provisions for permits.

(E) Permits are only valid for the dates and times specified, must be carried in the permitted vehicle in either paper or electronic form.

(F) Any person or entity found to be in violation of this Section shall be subject to a fine not to exceed **Seven Hundred Fifty Dollars (\$750.00)**.  
**(Ord. No. 1838; 08-01-22)**

**ARTICLE IX - MUNICIPAL DEPOT PARKING LOT**

**24-9-1**      **RULES; REGULATIONS.** Persons authorized by the Council may establish parking areas upon the Municipal Depot Parking Lot, erect signs and make reasonable charges for parking thereon. After the marking of said parking area by authorized personnel of the City, it shall be unlawful to park any vehicle or to permit a vehicle to remain parked in any parking zone for a longer period than designated on the sign erected thereon, and it shall be unlawful for any person to park in the parking stall of another person, who has paid the City for said parking privilege, that person being entitled to said parking rights without interference.

It is unlawful to park a vehicle in any parking zone within said Municipal parking area without paying the fee designated by the Council.

**24-9-2**      **PARKING LINES; MARKING ESTABLISHED.** Each vehicle parking within any parking zone shall park within the line or marking so established. It shall be unlawful to park any vehicle across any such line or marking and to park said vehicle in such position that the same shall not be entirely within the area designated by such lines or markings.

**24-9-3**      **DESTRUCTION OF PROPERTY; MARKINGS.** It shall be unlawful for any person not authorized by the Council to deface, tamper, injure, break, destroy or impair the usefulness of any signs, markings, designations to be found on said Municipal parking area, having been placed there by authorized personnel of the City.

**24-9-4**      **OBSTRUCTING ENTRANCE.** No person shall park a vehicle so as to obstruct the entrance or exit of traffic into and from the Municipal parking lot.

**24-9-5**      **UNAUTHORIZED SIGN, MARKING.** No person shall place or maintain any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official sign or signal or marking for the control of traffic and/or parking upon said municipal parking area. **(Ord. No. 1-3-61)**

**24-9-6**      **TWENTY-FOUR (24) HOUR PARKING.**  
(A)            No owner or operator of a vehicle shall stop, stand or park a vehicle for more than **twenty-four (24) consecutive hours** in the Municipal Depot parking lot, which is located at the southeast corner of the intersection of North West Street and West First North Street in Carlinville.

(B)            The Carlinville Police Department and all members thereof assigned to traffic duty, are hereby authorized to remove and tow away, and have removed or towed away by commercial towing service any vehicle stopping, standing or parking in violation of this Section.

(C)            The vehicle so towed away shall be restored to the owner or operator of such vehicle upon the payment of a fee of **Twenty-Five Dollars (\$25.00)** plus towing charges within **twenty-four (24) hours** after the time the vehicle was removed, plus any storage charges incurred in connection therewith for each additional **twenty-four (24) hours** or fraction thereof. **(Ord. No. 1553; 10-01-07)**

ARTICLE X – GOLF CARTS, NEIGHBORHOOD VEHICLES AND UTILITY TASK VEHICLES

**24-10-1**      **DEFINITIONS.**

(A)      **City Streets.** Only those City streets designated on **Exhibit "B"** attached to the ordinance codified herein and incorporated herein by reference, located within the boundaries of the City.

(B)      **County Roads.** Include any roads outside the boundaries of the City limits.

(C)      **Golf Cart.** 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 5/1-123.9)**

(D)      **Neighborhood Vehicle.** A self-propelled, electronically powered **four (4)** wheeled vehicle; or a self-propelled, gasoline powered, **four (4)** wheeled vehicle with an engine displacement under **one thousand two hundred (1,200) cubic centimeters**; which is capable of attaining in **one (1) mile** a speed of more than **twenty (20) miles per hour**, but not more than **twenty-five (25) miles per hour**, and which conforms to federal regulations under title 49 CFR part 571.500.

(E)      **Utility Task (Side by Side) Vehicle (UTV).** A self-propelled, electronically powered **four (4)** wheeled vehicle; or a self-propelled, gasoline powered **four (4)** wheeled motor vehicle with bench or bucket seats, an engine displacement under **one thousand two hundred (1,200) cubic centimeters** which is capable of attaining in **one (1) mile** a speed of more than **twenty (20) miles per hour**, but not more than **fifty (50) miles per hour**, which is steered and maneuvered with a steering wheel.

(F)      **State Roads.** Includes Illinois Route 4 and 108.

**24-10-2**      **OPERATION ON STREETS.**

(A)      It shall be lawful for a qualified person to operate a golf cart, neighborhood vehicle and Utility Task Vehicle (UTV) on designated streets within the City, subject to the provisions of this Article.

(B)      It shall be unlawful for any person to operate a golf cart, neighborhood vehicle and Utility Task Vehicle (UTV) on any street in the City, unless:

- (1)      The driver is at least **twenty-one (21) years of age** and has a valid driver's license, and
- (2)      The vehicle is properly titled with the Illinois Secretary of State, if required, and
- (3)      Has the minimum required liability insurance as set out in **65 ILCS 5/7-601 et seq.**, and maintains proof of said insurance specifically for the golf cart, neighborhood vehicle and Utility Task Vehicle (UTV) to be operated on City streets within the permitted vehicle, and
- (4)      Has been properly registered with the City and must display such registration as required in **Section 24-10-3** of this Article, and
- (5)      Has the following required, operable equipment:
  - (a)      Brakes.
  - (b)      Steering wheel apparatus.
  - (c)      Tires.
  - (d)      A driver's side outside mirror and either an interior rearview mirror or a passenger side outside mirror.
  - (e)      Red reflector warning devices in the front and rear.
  - (f)      A slow moving emblem on the rear of the vehicle.

- (g) A headlight that emits a white light visible from a distance of **five hundred (500) feet** to the front, illuminated at all times when operated on City streets.
- (h) A tail lamp that emits a red light visible from at least **one hundred (100) feet** from the rear, illuminated at all times when operated on City streets.
- (i) At least **two (2)** brake lights which emit a red light visible from a distance of **one hundred (100) feet** from the rear.
- (j) Turn signals mounted to the front and rear of the vehicle.
- (k) Seat belts for each seat.
- (l) Windshield.
- (m) Horn which is audible from a distance of **two hundred (200) feet**.

(C) All persons eligible to operate a golf cart, neighborhood vehicle and Utility Task Vehicle on designated streets of the City must comply with the following requirements:

- (1) Must not exceed **twenty-five (25) miles per hour**.
- (2) Shall only be operated from sunrise until sunset.
- (3) Shall not be operated in inclement weather, nor 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**.
- (4) Each driver and passenger of a golf cart, neighborhood vehicle and Utility Task Vehicle shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the child passenger protection act.
- (5) A person who drives or is in actual physical control of a golf cart, neighborhood vehicle and Utility Task Vehicle on a roadway while under the influence of alcohol or drugs is subject to **625 ILCS 11-500 through 11-502**.
- (6) Golf carts, neighborhood vehicles and Utility Task Vehicles may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.
- (7) Golf carts, neighborhood vehicles and Utility Task Vehicles may not be operated on streets, highways and roads under the jurisdiction of the Illinois Department of Transportation (Illinois Route 4 and 108) or the County Highway Department.
- (8) Golf carts, neighborhood vehicles and Utility Task Vehicles may not be operated on City streets with a posted speed limit in excess of **thirty (30) miles per hour**.
- (9) Nothing in this Article shall permit the use of recreational off-highway vehicles as defined and provided in **625 ILCS 5/1-168.8** or all-terrain vehicles, off-highway motorcycles and any other vehicle which is not described within the foregoing definitions of "golf carts", or "neighborhood vehicles" or "Utility Task Vehicle".

**24-10-3 REGISTRATION OF GOLF CARTS, NEIGHBORHOOD VEHICLES AND UTILITY TASK VEHICLES.**

(A) **Permit.** A permit shall be issued within **seven (7) days** upon the approval of an application from an owner of a golf cart, neighborhood vehicle and Utility Task Vehicle to operate a golf cart, neighborhood vehicle and Utility Task Vehicle upon the streets and roadways within the jurisdiction of the City, except where expressly prohibited.

(B) **Application.** Any person requesting a permit shall submit to the Police Department on a form supplied by the City which shall contain, at a minimum, the following:

- (1) An application which contains the owner's name, address, phone number, driver's license number, vehicle identification number (VIN), make and model of vehicle.
- (2) Proof of valid insurance information, which meets the requirements of **625 ILCS 5/7-601 et seq.**, specifically for the golf cart, neighborhood vehicle and Utility Task Vehicle to be operated on City streets.
- (3) Signed and notarized waiver of liability by applicant releasing the City from any and all future claims resulting from the operation of their golf cart, neighborhood vehicle and Utility Task Vehicle pursuant to this Chapter or any other ordinance of the City.
- (4) Present the vehicle for physical inspection to ensure that the vehicle is safe to operate on City streets and is in compliance with the requirements of this Article. A golf cart, neighborhood vehicle and Utility Task Vehicle will be allowed to be driven to the Police Department to have the vehicle inspected and permitted, if the requester has called ahead and arranged with the Chief of Police (or designee) a specific meeting time.
- (5) Any handicapped applicant must submit a certificate signed by a physician that he or she is a handicapped applicant and is able to safely operate a motorized golf cart, neighborhood vehicle and Utility Task Vehicle on the roadways designated. Upon issuance, said permit shall be displayed on the front and rear of the vehicle as may be administratively required by the City.

(C) **Fee.** An annual registration and permit fee of **Twenty-Five Dollars (\$25.00)** for applicants age **sixty-five (65)** or older and **Fifty Dollars (\$50.00)** per year for all other applicants shall be submitted at the time of the application for the permit, and subject to renewal thereafter.

(D) **Permit Renewal.** A permit shall be valid for a period of **one (1) year** and may be renewed upon application of the owner, in compliance with paragraph (B) of this Section.

(E) **Transferability.** A permit is nontransferable.

(F) **Change of Contact Information.** It shall be the duty of the permit holder to inform the Police Department of any change of address, phone number, or insurance coverage, within **ten (10) business days** of such change.

(G) **Denial of Permit.** A permit shall be denied only for the following reasons:

- (1) The vehicle is not properly titled with the Illinois Secretary of State, if required,
- (2) The insurance information for the vehicle cannot be verified,
- (3) The registered owner does not have a valid driver's license,
- (4) The owner has provided any false information in their application,
- (5) The vehicle does not conform to the requirements of this Article.

(H) **False Information.** It shall be unlawful for anyone to provide false information in the application for a permit to operate a golf cart, Utility Task Vehicle (UTV) neighborhood vehicle.

**24-10-4 OPERATION ON CERTAIN STREETS AND ROADS PROHIBITED.**

(A) **Prohibited Streets.** Except as expressly authorized in this Section, it shall be unlawful for any person to operate a golf cart, neighborhood vehicle and Utility Task Vehicle as follows:

## MOTOR VEHICLE CODE 24-10-5

- (1) Any street which has a posted speed limit of greater than **thirty (30) miles per hour.**
- (2) On the following roadways:
  - (a) Illinois Route 4
  - (b) Illinois Route 108
  - (c) Alton road/Shipman Road
  - (d) University Avenue
- (3) Golf carts, neighborhood vehicles and Utility Task Vehicles may only cross Illinois Route 4 at McDaniels Street at North Broad Street, and Button Street at East 1<sup>st</sup> South.
- (4) Golf carts, neighborhood vehicles and Utility Task Vehicles may only cross Illinois Route 108 at Button Street at East 1<sup>st</sup> South, and Oak Street at West Main Street.

(B) **Authorization of Vehicles.** Golf carts, neighborhood vehicles and Utility Task Vehicles may not be operated on any street or road under the jurisdiction of another local unit of government or private entity which has not authorized the use of neighborhood vehicles; such as, those roads maintained by the Carlinville Park District, Carlinville Community Unit School District No. 1 and Blackburn College.

### **24-10-5 OBEDIENCE TO VEHICLE CODE.**

(A) Every operator of a golf cart, neighborhood vehicle and Utility Task Vehicle shall obey all sections of **625 ILCS 5/1-100 et seq.**, the Illinois Vehicle code, and all provisions of this Article.

(B) The City may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this Article or if there is evidence that the permit holder cannot safely operate the motorized golf cart, neighborhood vehicle or Utility Task Vehicle on the designated roadways.

(C) Every person operating a golf cart, neighborhood vehicle or Utility Task Vehicle pursuant to a permit hereunder on designated City streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the state highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts, neighborhood vehicles or Utility Task Vehicle.

### **24-10-6 PENALTIES.**

(A) A violation of this Article shall be punishable by a minimum fine of not less than **Seventy-Five Dollars (\$75.00)** nor more than **Seven Hundred Fifty dollars (\$750.00)**, except a violation of **Section 24-10-2(B)(3)** of this Article shall be punishable by a minimum fine of not less than **Three Hundred Dollars (\$300.00)**.

(B) A second conviction for a violation of this Article within **one (1) year** of the date of a prior conviction shall result in suspension of permit, to be reinstated only by the Mayor.

(C) Upon conviction of operating a golf cart, neighborhood vehicle or Utility Task Vehicle or on a state highway, other than crossing at the designated locations, shall result in a fine no less than **Seven Hundred Fifty Dollars (\$750.00)** and the suspension of permit for **one (1) year.**

**24-10-7 EFFECTIVE DATE.** This Article shall be in full force and effect on and after **February 1, 2020.**

**(Ord. No. 1819; 01-06-20)**

**[Supplement No. 4; 06-01-25]**