

ORDINANCE NO. 13/14-06

**AN ORDINANCE AUTHORIZING THE OPERATION OF QUALIFIED
GOLF CARTS/NEIGHBORHOOD VEHICLES ON STREETS UNDER THE
JURISDICTION OF THE
VILLAGE OF BRADFORD, ILLINOIS**

WHEREAS, the Village of Bradford has determined that the operation of qualified golf carts/neighborhood vehicles should be allowed under certain conditions on the streets under the jurisdiction of the Village of Bradford, and

WHEREAS, the Illinois Vehicle Code Section 625 ILCS 5/11-1426.1 authorizes municipalities, by ordinance to permit qualified golf carts/neighborhood vehicles to operate in the streets under the jurisdiction of the municipality; and

WHEREAS, the Village of Bradford has considered the volume, speed and character of the traffic on the streets within its jurisdiction and the provisions of 625 ILCS 5/11-1426.1 has determined that qualified golf carts, as defined herein, may safely operate on the streets within the jurisdiction of the Village.

WHEREAS, the Village of Bradford shall enact an Ordinance which shall allow qualified golf carts/neighborhood vehicles to operate on municipal streets upon the terms and conditions stated herein.

BE IT ORDAINED by the PRESIDENT and VILLAGE TRUSTEES of the Village of Bradford, Stark County, Illinois, as follows:

A. **Golf carts**, as defined and qualified herein shall be allowed on city streets under the conditions as stated herein.

B. Definitions:

1. A "golf cart"/"neighborhood vehicle", as defined herein, means a vehicle specifically designed and intended for the purposes of transporting one or more persons and their maintenance equipment while engaged in their activities and specifically having a steering wheel and not capable of exceeding Village speed limits.
2. "Village Streets" means any of the streets within the boundaries of the Village of Bradford, Illinois.

C. REQUIREMENTS

All persons wishing to operate a golf cart/neighborhood vehicle on the Village streets must ensure compliance with the following requirements:

1. Must show proof of current liability insurance.
2. Must obtain Village permit as specified in Section D.
3. Must display Village decal on the left rear of the vehicle.
4. Must have a current, valid Illinois driver's license and be over the age of 18.

5. Golf carts must be equipped as follows:
 - a. Brakes and brake lights
 - b. A steering wheel apparatus
 - c. Tires
 - d. Rearview mirror
 - e. Approved "slow moving vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709)
 - f. Red reflector warning device in the front and a red reflector warning device in the rear.
 - g. Headlights that emit a white light visible from a distance of 500 feet to the front which must illuminate when in operation
 - h. Tail lamps that emit a red light visible from at least 100 feet from the rear which must be illuminated when in operation
 - i. Turn signals
 - j. Any additional requirements which may be amended to 625 ILCS 5/11-1426.1 or the Illinois Motor Vehicle Code.
6. Must obey all traffic laws of the State of Illinois and the Village of Bradford.
7. Must be operated only on village streets, except where prohibited.
8. Must NOT operate on State Highway 40 (West and Main Streets and South Peoria Street)
9. Vehicle must NOT exceed Village speed limits and must observe posted speed limits. Section 11-500 through 11-502 of the Illinois Compiled Statues (625 ILCS 5/11-500-110-502)
10. Golf carts/neighborhood vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (State Highway 40).

D. PERMITS

1. No person shall operate a qualified golf cart/neighborhood vehicle without first obtaining a permit from the Village official during regular office hours. Permits shall be granted for a period of one (1) year. The cost of the permit is \$50.00 Proof of Liability Insurance coverage is to be provided to the Village Office when obtaining and renewing a permit. Vehicle must be inspected and approved by one of the Village police officers.
2. Every application for a permit shall be made on a form supplied by the Village and shall contain the following information:
 - a. Name and address of applicant;
 - b. Name of liability insurance carrier and policy number;
 - c. The serial number, make, model and description of vehicle;
 - d. Signed waiver of liability by applicant releasing the Village of Bradford and its employees, and agreeing to indemnify and hold the Village harmless from any and all future claims resulting from the operation of their golf cart/neighborhood vehicle on the Village of Bradford streets. A copy is attached as Exhibit A.
 - e. Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - f. Photocopy of valid driver's license;

- g. Such other information as the Village may require.
- 3. No permit shall be granted unless the following conditions are met:
 - a. The vehicle must be inspected by one of the Village police officers to insure that the vehicle is safe to operate on Village streets and is in compliance with this ordinance and with the State of Illinois Motor Vehicle Code;
 - b. 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/neighborhood vehicle on Village streets;
 - c. The applicant must 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.
- 4. The Village may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this ordinance or there is evidence that permittee cannot safely operated a qualified golf cart/neighborhood vehicle on the designated roadways.

E. VIOLATIONS

Any person who violates any provision of this ordinance shall be guilty of a petty offense and shall be punished by a fine of \$75.00 and up to \$750.00. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than one (1) nor more than three (3) 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.

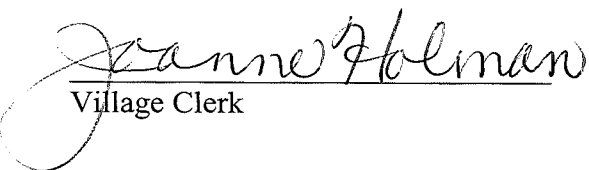
F. MISCELLANEOUS

- 1. In the event that a court of competent jurisdiction declares any particular provision of this ordinance to be invalid or unenforceable, the remaining provisions of this ordinance shall be construed to be valid and enforceable. The invalidity of any part of this ordinance shall not affect any other part or parts thereof.
- 2. This ordinance shall be in full force and effect from and after passage and approval as provided by law.
- 3. Any ordinance, or portion thereof, of the Village of Bradford which is contrary to this ordinance shall be deemed to be repealed.

IN WITNESS WHEREOF, I have hereunto set my official hand and caused the corporate seal of the Village of Bradford, Illinois, to be affixed this 5th day of August, 2013.

VILLAGE OF BRADFORD, ILLINOIS

By: 
President


Village Clerk

**UNCONDITIONAL AND FULL GENERAL RELEASE OF
LIABILITY, WAIVER, DISCHARGE AND COVENANT NOT TO SUE**

Name and address of applicant:

Name and address of liability insurance carrier and policy number:

Serial number, make, model and description of vehicle

Please also provide:

- **Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit**
- **Photocopy of valid driver's license**

This is a legally binding UNCONDITIONAL AND FULL GENERAL RELEASE OF LIABILITY, WAIVER, DISCHARGE, AND COVENANT NOT TO SUE made by me, _____, (hereinafter referred to as "Operator"), to the Village of Bradford, IL, in Stark County (hereinafter referred to as "Village").

I FULLY RECOGNIZE THAT THERE ARE DANGERS AND RISKS TO WHICH I MAY BE EXPOSED BY OPERATING A QUALIFYING GOLF CART ON VILLAGE STREETS. THE FOLLOWING IS A DESCRIPTION AND/OR EXAMPLES OF SIGNIFICANT DANGERS AND RISKS ASSOCIATED WITH THIS ACTIVITY: INJURY TO MYSELF OR OTHERS, DAMAGE TO MY PROPERTY OR THAT OF OTHERS, DEATH OF MYSELF OR OTHERS. IN NO EVENT SHALL THE VILLAGE BE LIABLE FOR DIRECT, INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, WHETHER ARISING IN TORT, CONTRACT OR ANY OTHER LEGAL THEORY, IN CONNECTION WITH OR ARISING OUT OF OPERATOR'S USE OF A QUALIFIED GOLF CART ON VILLAGE STREETS. THE OPERATOR, AS OF THE DATE BELOW, SHALL HEREINAFTER SAVE, HOLD HARMLESS AND INDEMNIFY THE VILLAGE AGAINST ANY AND ALL LIABILITY, CLAIMS, CAUSES OF ACTION, AND COSTS OF WHATSOEVER KIND AND NATURE INCLUDING, WITHOUT BEING LIMITED TO INJURY, DAMAGE, LOSS INCLUDING DEATH, RESULTING FROM, ARISING OUT OF, OR OCCURRING IN CONNECTION WITH OPERATOR'S USE OF A QUALIFIED GOLF CART ON VILLAGE STREETS.

I understand that the Village has an Ordinance governing the use of qualified golf carts on Village streets, and I hereby agree to conform with all requirements of said Ordinance at all times. I have had the opportunity to read said Ordinance, and my signature below acknowledges that I will comply with said Ordinance as well as all of the applicable traffic laws of the State of Illinois at all times when operating a qualified golf cart on Village Streets.

I, THEREFORE, AGREE TO ASSUME AND TAKE ON ALL OF THE RISKS AND RESPONSIBILITIES IN ANY WAY ASSOCIATED WITH THIS ACTIVITY. IN CONSIDERATION OF AND RETURN FOR THE OPPORTUNITY TO OPERATE A QUALIFIED GOLF CART ON VILLAGE STREETS, I RELEASE THE VILLAGE (AND THE VILLAGE BOARD, EMPLOYEES AND AGENTS) FROM ANY AND ALL LIABILITY, CLAIMS AND ACTIONS THAT MAY ARISE FROM INJURY OR HARM TO ME OR OTHERS, INCLUDING DEATH, OR FROM DAMAGE TO MY PROPERTY OR PROPERTY OF ANOTHER IN CONNECTION WITH THIS ACTIVITY. I UNDERSTAND THAT THIS RELEASE ALSO COVERS LIABILITY, CLAIMS AND ACTIONS CAUSED ENTIRELY OR IN PART BY ANY ACTS OR FAILURES TO ACT, INCLUDING BUT NOT LIMITED TO NEGLIGENCE, MISTAKE, OR FAILURE TO ENFORCE, SUPERVISE OR MAINTAIN.

I assure the Village that there are no health-related reasons or problems that may preclude or restrict my participation in this activity. I further assure the Village that I have adequate health and liability insurance necessary to provide for and pay any medical costs or property damage that may directly or indirectly result from my participation in this activity, and I will indemnify and hold the Village harmless for any such medical costs or property damage. I understand that this Release means I am giving up, among other things, rights to sue the Village, its Board of Trustees, employees and/or agents for injuries (including death), damages, or losses I may incur or cause. I also understand that this Release binds my heirs, executors, administrators, and assigns, as well as myself.

I HAVE READ THIS ENTIRE RELEASE, I FULLY UNDERSTAND IT, AND I AGREE TO BE LEGALLY BOUND BY IT.

DATED: _____, 200____. _____

(Operator's Signature)

(Printed Name)

(Address)

WITNESS:

(Signature)

(Printed Name)

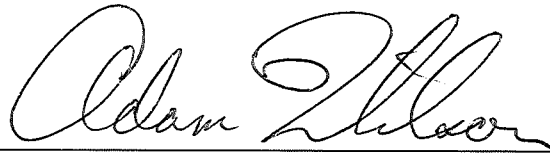
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GOLF CARTS/NEIGHBORHOOD VEHICLES ON STREETS UNDER THE
JURISDICTION OF THE
VILLAGE OF BRADFORD, ILLINOIS

PASSED by the Corporate Authorities on August 5, 2013

Approved

August 5, 2013



President of Village of Bradford
Bradford, Stark County, Illinois

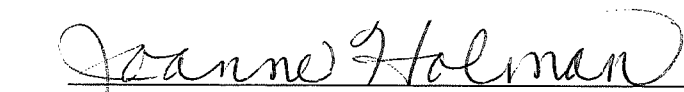
AYES: John Cler, Tony Carlton, Robin Lindner,
Shane Brown, Shaun Stiltz, and Henry Waldinger

NAYS: NONE

ABSENT: NONE

RECORDED in the Village Records on August 5, 2013

ATTEST:



Village Clerk
Village of Bradford, Stark County, Illinois