

ORDINANCE NO. 15/16-04

AN ORDINANCE AUTHORIZING THE OPERATION OF QUALIFIED
UNLICENSED PERSONAL VEHICLES ON STREETS
UNDER THE JURISDICTION OF THE VILLAGE OF BRADFORD, ILLINOIS

WHEREAS, the Village of Bradford has determined that the operation of qualified unlicensed personal 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 unlicensed personal 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 unlicensed personal vehicles, 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 unlicensed personal 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. **Unlicensed personal vehicles**, as defined and qualified herein shall be allowed on city streets under the conditions as stated herein.
- B. **Definitions:**
 1. An unlicensed personal 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 or handle bar and not capable of exceeding Village speed limits. Examples include but are not limited to, ATV, UTV, "Side by Side", snowmobile, and golf carts.
 2. "Village Streets" means any of the streets within the boundaries of the Village of Bradford, Illinois.
- C. **REQUIREMENTS**

All persons wishing to operate an unlicensed personal 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 and be visible at all times.
 4. Must have a current, valid Illinois driver's license and be over the age of 18.
 5. Vehicles must be equipped as follows:

- a. Brakes and brake lights;
 - b. Tires;
 - c. Rearview mirror;
 - d. Approved "slow moving vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - e. Red reflector warning device in the front and a red reflector warning device in the rear;
 - f. Headlights that emit a white light visible from a distance of 500 feet to the front which must illuminate when in operation;
 - g. Tail lamps that emit a red light visible from at least 100 feet from the rear which must be illuminated when in operation;
 - h. 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. Vehicle must NOT exceed Village speed limits and must observe posted speed limits. Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500-110-502)
 9. An unlicensed personal vehicle may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation with the exception for the purpose of crossing the road at a 90° angle.
 10. All riders and passengers must wear eye protection at all times while operating a vehicle.
 11. The owner of golf cart, ATV, etc. will be ticketed as well as the person operating the vehicle at the time of the offense.

D. PERMITS

1. No person shall operate a qualified 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 (January 1 to December 31). The cost of the permit is \$35.00. 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. Photocopy of applicable liability insurance coverage card; specifically for the vehicle to be operated pursuant to the permit;
 - e. Photocopy of valid driver's license; and
 - f. 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 an unlicensed personal 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 the permittee cannot safely operate an unlicensed personal vehicle on the designated roadways.

E. VIOLATIONS

Any person who violated 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, plus Court costs normally assessed by the Stark County Circuit Court. 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 23rd day of September, 2015.

VILLAGE OF BRADFORD, ILLINOIS

By: *Renus Waldinger*
President

Diana Cobb
Village Clerk