
ORDINANCE NO. 2013-14-24

**AN ORDINANCE AMENDING THE JOHNSBURG
MUNICIPAL CODE TO PROVIDE FOR THE OPERATION
OF NON-HIGHWAY VEHICLES ON CERTAIN VILLAGE STREETS**

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT THEIR REGULAR MEETING ON DECEMBER 16, 2013
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

John Huemann
Mary Lou Hutchinson
Rich Janusz
Greg Klemstein
Kevin McEvoy
Janice Sisk

Village Administrator

Claudett E. Peters

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BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: Chapter 15, Traffic, of the Johnsburg Municipal Code shall be amended to add Section 15.16, which shall read as follows:

15.16 OPERATION OF NON-HIGHWAY VEHICLES ON VILLAGE STREETS

- A. Definitions: For the purposes of the Section, non-highway vehicle means a motor vehicle not specifically designed to be used on a public highway, including:
1. A golf cart as defined by Section 625 ILCS 5/123.9;
 2. A recreational off-highway vehicle as defined by 625 ILCS 5/1-168.8.
- B. Permitted Streets: Subject to the provisions of this Section, the operation of non-highway vehicles shall be permitted on all the streets within the Village's corporate boundaries which are under the jurisdiction of the Village with the exception of Johnsburg Road, Ringwood Road or any County Roads.
- C. Operation Regulations: Where authorized, the operation of a non-highway vehicle is subject to the following:
1. A non-highway vehicle shall be subject to inspection by the Police Department prior to being operated on any of the permitted streets. An annual inspection fee of \$50.00 shall be assessed for each non-highway vehicle.
 2. A non-highway vehicle may only be operated on streets where the posted speed limit is 35 miles per hour or less.
 3. A non-highway vehicle may cross a designated street at an intersection where the street has a posted speed limit of more than 35 miles per hour.
 4. A person may not operate a non-highway vehicle upon any street in the Village unless he or she has a valid driver's license issued in his or her name by the Secretary of State or by a foreign jurisdiction.
 5. The operator shall yield the right of way to all pedestrian and vehicular traffic which constitutes a hazard.

6. The operation of the non-highway vehicle shall be in compliance with the provisions of the Illinois Vehicle Code (Act 5, Chapter 625 of the Illinois Compiled Statutes, as amended).

- D. Vehicle Equipment: No non-highway vehicle may be operated on a roadway unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in 625 ILCS 5/12-709) on the rear of the non-highway vehicle, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from at least 100 feet from the rear, brake lights, and turn signals. When operated on a roadway, a non-highway vehicle shall have its headlight and tail lamps lighted as required by 625 ILCS 5/12-201.
- E. Driving Under the Influence: A person who drives or is in actual physical control of a non-highway vehicle while under the influence shall be subject to 625 ILCS 5/11-500 through 5/11-502.
- F. Insurance: Any person who operates a non-highway vehicle in the Village shall be subject to the mandatory insurance requirements in 625 ILCS 5/7-601 *et seq.*
- G. Penalty: Any person, firm or corporation violating any provision of this Section 15.16 shall be fined not more than a Class C and be responsible for the Villages cost of prosecution including reasonable attorney fees.

SECTION 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

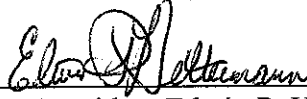
Voting Aye: Trustees Huemann, Hutchinson, Janusz, Klemstein, McEvoy and Sisk

Voting Nay: None

Abstain: None

Absent: None

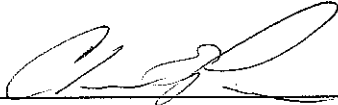
APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:



Village Clerk Claudett E. Peters

Passed: December 16, 2013

Approved: December 16, 2013

Published: December 16, 2013

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CERTIFICATION

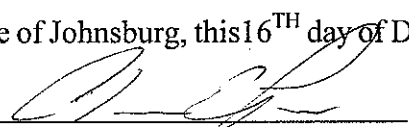
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 16TH day of December, 2013, the foregoing Ordinance entitled *An Ordinance Amending the Johnsburg Municipal Code to Provide for the Operation of Non-Highway Vehicles on Certain Village Streets*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2013-14-24, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 16TH day of December, 2013, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 16TH day of December, 2013



Claudett E. Peters, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)