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**ORDINANCE NO. 2016-17-03**

**AN ORDINANCE AMENDING CHAPTER 15.16 OF THE JOHNSBURG  
MUNICIPAL CODE RELATED TO THE OPERATION  
OF NON-HIGHWAY VEHICLES ON CERTAIN VILLAGE STREETS**

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT A SPECIAL MEETING ON MAY 3, 2016

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

Tom Curry  
Kyle Frost  
John Huemann  
Mary Lou Hutchinson  
Greg Klemstein  
Kevin McEvoy

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. A fee of \$50.00 shall be assessed for the initial application/inspection of each non-highway vehicle followed by an annual re-inspection fee of \$510.00 shall be assessed for the same vehicle each year thereafter.
  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: Trustee Huemann, Klemstein, Curry, McEvoy and Hutchinson

Voting Nay: None

Abstain: None

Absent: Trustee Frost

APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:



Village Clerk Claudett E. Peters

Passed: May 3, 2016

Approved: May 3, 2016

Published: May 3, 2016

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## CERTIFICATION

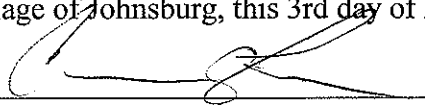
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 3rd day of, 2016, the foregoing Ordinance entitled *An Ordinance Amending Chapter 15.16 of the Johnsburg Municipal Code related to 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. 16-17-03, 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 3rd day of May, 2016 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 3rd day of May, 2016

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

(SEAL)