

ORDINANCE NO. 2014-7

**AN ORDINANCE REGULATING NON-HIGHWAY VEHICLE USE
ON THE ROADWAYS WITHIN THE VILLAGE OF SOUTH WILMINGTON,
GRUNDY COUNTY, ILLINOIS**

WHEREAS, the Village of South Wilmington is authorized to regulate the use of their streets and highways (65 ILCS 5/11-1426.1); and

WHEREAS, pursuant to the Illinois Vehicle Code, non-highway vehicles are not permitted to operate on the streets within the Village of South Wilmington, unless the Village of South Wilmington by Ordinance permit the operation of such non-highway vehicles on the roadways under their jurisdiction (625 ILCS 5/11-1426.1(B)); and

WHEREAS, as required by 625 ILCS 5/11-1426.1(C), the Village has determined that allowing non-highway vehicles on public streets will not jeopardize public safety. In reaching this conclusion, the Village of South Wilmington has considered the volume, speed and character of traffic on its roadways; and

WHEREAS, the South Wilmington Village Council has determined that it is in the public interest to allow the operation of properly equipped non-highway vehicles on roadways under the jurisdiction of the Village having a posted speed limit of 35 M.P.H. or less in accordance with the Illinois Vehicle Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF SOUTH WILMINGTON, ILLINOIS, AS FOLLOWS:

1. That the above recitals and findings are true and correct and are hereby incorporated into this Ordinance as though fully set forth herein.

2. That Non-Highway vehicles shall be regulated as follows:

OPERATION OF NON-HIGHWAY VEHICLES.

A. For the purposes of this Section, non-highway vehicles shall have the same definition contained in the Illinois Vehicle Code (625 ILCS 5/11-1426.1(a)).

B. Non-highway vehicles shall be allowed to operate within the Village of South Wilmington on all streets with speed limits of 35 M.P.H. or less. However, no person operating a non-highway vehicles shall make a direct crossing upon or across any toll road, interstate highway, or controlled access highway in the Village.

C. No individual shall operate a non-highway vehicle within 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.

D. Any person who operates a non-highway vehicle on the streets of the Village of South Wilmington shall be subject to mandatory insurance requirements under Article VI of Chapter 7 of the Illinois Vehicle Code.

E. Non-highway vehicles must be properly equipped in order to be operated on the streets of the Village of South Wilmington. Equipment shall include but not be limited to:

- Brakes
- a steering apparatus
- tires
- a rear view mirror
- red reflectorized warning devices in the front and rear
- a slow moving emblem on the rear of the vehicle
- a headlight that emits white light visible from a distance of five hundred feet (500') to the front
- a tail lamp that emits a visible from at least one hundred feet (100') from the rear
- brake lights
- turn signals

F. A person who drives or is in physical control of a non-highway vehicle on the roadway while under the influence is subject to Sections 11-500 through 11-502 of the Illinois Vehicle Code.

G. Any person violating the provisions of this Section shall be fined not less than one hundred dollars (\$100.00) nor more than seven hundred-fifty (\$750.00) dollars for each offense.

3. In the event any Section, Paragraph, sentence, clause or phrase of this Ordinance is declared invalid or unconstitutional for any reason, the remainder of this Ordinance shall not be affected thereby and shall remain in full force and effect.

4. This Ordinance shall be effective from and following its passage and approval as required by law.

5. The South Wilmington Village Clerk is authorized and directed to publish a true and correct copy in pamphlet form for not less than ten (10) days and shall complete a certificate of posting consistent therewith.

6. Any Ordinances or Resolutions inconsistent with the terms and the provisions hereof are hereby repealed and revoked to the extent of any such inconsistency.

PASSED AND APPROVED THIS 13th DAY OF AUGUST, 2014.

Ayes 6
Nays 0
Pass 0
Absent 0



RICK ALDERSON, Mayor

ATTEST:

(SEAL)



TERRY SCHULTZ, Village Clerk