

~~Ordinance No. 11-1~~

CITY OF WYOMING,
Stark County, Illinois

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS
FOR THE USE OF GOLF CARTS/NON-HIGHWAY VEHICLES,
TITLE 9, CHAPTER 11, OF THE CITY CODE OF THE CITY OF WYOMING

WHEREAS, the City Council has considered in open session the addition to the City Code of a provision permitting the use of Golf carts and Non-Highway Vehicles on the public streets and roads in the City of Wyoming;

NOW, THEREFORE, BE IT ORDAINED By The City Council of the **CITY OF WYOMING, STARK COUNTY, ILLINOIS**, As Follows:

SECTION ONE. Title 9, Chapter 11, is hereby added to the City Code and shall read as follows:

Chapter 11
GOLF CARTS/NON-HIGHWAY VEHICLES

9-11-1 Policy Statement.

This ordinance is adopted in the interest of public safety. Golf carts and Non-Highway Vehicles are not designed or manufactured to be used on public streets and roads, and the City of Wyoming in no way advocates or endorses their operation on streets or roadways. The City, by regulating such operation, is merely addressing safety issues. This ordinance is not to be relied upon as a determination that operation on streets is safe or advisable even if done in accordance with this ordinance. All persons operating golf carts and Non-Highway Vehicles must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and other pedestrians. All persons who operate or ride golf carts and Non-Highway Vehicles on streets inside the City of Wyoming do so at their own risk and peril. The City of Wyoming has no liability by adopting this ordinance permitting golf carts and Non-Highway Vehicles to be operated on the streets of the City under any theory of liability.

Nothing in this Ordinance designates the operation of a non-highway vehicle as an intended or permitted use of property with respect to Section 3-102 of the Local Governmental and Governmental Employees Tort Immunity Act.

9-11-2 Rules and Regulations.

Golf Carts and Non-Highway Vehicles may only be operated on streets within the City of Wyoming in accordance with the following rules and regulations:

- A. Any person who operates a golf cart or Non-Highway Vehicle in the City of Wyoming takes full responsibility for all liability associated with operating a golf cart or Non-Highway Vehicle.

- B. Any person who operates a golf cart or Non-Highway Vehicle must be at least twenty-one (21) years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
- C. No person shall operate, and no owner shall permit another person to operate a golf cart or Non-Highway Vehicle on a City street unless: (1) the golf cart or Non-Highway Vehicle is covered by a liability insurance policy as required by Section 7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601); and (2) the operator of the golf cart or Non-Highway Vehicle carries with him proof of liability insurance as required by Section 7-602 of the Illinois Vehicle Code (625 ILCS 5/7-602).
- D. No person shall operate a golf cart or Non-Highway Vehicle on a City street in excess of the posted speed limits.
- E. Golf carts or Non-Highway Vehicles may not be operated on State Highway 91 or State Highway 17 except to cross said highway at intersections, in a path ninety (90) degrees or as direct as possible across said highway, to the nearest intersecting street.
- F. Golf carts and Non-Highway Vehicles shall have their headlights and taillights lighted at all times when operated on City streets.
- G. Golf carts and Non-Highway Vehicles may not be operated when visibility is impaired by weather, smoke, fog, or other conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of five hundred (500) feet.
- H. Golf carts and Non-Highway Vehicles may not be operated on the sidewalk.
- I. Golf cart and Non-Highway Vehicle drivers must yield the right-of-way to overtaking vehicles at all times.
- J. Any person who operates a golf cart or Non-Highway Vehicle on the streets of the City of Wyoming must adhere to all applicable state laws concerning the possession and use of alcoholic beverages and all illegal drugs, as well as all other state traffic laws.
- K. The maximum occupancy of golf carts and Non-Highway Vehicles traveling on City streets shall be equal to the amount of safety belts or passenger restraints in the golf cart or Non-Highway Vehicle.
- L. Each driver and passenger of a golf cart or Non-Highway Vehicle shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the Child Passenger Protection Act (625 ILCS 25/1 et seq.).
- M. Golf carts and Non-Highway Vehicles are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicapped parking sticker.
- N. The operator of a golf cart or Non-Highway Vehicle shall obey all ordinances of the City of Wyoming and all provisions of the Illinois Vehicle Code, as amended from time to time, including without limitation the provisions of 625 ILCS 5/11-1426.1.

9-11-3 REQUIRED EQUIPMENT.

A golf cart or Non-Highway Vehicle operated on a City street shall have the following equipment in good working condition at all times:

- A. Brakes.
- B. Steering apparatus.
- C. Tires.
- C. Rearview mirror.
- D. A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear.

- E. Headlights that emit white light visible from at least five hundred feet to the front.
- F. Tail lights that emit red light visible from at least one hundred (100) feet from the rear.
- G. Brake lights on the rear.
- H. Turn signals on the front and rear.
- I. Seat belts for each passenger.
- J. A yellow flashing light visible for at least one hundred (100) feet from the rear of the vehicle, if operated between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise.

9-11-4 PERMITS.

- A. No person shall operate a motorized golf cart or Non-Highway Vehicle without obtaining a permit from the City of Wyoming Police Department as provided in this section.
- B. Permits shall be granted for a period of one (1) year and may be renewed annually on May 1st of each year.
- C. The annual cost of a permit is \$40.00 per golf cart or Non-Highway Vehicle, prorated quarterly after May 1 for an initial permit, to cover the costs of implementing and maintaining this ordinance, and shall be paid to the City of Wyoming by the applicant.
- D. Insurance coverage shall be verified as in effect by the Police Department when issuing or renewing a permit.
- E. After completion of the application and payment of the requisite fee, the applicant shall present the golf cart or Non-Highway Vehicle to the Chief of Police, or his designee, for an inspection to determine whether the golf cart or Non-Highway Vehicle may be operated on a City street. If the applicant and golf cart or Non-Highway Vehicle are qualified under the terms and conditions of this ordinance, a license shall be issued to the applicant which must be kept on the vehicle at all times. The Police Department shall issue a sticker as visible proof of compliance, which shall be valid for a period of one (1) year from the date of registration, and which must be displayed on the "slow moving" emblem located at the rear of the golf cart or Non-Highway Vehicle at all times.
- F. Golf cart or Non-Highway Vehicle owners must complete the attached permit application form as shown on Exhibit A attached hereto. The completed forms will be maintained by the City of Wyoming Police Department.

9-11-5 ENFORCEMENT.

- A. The City of Wyoming may prosecute violators for any act constituting a violation of this Ordinance. Any person who violates any provisions of this ordinance shall be guilty of a petty offense and shall be punished by a fine of not less than \$50.00 and not more than \$250.00, unless otherwise specified elsewhere in the City Code, plus costs of prosecution.
- B. The license of an operator of a golf cart or Non-Highway Vehicle issued pursuant to this ordinance may be suspended by the Chief of Police, or his designee, if (1) there is any material misrepresentation made by the applicant on the application or (2) the required liability insurance is no longer in full force and effect or (3) there is evidence that the license holder can no longer safely operate the golf cart or Non-Highway Vehicle or (4) for any reason that he feels is appropriate to insure the safety and well-being of the citizens of the City of Wyoming.
- C. The Chief of Police, or his designee, shall issue a notice of suspension of a license in

writing and either hand deliver the notice to the license holder or send the notice by certified mail to the license holder at the address on the application. The suspension of a license shall be effective immediately after personal service, or on the third day after the post mark of the certified mail receipt.

- D. Upon investigation by and the recommendation of the City of Wyoming Police Department, the City Council may suspend or revoke a permit granted hereunder upon a finding that there is evidence that the Permittee cannot safely operate the golf cart or Non-Highway Vehicle on City Streets.
- E. Repeat offenders may have the privileges granted by this Article revoked by the City Council of the City of Wyoming upon recommendation by the City of Wyoming Police Department.

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION THREE. This Ordinance shall be in full force and effect ten days after its passage and publication as provided by law.

PASSED and APPROVED by the Mayor and the City Council of the CITY OF WYOMING, Illinois, this 8 day of September, A.D. 2015.

Ayes: 4

Nays: -0-

Absent: 1

Approved:


Mayor

ATTEST:


City Clerk

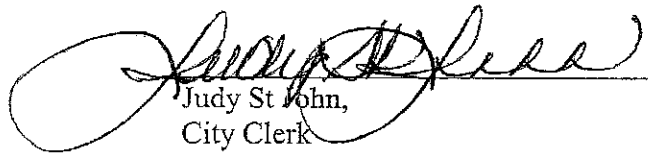
CERTIFICATION

STATE OF ILLINOIS,)
COUNTY OF STARK,) SS.
CITY OF WYOMING.)

I, JUDY St JOHN, Clerk of the **CITY OF WYOMING**, in the County of Stark and State of Illinois, do hereby Certify that the attached and foregoing Ordinance entitled "AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR THE USE OF GOLF CARTS/NON-HIGHWAY VEHICLES, TITLE 9, CHAPTER 11, OF THE CITY CODE OF THE CITY OF WYOMING" is a true and accurate copy of said Ordinance passed and approved by the Mayor and the Aldermen of the City of Wyoming, on the 8 day of September A.D. 2015, after a Public Hearing held thereon.

Dated this 8 day of September A.D. 2015.

(CORPORATE SEAL)



Judy St John,
City Clerk

Exhibit A

PERMIT APPLICATION FORM

TO: City of Wyoming
108 East Williams Street
Wyoming, IL 61491

APPLICATION FOR GOLF CART/NON-HIGHWAY VEHICLE LICENSE

1. Name of Applicant: _____
2. Address of Applicant: _____
3. Is the Applicant the owner of the golf cart/Non-Highway Vehicle? Yes No (check one)
4. Date of Birth of Applicant: _____
5. Does the Applicant have a valid Illinois driver's license? Yes No (check one)
Driver's license number: _____
6. Does Applicant have liability insurance on the golf cart/Non-Highway Vehicle (check one)
7. Name, address and phone of insurance company: _____

Policy number: _____

Attach photocopy of your insurance card to the application.

Applicant, please attach to the application a check in the amount of \$ _____ made to the order of the City of Wyoming as the license fee.

Dated this ____ day of _____, 20 ____.

I have received, read and understand the Golf Cart/Non-Highway Vehicle Ordinance. I acknowledge and agree that I will assume ALL liability, and am fully responsible for the operation of the above vehicle. I also acknowledge and agree that the City of Wyoming, in authorizing and providing regulations, is in no way endorsing said operation, and does not and will not assume any liability in said operation.

I AGREE TO INDEMNIFY AND HOLD HARMLESS THE City OF Wyoming, for any and all liability arising from said operation. I further acknowledge and agree that the City interpretation of said Ordinance is final and that I will obey all regulations in said Ordinance.

Signature of Applicant: _____

APPROVED: _____

City of Wyoming Police Department:

Inspected and approved this ____ day of _____, 20 ____.

License Sticker #: _____

Ordinance No. 10/11- 8

CITY OF WYOMING,
Stark County, Illinois

COPY

AN ORDINANCE Amending the Regulation of Nuisances in the
CITY OF WYOMING, Stark County, Illinois.

WHEREAS, the City Council has considered in open session amendment of the regulation of nuisances in the City;

AND, WHEREAS, the City Council has determined that in order to protect public health and safety, and the property rights of citizens, modification of the Nuisance Ordinance is necessary;

NOW, THEREFORE, BE IT ORDAINED By The City Council of the **CITY OF WYOMING, STARK COUNTY, ILLINOIS**, As Follows:

SECTION ONE. That Title 6, Chapter 6, Section 4, Para. Q is added to the City Code to read and shall be as follows:

6-6-4 (Q): Swimming Pools.

- (1) It is hereby declared a nuisance to maintain a swimming pool in the City unless the same shall comply with this Paragraph.
- (2) Every owner, purchaser under contract, lessee, tenant or licensee of land within the city upon which is situated a private outdoor swimming pool shall at all times maintain, on the lot or premises upon which such private swimming pool is located, a fence or other structure completely surrounding such pool, not less than four (4) feet in height, with no gaps or apertures, other than doors or gates, with any dimensions greater than one and one-half (1 1/2) inches. All gates or doors opening through such fence or enclosure shall be equipped with self-closing and self-latching devices placed at the top of such gates or doors and made inaccessible to small children.
- (3) Such devices shall be so designed as to be capable of keeping such doors or gates securely locked at all times when not in use; however, the door of any dwelling forming a part of the enclosure need not be so equipped.
- (4) The aboveground pool structure may serve as a barrier or a barrier may be mounted on top of the pool structure, in either case only if it meets the requirements of this Section; however, where the means of access is a ladder or steps:
 - a. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

b. The ladder or steps shall be surrounded by a barrier which meets the requirements of this Section.

(5) The City may allow modifications in individual cases upon showing of good cause with respect to the height, nature or location of the fence, wall, gates or latches, or the necessity therefor, provided the protection as sought hereunder is not reduced thereby.

(6) Temporary soft-sided pools less than three (3) feet in height are exempt from the requirements of this Paragraph.

(7) PENALTY shall be as set forth in this Chapter.

SECTION TWO. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION THREE. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

SECTION FOUR. This Ordinance shall be in full force and effect ten days after its passage and publication as provided by law.

PASSED and APPROVED by the Mayor and the City Council of the CITY OF WYOMING, Illinois, this 8 day of February, A.D. 2018.

Ald. Joe Sallip, Steve Wanel, Bruce Kallup
Ayes: Gray, Pepper, Wanel, Warden, Carlisle, Hardy

Nays: -0-

Absent: -0-

Approved: Pat Walker
Mayor

ATTEST:
Heidi [Signature]
City Clerk