



FREMONT TOWNSHIP ROAD DISTRICT ORDINANCE NO. 9-2-20

AN ORDINANCE PERMITTING GOLF CARTS AND NEIGHBORHOOD VEHICLES TO BE OPERATED ON PUBLIC ROADWAYS WITHIN THE OAK TERRACE SUBDIVISION

WHEREAS, on September 2, 2020 the Highway Commissioner of the Fremont Township Road District, Lake County Illinois, passed Ordinance No. 9-2-20, An Ordinance Approving Special Use Permit for the Oak Terrace Subdivision (the "PUD Ordinance"); and

WHEREAS, the Oak Terrace Subdivision (the "Subdivision") is legally described on Exhibit A attached to the PUD Ordinance which is incorporated herein by this reference thereto; and

WHEREAS, all roads within the Subdivision are public roads under the jurisdiction of the Fremont Township Road District ("Township Roads"); and

WHEREAS, Section 3B of the PUD Ordinance provides for the use of golf carts on public roads within the Subdivision, subject to approval by the Township Highway Commissioner, and traffic control measures applicable to the use of such golf carts; and

WHEREAS, the Subdivision is adjacent to Diamond Lake; and

WHEREAS, among other things, the operation of golf carts on public streets and roads is regulated by Illinois Statute. i.e. 625 ILCS 5/ 11-1426.1; and

WHEREAS, 625 ILCS 5/11-1426.1 also regulates the operation of neighborhood vehicles on public streets and roads; and

WHEREAS, 625 ILCS 5/ 1-1426.1 (b) provides that, except as otherwise provides therein, it shall be unlawful for any person to drive or operate any golf cart or neighborhood vehicle upon any public street, highway, or roadway in the State of Illinois; and

WHEREAS, 625 ILCS 5/1-123.9 defines "golfcart" as a vehicle specifically designed and intended for the purpose of transporting one or more persons and their golf clubs or maintenance equipment while engaged in playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course; and

WHEREAS, 625 ILCS 5/1-148.3 defines "neighborhood vehicle" as a self-propelled, electric-powered, four wheeled motor vehicle (or a self-propelled, gasoline-powered, four-wheeled motor vehicle with an engine displacement under 1200 cubic centimeters) that is capable of attaining in one mile a speed of more than 20 miles per hour, but not more than 25 miles per hour, and which conforms to federal regulations under Title 49 C.F.R. Part 571.500; and

WHEREAS, 625 ILCS 5/11-1423.1 (e) provides that no golf cart or neighborhood vehicle may be operated on a public roadway unless, 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 at the rear of the golf cart or neighborhood vehicle (as required of other vehicles in Section 12-709 of the Illinois Vehicle Code), a headlight that emits a red light visible from at least 100 feet from the rear, brake lights and turn signals and, when operated on a roadway, a golf cart or neighborhood vehicle shall have its headlights and tail lamps lighted as required by Section 12-201 of the Vehicle Code; and

WHEREAS, 625 ILCS 5/11-1423.1(f) provides that a person who drives or is its actual physical control of a golf cart or a neighborhood vehicle on a public roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Vehicle Code; and

WHEREAS, 625 ILCS 5/11-1426(d) provides that, a township may authorize by ordinance or resolution, the operation of golf carts and neighborhood vehicles on public roadways under its jurisdiction and before doing so, the Township must consider the volume, speed and character of traffic on the roadway and determine whether golf carts and neighborhood vehicles may safely travel or cross the roadways; and

WHEREAS, the Fremont Township Highway Commissioner has considered that there is a speed limit of 25 mph or less on the Township Roads within the Subdivision and the character and volume of traffic within the Subdivision is light; and

WHEREAS, based thereon, the Highway Commissioner of Fremont Township has determined that golf carts and neighborhood vehicles may operate safely on Subdivision Roads within the Subdivision in accordance with 625 ILCS 5/11-1426.1

NOW, THEREFORE, BE IT ORDAINED BY THE HIGHWAY COMMISSIONER OF THE FREMONT TOWNSHIP ROAD DISTRICT, LAKE COUNTY, ILLINOIS that:

SECTION I.

Golf carts and neighborhood vehicles are permitted to be operated on the Township Roads within the Subdivision in accordance with 625 ILCS 5/ 11 -14 26.1 and as provided herein.

SECTION II.

In accordance with 625 ILCS 5/11-1426.1 golf carts and neighborhood vehicles operated on Township Roads within the Subdivision shall meet the following standards:

- A. No golf cart or neighborhood vehicle may be operated on a Township Road within the Subdivision 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 on the rear of the golf cart or neighborhood vehicle (as required of other vehicles on Section 12- 709 of the Illinois Vehicle Code), 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.
- B. When operated on a Township Road, a golf cart or neighborhood vehicle must always have its headlight and tail lamps lighted as required by Section 12-201 of the Illinois Vehicle Code.
- C. Mandatory insurance requirements as required by Article VI of Chapter 7 of the Illinois Vehicle Code must be in full force and effect for golf carts and neighborhood vehicles operating on Township Roads within the Subdivision.
- D. Golf carts and neighborhood vehicles, which are operated on Township Roads within the Subdivision, must observe posted speed and warning signage, traffic control devices and other safety rules of operation specified in the Illinois Vehicle Code applicable to licensed motor vehicles.
- E. A person shall not operate a golf cart or neighborhood vehicle on Township Roads within the Subdivision unless he or she has a valid driver's license issued in his or her name by the Secretary of State.
- F. A person who drives or is in physical control of a golf cart or neighborhood vehicle on a Township Road within the Subdivision while under the influence is subject to Section 11-500 through 11-501 of the Illinois Vehicle Code.

SECTION III.

Upon the passage of this Ordinance, the Township Clerk shall deliver a certified copy thereof to the Oak Terrace Improvement Association (the "Association"). It shall be the responsibility of the Township to install signage at various locations within the Subdivision notifying residents that golf carts and neighborhood vehicles may be operated on Township Roads within the Subdivision only in accordance with this Township Ordinance.

SECTION IV.

Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than ten dollars or more than five hundred dollars for each offense.

SECTION V.

The Ordinance shall be in full force and effect from and after its passage, approval, and publication, as required by law.

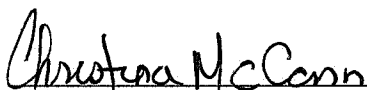
SECTION VI.

This Ordinance shall be available at the Township Clerk's Office.

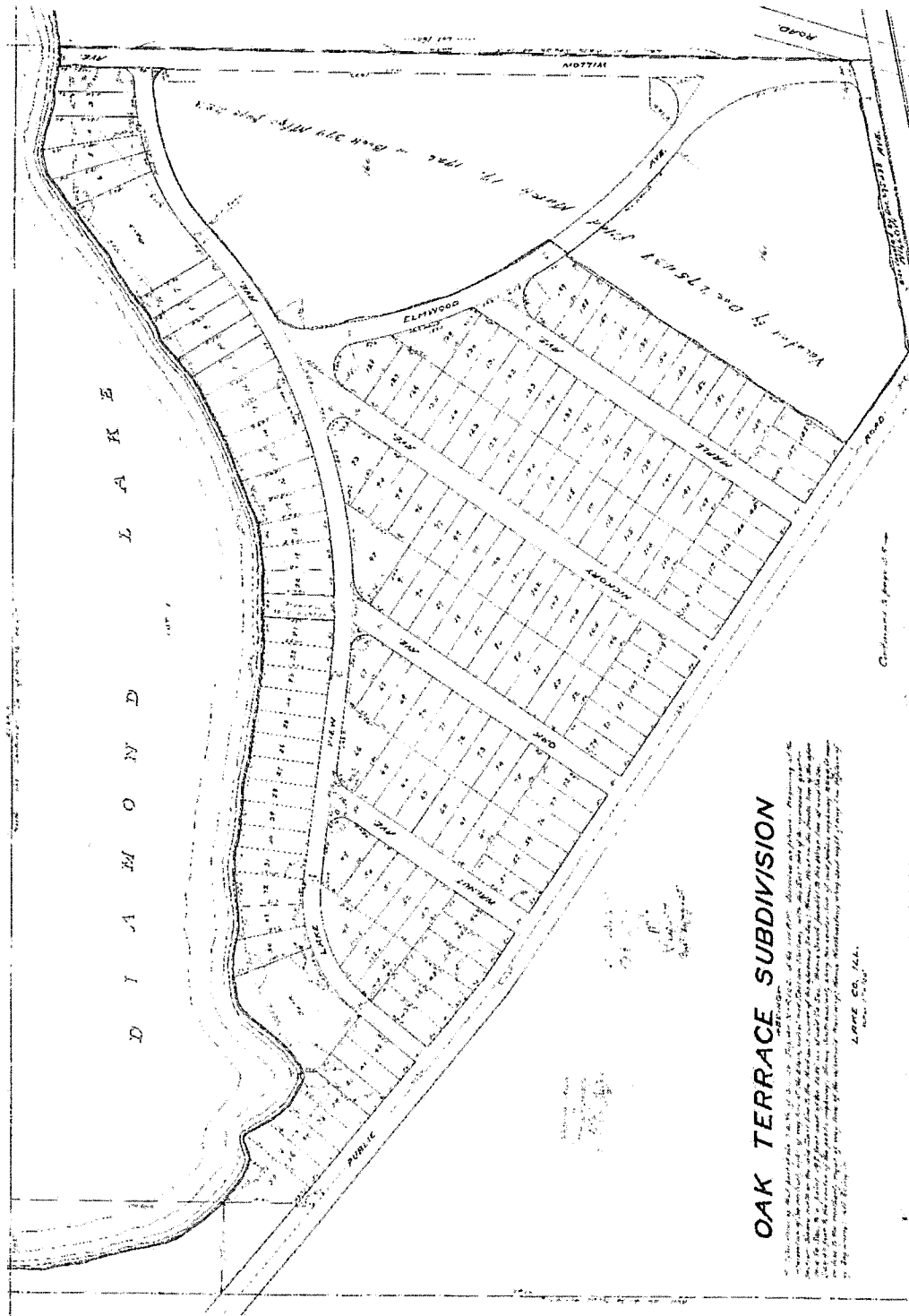
The foregoing ordinance was adopted by the Fremont Township Highway Commissioner, Alicia Dodd, September 2, 2020.



Alicia Dodd, Highway Commissioner

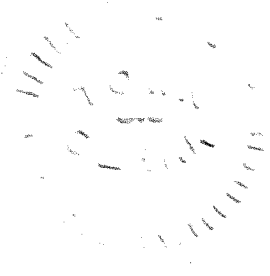
Attest: 
Christina McCann, Clerk

POSTED: September 2, 2020





SEAL:



DATE: 9/2/00