

CITY OF NEOGA

533 Chestnut Ave
Neoga, IL 62447

APPLICATION FOR NEIGHBORHOOD VEHICLE PERMIT

Name of applicant: _____

Address of applicant: _____

Phone Number: _____

Is the applicant the owner of the neighborhood vehicle? ____ Yes ____ No

Neighborhood vehicle description:

Make _____ Model _____ Year _____

VIN # _____

Date of birth of the applicant: _____

Applicant driver's license number: _____

Name, address, & phone number of liability insurance company:

(Photocopy of insurance card must be provided)

A \$75 annual fee (March 1 – February 28th of each year) should accompany this application. The city accepts cash, or checks payable to the City of Neoga. Applicant understands that this fee must be paid before the permit and license will be issued.

Date: _____

Signature: _____

ARTICLE VIII. - NEIGHBORHOOD VEHICLES

Footnotes:

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Editor's note— Ord. No. 875-01-16, § II, adopted January 11, 2016, amended the Code by repealing former art. VIII, §§ 78-201—78-218, and adding a new art. VIII. Former art. VIII pertained to similar subject matter, and derived from Ord. No. 789-06-2009, adopted June 1, 2009; and Ord. No. 840-11-2012, adopted November 13, 2012.

Sec. 78-201. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Non-highway vehicle shall mean a motor vehicle not specifically designed to be used on a public highway, including:

- (1) A golf cart, as that term is defined in section 1.123.9 of the Illinois Vehicle Code; and,
- (2) A recreational off-highway vehicle, as that term is defined in section 1-168.8 of the Illinois Vehicle Code.

Anything contained in this article to the contrary notwithstanding, for purposes of this article, the term "non-highway vehicle" shall not include any four-wheeler, three-wheeler or other similar type of all-terrain vehicle. Furthermore, the term "non-highway vehicle" shall not include an off-highway motorcycle, as that term is defined in section 1-153.1 of the Illinois Vehicle Code.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-202. - Operation on streets and alleys.

- (a) Non-highway vehicles may be operated on those streets under the jurisdiction and control of the city, subject to the requirements and regulations of this article.
- (b) Except as provided in section 78-203, it shall be unlawful to operate a non-highway vehicle on:
 - (1) U.S. Route 45 (Oak Avenue);
 - (2) 6th Street west of Chestnut; and,
 - (3) Walnut north of 6th Street.
- (c) It shall be unlawful to operate a non-highway vehicle on any sidewalks or other locations within the corporate limits of the city, except as permitted by this article.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-203. - Permitted crossing.

- (a) Non-highway vehicles shall be permitted to make a direct crossing on U.S. Route 45 (Oak Avenue), but only while traveling on 6th Street east of Chestnut Avenue;
- (b) Non-highway vehicles shall be permitted to make a direct crossing on 6th Street, but only while traveling on Elm Street; and,
- (c) Non-highway vehicles shall be permitted to make a direct crossing on Walnut Avenue, but only while traveling on 7th Street.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-204. - Required equipment.

No non-highway vehicle shall be operated on any street or roadway under the jurisdiction and control of the city, unless the non-highway vehicle is equipped with the following equipment, which must be kept in good working condition at all times:

- (1) Brakes;
- (2) Steering apparatus;
- (3) Tires;
- (4) A rear view mirror;
- (5) A red reflectorized warning device on the front and rear of the non-highway vehicle;
- (6) A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear of the non-highway vehicle;
- (7) A head light that emits white light visible from at least 500 feet to the front of the non-highway vehicle;
- (8) A tail lamp that emits red light visible from at least 100 feet from the rear of the non-highway vehicle;
- (9) Brake lights on the rear of the non-highway vehicle; and,
- (10) Turn signals on the front and rear of the non-highway vehicle.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-205. - Lights.

A non-highway vehicle operated on the streets under the jurisdiction and control of the city shall have the head lights and tail lights illuminated at all times.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-206. - Required seating; passengers.

A non-highway vehicle may transport only the number of passengers for which the specific non-highway vehicle was designed. Every passenger shall sit in a seat that was installed by the manufacturer of the non-highway vehicle. It shall be unlawful for the operator/driver of the non-highway vehicle to transport passengers unless each passenger is in a seat. The operator/driver of the non-highway vehicle shall not transport anyone who is sitting on the lap of a passenger, or in any other location except in a seat.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-207. - Trailers.

It shall be unlawful, while operating a non-highway vehicle on the streets under the jurisdiction and control of the city to pull a trailer or any equipment or device.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-208. - Reserved.

Sec. 78-209. - Sale of registered non-highway vehicle.

If a non-highway vehicle, that has a current permit issued pursuant to the provisions of this article, is sold, the new owner shall sign an ownership transfer form at the city police department, and apply for a new permit pursuant to the provisions of section 78-214.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-210. - Age of operator, license.

No person shall operate a non-highway vehicle on the streets under the jurisdiction and control of the city unless such operator is at least 18 years of age and has a valid driver's license issued by the State of Illinois.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-211. - Hours of operation.

Subject to the requirements and regulations of this article, a non-highway vehicle may be operated on the streets under the jurisdiction and control of the city, 24 hours per day and seven days per week.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-212. - Speed limit.

No person shall operate a non-highway vehicles on the streets under the jurisdiction and control of the city in excess of 20 miles per hour.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-213. - Ordinance and vehicle code obedience.

During the operation of a non-highway vehicles on any street under the jurisdiction and control of the city, the operator of such non-highway vehicle shall obey all applicable rules, regulations, and ordinances of the city, all applicable provisions of the city Code of Ordinances, and the provisions of the Illinois Vehicle Code, 625 ILCS 5/11-100 et seq., as amended from time to time.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-214. - City permit; annual fee.

No person shall operate a non-highway vehicle on the streets under the jurisdiction and control of the city, unless said non-highway vehicle is first permitted by the city. A person desiring to operate a non-highway vehicle on the streets under the jurisdiction and control of the city shall make application for a non-highway vehicle permit with the chief of police or his/her designee, on forms provided by the city. The permit, if issued, shall be valid until February 28 of the following calendar year after issuance. Thereafter, upon renewal, a permit shall be valid for a period of one year from March 1 in the year of renewal to February 28 of the following calendar year after issuance. Prior to the issuance and/or renewal of a non-highway vehicle permit pursuant to this article, a person applying for such a permit, shall pay an annual fee of \$75.00 to the city clerk. Prior to the issuance and/or renewal of a non-highway vehicle permit, an applicant shall also present the non-highway vehicle to the chief of police or his/her designee, for an inspection to determine whether the non-highway vehicle complies with the provisions of this article and may be operated on the streets under the jurisdiction and control of the city. If the chief of police determines that the applicant and the non-highway vehicle comply with the provisions of this article, then the chief shall issue a permit to the applicant.

(Ord. No. 875-01-16, § II, 1-11-16; Ord. No. 920-08-18, § II, 8-27-18)

Sec. 78-215. - Mandatory insurance.

No person shall operate a non-highway vehicle on the streets under the jurisdiction and control of the city, unless:

- (1) The non-highway vehicle is covered by a liability insurance policy as required under 625 ILCS 5/7-601.
- (2)

Every operator of a non-highway vehicle carries with the Non-Highway vehicle evidence of insurance as required by 625 ILCS 5/7-602.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-216. - Release of liability.

No person shall operate a non-highway vehicle on the streets under the jurisdiction and control of the city until they have executed an unconditional and full general release of liability, waiver, discharge, and covenant not to sue and file with same with the city clerk. The unconditional and full general release of liability, waiver, discharge, and covenant not to sue shall be in that form as attached to Ord. No. 875-01-16 as Exhibit A. Exhibit A is not set out herein, but is on file and available for inspection in the office of the city clerk.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-217. - Permit revocation.

- (a) The permit issued pursuant to section 78-214 may be revoked by the chief of police or his/her designee, if:
 - (1) There is any material misrepresentation made by the applicant on the application;
 - (2) The liability insurance required by section 78-215 is no longer in full force and effect;
 - (3) There is evidence, as determined in the sole discretion of the chief of police, or his/her designee, that the permit holder can no longer safely operate the non-highway vehicle; or,
 - (4) There has been a violation of any rules, regulations, and ordinances of the city, or provision of the Illinois Vehicle Code by the permit holder.
- (b) The chief of police or his/her designee, shall issue a notice of revocation of a permit in writing and either hand deliver the notice to the permit holder, or send the notice by certified mail, return receipt required, to the permit holder at the address on the application. The revocation of the permit shall be effective immediately after personal service, or on the third day after the postmark of the certified mail. In the event of revocation of a permit, the permit holder shall not be entitled to the return of any portion of the annual fee.

(Ord. No. 875-01-16, § II, 1-11-16)

Sec. 78-218. - Violations; punishment.

- (a) Any person who violates this any provision of this article, or who aids or abets the violation of any provision of this article shall be guilty of a petty offense punishable by a fine of not less than \$100.00 nor more than \$1,000.00. In addition to any fine, the city may seek injunctive and

declaratory relief directing the violator(s) to cure the violation, and the city may revoke any permit authorized and issued pursuant to this article.

(b) A separate offense shall be deemed to be committed on each day during or on which a violation of any provision of this article occurs or continues.

(c) Any second or subsequent offense of any provision of this article shall result in the revocation of the non-highway vehicle license for a period of not less than three nor more than five years.

(Ord. No. 875-01-16, § II, 1-11-16)

Secs. 78-219—78-230. - Reserved.

