

**CITY OF MASON CITY, ILLINOIS
ORDINANCE NO. 22-11B**

**AN ORDINANCE ALLOWING THE LIMITED OPERATION
OF NON-HIGHWAY VEHICLES
ON STREETS AND ROADWAYS UNDER THE JURISDICTION
OF THE CITY OF MASON CITY,
MASON COUNTY, ILLINOIS
REPEALLING ORDINANCE NO.22-11b
AN ORDINANCE ALLOWING LIMITED OPERATION OF NON-HIGHWAY
VEHICLES SPECIFICALLY GOLF CARTS**

**ADOPTED BY THE
BOARD OF TRUSTEES
OF THE CITY OF MASON CITY
THIS 13TH DAY OF JUNE, 2022.**

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE CITY OF MASON CITY
MASON COUNTY, ILLINOIS
THIS 13TH DAY OF JUNE 2022.**

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VEHICLES SPECIFICALLY GOLF CARTS**

WHEREAS, it is the specific intention of the City Council of the City of Mason City to repeal and replaces Ordinance No22-11B An Ordinance Allowing Limited Operation of Non-Highway Vehicles Specifically Golf Cart on het Streets and Roadwasy of Mason City, Mason County, Illinois; and

WHEREAS, pursuant to 625 ILCS 5/11-1426.1, the State Legislature prohibits the operation of golf carts as defined therein as “non-highway vehicles” on any street, highway, or roadway in the State of Illinois except as otherwise set forth in said statute; and

WHEREAS, 625 ILCS 5/11-1426.1(d) provides that a municipality, township, county, or other unit of local government may authorize, by ordinance or resolution, the operation of “non-highway vehicles” on roadways under its jurisdiction if the unit of government determines that the public safety will not be jeopardized; and

WHEREAS, a golf cart as defined by 625 ILCS 5/1-123.9, are deemed to be a “non-highway vehicle”; and

WHEREAS, a side-by-side (SxS or SSV), also called a utility task vehicle (UTV) or recreational off-highway vehicle (ROV), is a small, 1- to 6-person four-wheel drive off-road vehicle in which multiple users sit next to each other. Different from "all-terrain vehicle"

which is conventionally restricted to four-wheel, straddle-seat vehicles, such that multiple users must sit one in front of the other. Also deemed to be a non-highway vehicle.

WHEREAS, the City of Mason City has determined that the public safety would not be jeopardized by allowing the operation of non-highway vehicles on a limited basis as otherwise set forth herein within the corporate limits of the City of Mason City, Illinois; and

WHEREAS, the City of Mason City has considered the volume, speed, and character of traffic on the streets and roadways as otherwise set forth herein, and it has determined that non-highway vehicles may safely travel on and/or cross the streets and roadways as otherwise set forth in this ordinance.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Mason City, Mason County, Illinois as follows:

SECTION 1: The following shall be adopted and incorporated as part of the City of Mason City, Illinois Municipal Code:

A. Definitions:

For this Ordinance, the following words and terms used in this Ordinance shall have the meanings respectively ascribed to them in this Section:

The City of Mason City, Mason County, Illinois.

1) Streets and Roadways under the Jurisdiction of City of Mason City:

All those streets and roadways located within the corporate boundaries of the City of Mason City, Illinois, and under the jurisdiction of the City of Mason City, Mason County, Illinois including, but not limited to streets, alleys, lanes, courts, boulevards and public thoroughfares.

2) Golf Cart: A vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course. (625 ILCS 5/1-123.9) A golf cart is further defined as a “non-highway vehicle”, as set forth in 625 ILCS 5/11-1426.1.

3) Side-by-Side (SxS or SSV): A vehicle also called a utility task vehicle (UTV) or recreational off-highway vehicle (ROV), is a small, 1- to 6-person four-wheel drive off-road vehicle in which multiple users sit next to each other. Different from "all-terrain vehicle" which is conventionally restricted to four-wheel, straddle-seat vehicles, such that multiple users must sit one in front of the other

B. Prohibition of Use of Golf Carts:

No person shall ride, drive, or operate any non-highway vehicle on any roadway or street located within the corporate limit of the City of Mason City, Illinois, except as specifically set forth herein.

C. Golf Cart Permit:

No non-highway vehicle shall be operated on the City of Mason City streets or roadways unless it is inspected and issued a permit from the City of Mason City. The Chief of Police, and/or his designee, shall be in charge of the inspection. The non-highway vehicle being inspected must meet the specifications as forth in 625 ILCS 5/11-1426.1(e). Those requirements are as follows: No non-highway vehicle may be operated on a roadway unless, at a minimum, it has the following:

1. brakes
2. a steering apparatus

3. tires
4. a rearview mirror
5. horn
6. red reflectorized warning devices in the front and rear
7. a slow-moving emblem (as required of other vehicles in Section 12-709 of this Code) on the rear of the golf cart, a headlight that emits a white light visible from a distance of 500 feet to the front
8. a tail lamp that emits a red light visible from at least 100 feet from the rear
9. brake lights
10. turn signals
11. if equipped the seatbelt must be worn.

The City decal evidencing a permit has been obtained shall always be displayed visually on the non-highway vehicles. When operated on a street or roadway within the City of Mason City, the golf cart shall have its headlights and tail lamps lighted as required by 625 ILCS 5/12-201 entitled "When Lighted Lamps are Required."

Provided the golf cart passes inspection and proof of insurance is provided a permit shall be issued. Regardless of a permit is issued it shall expire at midnight on December 31st each year. The cost of the permit will be \$100.00. Application for the permit shall be made on a form supplied by the City of Mason City, shall be executed by the applicant and each additional operator and shall contain the following:

- a. Name and address of applicant;
- b. Name and address of additional operators;
- c. Name of liability insurance carrier and policy number;
- d. The serial number, make, and model and description of vehicle;
- e. Such other information as the city may require.

D. Driving Under the Influence:

Any person who drives or is in actual physical control of a non-highway vehicle on a roadway as otherwise set forth herein while under the influence is subject to 625 ILCS 5/11-501 through 625 ILCS 5/11-502 of the Illinois Vehicle Code.

E. Any person who drives or is in actual physical control of a non-highway vehicle on a roadway as otherwise set forth herein who transports alcohol in said golf cart is subject to 625 ILCS 5/11-502 of the Illinois Vehicle Code.

F. Compliance with State of Illinois Traffic Code:

Every non-highway vehicle operated as authorized in this Ordinance shall comply with any and all traffic regulations found in Chapter 625 ILCS 5/1-1 et seq of the Illinois Vehicle Code.

G. Mandatory Insurance:

Any person who operates a non-highway vehicle otherwise set forth herein shall be subject to the mandatory insurance requirements under Article 6 of Chapter 7 of the Illinois Vehicle Code (625 ILCS 5/7-601 et seq.), and shall provide proof of such insurance at the time the permit is requested and at the time of each annual renewal.

H. Permitted Streets and Roadways:

Non-highway vehicles shall only be allowed to be operated on those streets and roadways located within the corporate jurisdiction of the City of Mason City and upon which the City of Mason City has jurisdiction of those streets and roadways.

I. Prohibited Non-Highway Vehicles:

This Chapter shall not be deemed to authorize any other non-highway vehicles as defined in 625 ILCS 5/11-1426.1, to be operated on any street or roadways within the corporate boundaries of the City of Mason City upon which the City of Mason City has jurisdiction. (All-terrain vehicles, off-highway motorcycle, recreational off-highway vehicle.)

J. Posted Signs: must post signs only on streets with 35 mph or less

The Street Superintendent shall cause appropriate signs to be posted on those streets and roadways where are authorized to be operated pursuant to this Ordinance and the State Statute referenced herein.

K. Operation on Sidewalks/Village Park/Daylight Hours:

No person shall operate a non-highway vehicle upon any sidewalk located within the jurisdictional limits of the City of Mason City. No person shall operate a non-highway vehicle within the City's Park. Furthermore, ~~no person shall operate a non-highway vehicle after dark.~~ Authorization to operate a non-highway vehicle on streets and roadways under the jurisdiction of the City of Mason City as otherwise set forth herein will **The City Council of Mason City, by unanimous vote amended Ordinance 22-11B Golf Carts. Sec K: Operation on Sidewalks/Village Parks/Daylight hours:**

Resolution R25-63 to remove the restriction of no non-highway vehicles out past dark. Non-highway vehicle's hours of operation shall have no time restriction and be allowed 24 hour

On most streets or roadways under the jurisdiction of the City of Mason City where the posted speed limited is 35 mph or less.

L. Limitations and Operations:

1. Streets with limited access, 100 and 200 block of N. West Avenue, 100 block N. Main and 100 block S. Main, 400 block of S. Mason, 400 block S. Tonica, 200 block E. Court and All of Chestnut street, these streets may only be crossed at a 90 degree angle. This section shall not be construed as granting permission operating a golf cart to drive upon or cross any street or highway under the jurisdiction of Mason City or Mason County, or

to drive upon or cross any street or highway under the jurisdiction of the Illinois Department of Transportation including Route 10, Notwithstanding the foregoing limitation, a non-highway vehicle shall be allowed to cross state highways, municipal street, county highway, or township road district highway makes a direct crossing provided:

2. State Route 10, Chestnut Street, may only be crossed at Menard Street and Keefer Street.

AMENDMENT 4/23/23

R23-32 Alderman Snyder asked for an update on the golf cart ordinance. He would like to see the crossing extended from Menard east to Yates and from Logan west to Irving. The council agreed. SECONDED BY Alderman Miller.

Ayes: Francis, Mahin, Mason, Mize, Snyder, Miller

Nays: None

Chairman declared motion carried.

Non-highway vehicles as used in this section shall not make a direct crossing upon or across any toll road, interstate highway, or controlled access highway in the street.

Notwithstanding the above, non-highway vehicles as stated in this Ordinance shall be allowed to cross the municipal street, county highway, or road district highway if the operator of the golf cart makes a direct crossing provided:

3. The crossing is made at an angle of approximately 90 degrees to the direction of the street, road, or highway and at a place where no obstruction prevents a quick and safe crossing; and non-highway vehicles as stated in this Ordinance shall be allowed to cross a state highway if the operator of the golf cart makes a direct crossing provided the crossing is made at an intersection where the municipal street directly intersects and crosses the state highway and continues on the opposite side of the state highway; and

4. The non-highway vehicle is brought to a complete stop before attempting a crossing;
and
5. The operator of the non-highway vehicle yields the right of way to all pedestrians and vehicular traffic which constitutes a hazard; and
6. When crossing a divided highway, the cross is made **only** at an intersection of the highway with another public street, road, or highway.

N. Local Governmental and Governmental Employees Tort Immunity Act:

No action by the City of Mason City under this Ordinance or 625 ILCS 5/11-1426.1 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.

O. A Valid Driver's License

A person may not operate a non-highway vehicle as otherwise set forth in this Ordinance upon the street and roadways as otherwise set forth herein unless he/she has a valid Illinois driver's license issued in his/her name by the Illinois Secretary of State, or a valid out of state driver's license issued in his/her name by the appropriate department/agency of the state responsible for issuing driver's licenses and is at least 18 years of age.

P. Violation/Penalties

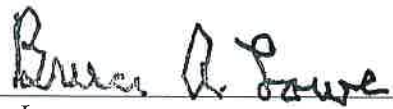
Any person who violates the provisions of the Section or any Section of this code by operating a non-highway vehicle shall be subject to revocation of permit or non-renewal of permit at the discretion of the City Council, a monetary fine, and/ or other appropriate penalty. All vehicles must abide by the Illinois Vehicle Code 625ILCS5/.

SECTION 2: The provisions of other City of Mason City Ordinances to the extent they duplicate, conflict with, or otherwise affect the validity thereof, shall be disregarded, and otherwise, all of the provisions of all other City of Mason City Ordinances shall remain in full force and effect.

SECTION 3: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of contempt jurisdiction, such holdings shall not affect or otherwise impair any other section, clause, provision, or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

SECTION 4: This ordinance shall become effective JUNE 13TH, 2022 and publication in pamphlet form as provided by law.

ON MOTION DULY MADE AND SECONDED, and pursuant to roll call vote, this Ordinance was passed, approved, and adopted this 13TH day of JUNE, 2022.



Bruce Lowe,
Mayor of the City of Mason City

ATTEST: 

City Clerk

AYES: FRANCIS, MAHIN, MASON, MILLER, SNYDER

NAYES:

Ala

ABSENT: MIZE

FILED IN THE OFFICE OF THE CITY CLERK, CITY OF MASON CITY,
ON THE 13TH DAY OF JUNE 2022
PUBLISHED IN PAMPHLET FORM
ON JUNE 13TH 2022

CERTIFICATE

STATE OF ILLINOIS)

: SS

COUNTY OF MASON)

I, MICHELE WHITEHEAD, certify that I am the duly elected and acting City Clerk of the City of Mason City, Mason County, Illinois.

I further certify that on JUNE 13TH, 2022, the Board of Trustees of said City passed and approved Ordinance No22-11B entitled **“AN ORDINANCE ALLOWING THE LIMITED OPERATION OF NON-HIGHWAY VEHICLES ON STREETS AND ROADWAYS UNDER THE JURISDICTION OF THE CITY OF MASON CITY, MASON COUNTY, ILLINOIS.”**

The pamphlet from of Ordinance No.22-11-B including the Ordinance and cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on JUNE 13TH 2022, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the City Clerk.

DATED at Mason City, Illinois, this13TH day of JUNE 2022.



Michele Whitehead, City Clerk

(MUNICIPAL SEAL)

NOTICE

Amendment to Ordinance 22-11B

Section K

An ordinance allowing the limited operation of non-highway vehicles on streets and roadways under the jurisdiction of the City of Mason City,

Mason County, Illinois

K. Operation on Sidewalks/Village Park/Daylight Hours: Amended 7/28/25 by unanimous City Council vote Resolution R25-63

No person shall operate a non-highway vehicle upon any sidewalk located within the jurisdictional limits of the City of Mason City. No person shall operate a non-highway vehicle within the City's Park. Furthermore, ~~no person shall operate a non-highway vehicle after dark.~~ Authorization to operate a non-highway vehicle on streets and roadways under the jurisdiction of the City of Mason City as otherwise set forth herein will **The City Council of Mason City, by unanimous vote amended Ordinance 22-11B Golf Carts. Sec K: Operation on Sidewalks/Village Parks/Daylight hours:**

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