

LEBANON CITY COUNCIL COMMITTEE AGENDA
November 2, 2020 – 7:00 p.m.

ORDINANCE

1. Discuss/recommend Ordinance concerning golf carts.
2. Discuss/recommend Ordinance concerning slow moving vehicles
3. Discuss/recommend change requests from Plan Commission to areas in the city's Code of Ordinances Chapter 36 concerning the Historical District.

CEMETERY

PUBLIC PROPERTY

1. Discuss microphone for zoom meetings
2. Discuss approval of the attached sign or one similar.

STREETS/ALLEY

OLD BUSINESS

PUBLIC COMMENT

NEW BUSINESS

HOW TO PARTICPATE IN THE MEETING

1. Submit by email all questions, concerns, or request to the following aldermen:

Ordinance: g.fero@lebanonil.org

Cemetery: c.wright@lebanonil.org

Public Property: c.witty@lebanonil.org

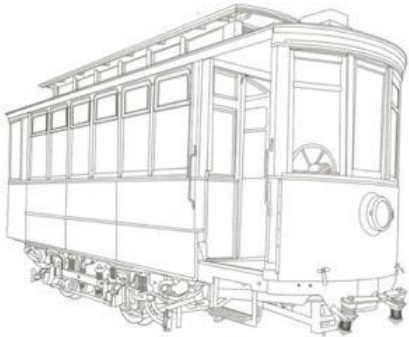
Streets/Alleys: l.mack@lebanonil.org

2. Instructions on how to participate in these remote electronic meetings.

To enter this meeting using a web browser on a computer, tablet or smartphone click on the following link: <https://zoom.us/j/93744438526>

To Call In using a phone, dial: +1 312 626 6799 Use Meeting ID: 93744438526

*Cedar Ridge
Health & Rehab
Center*



Lebanon Trolley



ORDINANCE NO. 1488

AUTHORIZING THE OPERATION OF GOLF CARTS
ON STREETS UNDER THE EXCLUSIVE JURISDICTION
OF THE CITY OF LEBANON WHERE THE POSTED SPEED LIMIT
IS 35 MILES PER HOUR OR LESS

WHEREAS, Section 1-123.9 of the Illinois Vehicle Code (625 ILCS 5/1-123.9) defines
“golf cart” as follows:

“**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.”;

WHEREAS, Section 1-101.8 of the Illinois Vehicle Code (625 ILCS 5/1-101.8) defines
“all-terrain vehicle” as follows:

“**All-terrain vehicle.** Any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having a manufacturer's dry weight of 1,500 pounds or less, traveling on 3 or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.”;

WHEREAS, Section 1-153.1 of the Illinois Vehicle Code (625 ILCS 5/1-153.1) defines
“off-highway motorcycle” as follows:

“**Off-highway motorcycle.** Any motorized device designed to travel primarily off-highway on 2 wheels, having a seat or saddle for the use of the operator, upon or by which any person, persons or property may be transported or drawn.”;

WHEREAS, Section 1-168.8 of the Illinois Vehicle Code (625 ILCS 5/1-168.8) defines
“recreational off-highway vehicle” as follows:

“**Recreational off-highway vehicle.** Any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.”;

WHEREAS, Section 11-1426.1(a) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[a])
defines “**non-highway vehicle**” as follows:

“(a) As used in this Section, “non-highway vehicle” means a motor vehicle not specifically designed to be used on a public highway, including:

- (1) an all-terrain vehicle, as defined by Section 1-101.8 of this Code;
- (2) a golf cart, as defined by Section 1-123.9;
- (3) an off-highway motorcycle, as defined by Section 1-153.1; and
- (4) a recreational off-highway vehicle, as defined by Section 1-168.8.”;

WHEREAS, a golf cart is thus one of four kinds of vehicles included in the larger class of “non-highway vehicles,” as defined by Section 11-1426.1(a) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[a]);

WHEREAS, Section 1-140.7 of the Illinois Vehicle Code (625 ILCS 5/1-140.7) defines “low-speed vehicle” as follows:

“**Low-speed vehicle.** Any 4-wheeled vehicle with a maximum speed greater than 20 miles per hour but not greater than 25 miles per hour that conforms with the federal motor vehicle safety standards set forth in 49 C.F.R. Part 571.500.”;

WHEREAS, the distinctions between “low-speed vehicles” and “non-highway vehicles are as follows:

- (A) A low-speed vehicle (as distinguished from a non-highway vehicle) must conform with the federal motor vehicle safety standards set forth in 49 C.F.R. Part 571.500;
- (B) A low-speed vehicle (as distinguished from a non-highway vehicle) must have a vehicle identification number;
- (C) A low-speed vehicle (as distinguished from a non-highway vehicle) must display valid registration: that is, it must have and display a valid license plate issued by the Secretary of the State of Illinois or by a foreign jurisdiction;
- (D) A low-speed vehicle (as distinguished from a non-highway vehicle) must have have a certificate of title;

(E) A low-speed vehicle (as distinguished from a non-highway vehicle) must have seat belts;

(F) A low-speed vehicle (as distinguished from a non-highway vehicle) must have a maximum speed greater than 20 miles per hour but not greater than 25 miles per hours;

(G) A low-speed vehicle may be operated on any city street where the posted speed limit is 30 miles per hour or less unless *prohibited* by ordinance or resolution of the City of Lebanon, but a non-highway vehicle may not be operated on a city street unless such operation is *permitted* by ordinance or resolution of the City of Lebanon and then only if the posted speed limit on the city street is 35 miles per hour or less;

WHEREAS, the City Council desires, in this ordinance, to deal with golf carts only, and to permit the operation of golf carts on city streets which are exclusively under the jurisdiction of the City of Lebanon where the posted speed limit is 35 miles per hour or less, and within the areas defined by the intersections of city streets with state highways or county roads or township roads, provided that the posted speed limits on such intersecting highways or roads are 35 miles an hour or less throughout the areas of intersection (which areas are hereinafter referred to collectively as “permissible areas of operation” and singularly as a “permissible area of operation”);

WHEREAS, the City Council – having considered the volume, speed, and character of traffic on the city streets and intersections within the permissible areas of operation, and having further considered whether golf carts, may safely travel on the city streets and may safely cross the intersections within the permissible areas of operation – determines that authorizing the operation of golf carts, within the permissible areas of operation, will not jeopardize the public safety;

WHEREAS, the City Council also determine that – because subsection (e) of Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[e]) states only what equipment a golf

cart must have “at a minimum” – the City of Lebanon is implicitly authorized by the statute to require the presence, on golf carts, of a reasonable amount of additional equipment, and, furthermore, that every golf cart should be required to have installed seat belts for the driver thereof and for every passenger who travels in or on the golf cart;

WHEREAS, the City Council finds that – prior to driving a golf cart within the permissible areas of operation – the owner (or owners) of the golf cart should apply to the Clerk of the City of Lebanon for a “golf cart permit”; that the fee for making such an application should be Fifty Dollars (\$50) per year; that the permit should be effective only during the City of Lebanon’s fiscal year during which the permit is issued (that is, commencing on May 1 of one year and terminating on April 30 of the succeeding year); and that the fee should not be prorated to reduce it in a manner corresponding to the percentage of the City of Lebanon’s fiscal year that has already expired when the permit is issued;

WHEREAS, the City Council finds that no golf cart permit should be issued unless the owner (or owners) of the golf cart allow the Police Department of the City of Lebanon to inspect the golf cart, and the Police Department of the City of Lebanon determines by the inspection, and certifies to the Clerk of the City of Lebanon, that the golf cart has the installed seat belts required by this ordinance and the equipment required by Section 11-1426.1(e) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[e]);

WHEREAS, the City Council finds, that the owner (or owners) of the golf cart – as a prerequisite to obtaining the golf cart permit – should demonstrate to the Police Department of the City of Lebanon, at the time of the inspection of the golf cart, that the owner (or owners) have obtained, for the intended driver or drivers of the golf cart, the insurance coverage required by subsection (g) of Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[g]);

WHEREAS, the City Council finds that the Clerk of the City of Lebanon – upon issuing a golf cart permit to an applicant – should deliver to the applicant two identically numbered decals stating that a golf cart permit has been issued and that the golf cart permit shall expire on a stated date certain (the date being April 30 of the then current fiscal year of the City of Lebanon); and,

WHEREAS, the City Council finds, finally, that the owner (or owners) of the golf cart should affix one decal to the front of the golf cart and one decal to the back of the golf cart in a place where each decal will be readily visible by pedestrians and by drivers of other vehicles on the city streets;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Lebanon, Illinois, as follows:

Section 1. The foregoing recitals are incorporated herein as findings of the City Council of the City of Lebanon, Illinois.

Section 2. The term, “golf cart,” is hereby defined to have the same meaning as that term is used in Section 1-123.9 of the Illinois Vehicle Code (625 ILCS 5/1-123.9) : that is,

“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.”

Section 3. This ordinance does *not* apply to any all-terrain vehicle (as that term is defined in Section 1-101.8 of the Illinois Vehicle Code [625 ILCS 5/1-101.8]), nor to any off-highway motorcycle (as that term is defined in Section 1-153.1 of the Illinois Vehicle Code [625 ILCS 5/1-153.1]), nor to any recreational off-highway vehicle (as that term is defined in Section 1-168.8 of the Illinois Vehicle Code [625 ILCS 5/1-168.8]), nor to any low-speed vehicle (as that term is defined in Section 1-140.7 of the Illinois Vehicle Code [625 ILCS 5/1-140.7]).

Section 4. The term, “permissible areas of operation,” as applied to golf carts, means city streets which are exclusively under the jurisdiction of the City of Lebanon where the posted speed limit is 35 miles per hour or less, and areas defined by the intersections of city streets with state highways or county roads or township roads, provided that the posted speed limits on such intersecting highways or roads are 35 miles an hour or less throughout the areas of intersection.

Section 5. Every golf cart shall have all the equipment required by subsection (e) of Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[e]); that is, brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem (as required of other vehicles in Section 12-709 of the Illinois Vehicle Code [625 ILCS 5/12-709]) on the rear of the golf cart, 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. In addition, every golf cart shall be equipped with installed seat belts for the driver thereof and for every passenger who travels in or on the golf cart.

Section 6. Prior to driving a golf cart within the permissible areas of operation, the owner (or owners) of the golf cart shall apply to the Clerk of the City of Lebanon for a “golf cart permit.” The fee for making such an application shall be Fifty Dollars (\$50) per year. The permit shall be effective only during the City of Lebanon’s fiscal year during which the permit is issued: that is, commencing on May 1 of one year and terminating on April 30 of the succeeding year. The fee shall not be prorated to reduce it in a manner corresponding to the percentage of the City of Lebanon’s fiscal year that has already expired when the permit is issued.

Section 7. No golf cart permit shall be issued unless the owner (or owners) of the golf cart allow the Police Department of the City of Lebanon to inspect the golf cart, and the Police

Department of the City of Lebanon determines by the inspection, and certifies to the Clerk of the City of Lebanon, that the golf cart has the seat belts required by this ordinance and the equipment required by Section 11-1426.1(e) of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[e]).

Section 8. The owner (or owners) of the golf cart – as a prerequisite to obtaining the golf cart permit – shall demonstrate to the Police Department of the City of Lebanon, at the time of the inspection of the golf cart, that the owner (or owners) have obtained, for the intended driver or drivers of the golf cart, the insurance coverage required by subsection (g) of Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1[g]).

Section 9. The Clerk of the City of Lebanon – upon issuing a golf cart permit to an applicant – shall deliver to the applicant two identically numbered decals stating that a golf cart permit has been issued and that the golf cart permit shall expire on a stated date certain (the date being April 30 of the then current fiscal year of the City of Lebanon). The owner (or owners) of the golf cart, for which a golf cart permit has been issued, shall affix one decal to the front of the golf cart and one decal to the back of the golf cart in a place where each decal will be readily visible by pedestrians and by drivers of other vehicles on the city streets.

Section 10. When operated in a permissible area of operation, a golf cart shall have its headlight and tail lamps lighted as required by Section 12-201 of the Illinois Vehicle Code (625 ILCS 5/12-201).

Section 11. While a golf cart is in motion in any permissible area of operation, the driver of the golf cart and every passenger in or on the golf cart shall have his or her seat belt securely fastened.

Section 12. A person may not operate a golf cart in any permissible area of operation State 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.

Section 13. A person who drives or is in actual physical control of a golf cart in a permissible area of operation while under the influence of alcohol, other drug or drugs, intoxicating compounds, or any combination thereof is subject to prosecution under Sections 11-500 through 11-502 of the Illinois Vehicle Code (625 ILCS 5/500 - 502).

Section 14. Appropriate signs shall be posted within the City of Lebanon indicating what portions of city streets – and intersections thereof with state highways or county roads or township roads – constitute permissible areas of operation for golf carts.

Section 15. This ordinance shall be in full force and effect from and after its passage, approval, and publication for ten (10) days, in accordance with law.

Passed by the City Council and approved by the Mayor of the City of Lebanon, Illinois and deposited and filed in the office of the City Clerk on the _____ day of _____, 2020, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES:
NOES:

APPROVED:

Richard Wilken,
Mayor of the City of Lebanon, Illinois

ATTEST:

Luanne Holper,
City Clerk of the City of Lebanon