



Village of Tiskilwa
Application for Non-Highway Vehicle Permit

GENERAL INFORMATION

Applicant's Name:

Applicant's Address:

Applicant's Phone Number:

Applicant's Driver's License Number and State of Issuance:

NON-HIGHWAY VEHICLE INFORMATION

Make:

Model:

Serial Number:

INSURANCE INFORMATION (copy of insurance card must be included with application)

Insurance Carrier:

Policy Number:

AFFIRMATION/WAIVER (a signed non-highway vehicle liability waiver must be included with application)

I have received, read and understand the "Non-Highway Vehicle Ordinance". I have paid the permit fee for the above vehicle. I also understand that the VILLAGE of TISKILWA interpretation of all the rules and regulations are final. I will ensure that any assigned proof of compliance will remain attached to the vehicle at all times. I furthermore ensure that I will obey all the rules and regulations, including the restricted routes, set forth by the VILLAGE of TISKILWA concerning the operations of a Non-Highway Vehicle within the Village limits of Tiskilwa.

Signature of Applicant: _____

OFFICIAL USE ONLY:

Inspected by: _____ Date Inspected: _____

Approved by: _____ Date Approved: _____

\$100 Permit Fee Paid: Y / N (MUST BE PAID BEFORE APPLICATION IS APPROVED)

Village of Tiskilwa

UNCONDITIONAL AND FULL GENERAL RELEASE OF LIABILITY, WAIVER, DISCHARGE AND COVENANT NOT TO SUE

This is a legally binding Unconditional and Full General Release of Liability, Waiver, Discharge and Covenant not to Sue made by _____ (hereinafter referred to as Operator) to the VILLAGE OF TISKILWA (hereinafter referred to as VILLAGE).

I fully recognize that there are dangers and risks to which I may be exposed to by operating a Non-Highway Vehicle (NHV) on Village streets. The following is a description and/or examples of significant dangers and risks associated with this activity: injury to myself or others, damage to my property or that of others, death of myself or others.

In no event shall the Village be liable for direct, indirect, special, incidental or consequential damages, whether arising in tort, contract or any other legal theory, in connection with or arising out of operator's use of a NHV.

The operator, as of the date below, shall hereinafter save, hold harmless and indemnify the Village against any and all liability, claims, causes of action and costs of whatsoever kind and nature including, without being limited to injury, damage, loss including death, resulting from, arising out of, or occurring in connection with my use of a NHV on the Village streets.

I understand that the Village has an Ordinance governing the use of qualified NHV on Village streets and hereby agree to conform with all requirements of the Village Ordinance at all times. I have had the opportunity to read said Ordinance and my signature below acknowledges that I will always comply with this Ordinance as well as all of the applicable traffic laws of the State of Illinois when operating this NHV on City streets. I understand and agree that I will not travel on any county roads which includes South State St and East 1st Street leading to their connection at the 4 way intersection.

I, therefore, agree to assume and take on myself all the risks and responsibilities in any way associated with this activity. In consideration of and return for the opportunity to operate a NHV on village streets, I release the Village (and the Village Council, employees, and agents) from any and all liability, claims, and actions that may arise from injury or harm to me or others, including death, or from damage to my property or property of any other in connection with this activity. I understand that this release also covers liability, claims, and actions caused entirely or in part by any acts or failures to act, including but not negligence, mistake or failure to enforce, supervise or maintain.

I assure the Village that there are no health-related reasons or problems which preclude or restrict my participation in this activity. I further assure the Village that I have adequate health and liability insurance necessary to provide for and pay any medical costs or property damage that may directly or indirectly result from my participation in this activity, and I will indemnify and hold the Village harmless for any such medical costs or property damage. I understand that this Release means I am giving up, among other things, rights to sue the Village, its Village Council, employees, and/or agents for injuries (including death), damages, or losses I may incur or cause. I also understand that this Release binds my heirs, executors, administrators, and assignees, as well as myself.

I have read this entire Release. I fully understand it and agree to be legally bound by it.

Print Name: _____ Signature: _____

Village of Tiskilwa
Non-Highway Vehicle Inspection Form
 Tag # _____

Owner's Information

Owners Name(s) _____	
Phone # _____	Address _____
Vehicle Make/Model _____	Serial # _____
Insurance Provider _____	Policy # _____

Inspection Information

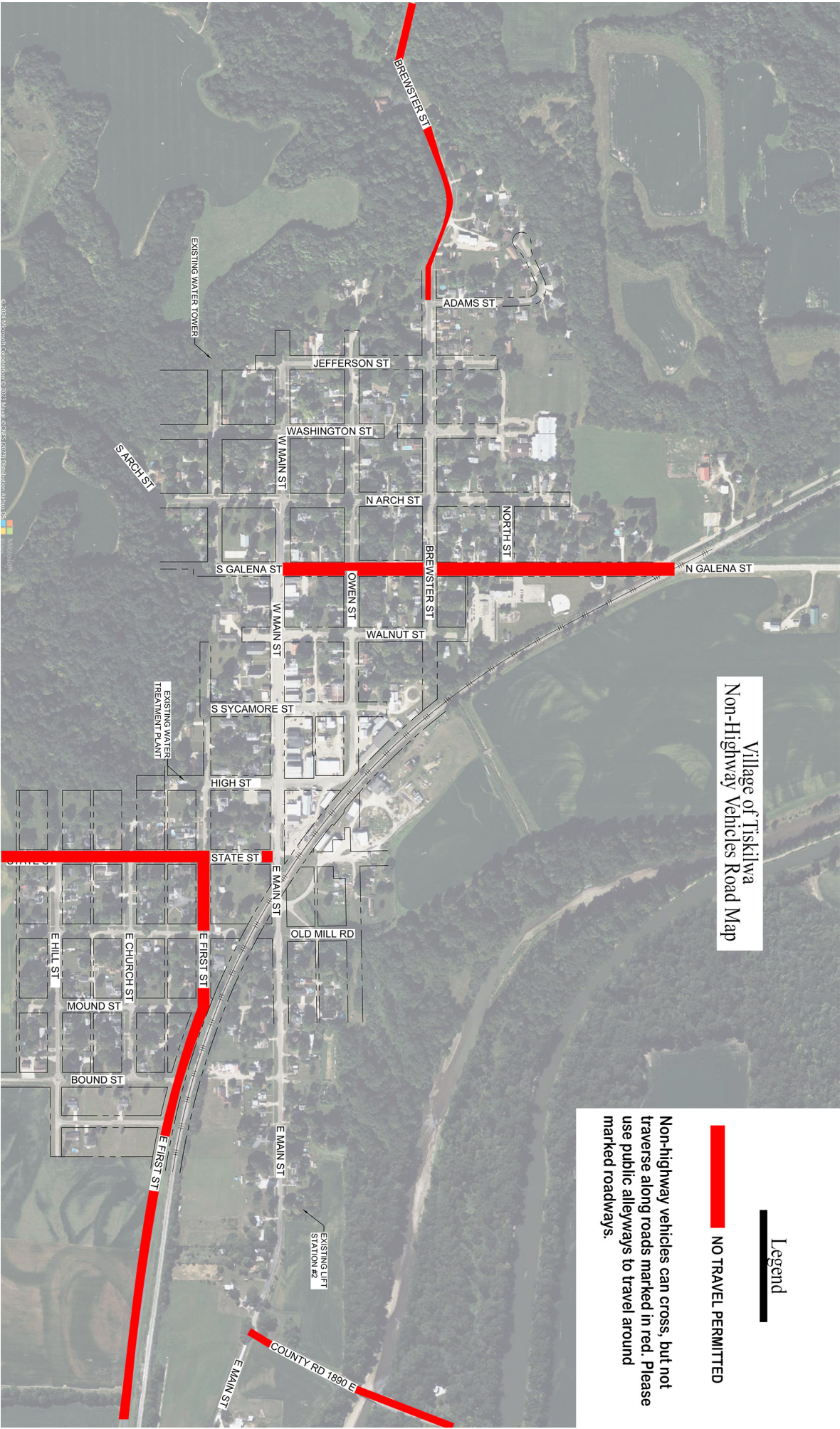
Inspection Item	Pass	Fail	Comments
Seat belts for all seat positions.			# of seats: # of seat belts:
Full Windshield			
Horn			
Brakes			
Turn Signals			
Steering apparatus			
Rearview Mirror			
Amber reflective warning device in front and red reflective in rear			
Slow moving vehicle emblem in rear			
White light headlight visible from 500'			
Red light taillight visible from 100'			
Brake lights			
Village Permit Plate			To be displayed in rear of vehicle and unobscured at all times

I certify that I have conducted an inspection of the above-mentioned vehicle and that the condition of the inspection items are accurately reported.

Inspector Printed Name: _____ Date: _____

Inspector Signature: _____ Amount Collected: \$ _____

Signature of Owner: _____ Date: _____



Village of Tiskilwa
Ordinance pertaining to operation of non-highway vehicles

TITLE 16
CHAPTER 13

NON-HIGHWAY VEHICLES

	Section:
Definitions	16-13-1
Rules and Regulations	16-13-2
Registration Fees and Sticker Placement	16-13-3
Use Under the Influence	16-13-4
Denial, suspension or revocation of permit; hearing	16-13-5
Penalties and Violations	16-13-6

16-13-1 DEFINITIONS:

ATV: (All terrain Vehicle). A Vehicle that travels on tires with a seat that is straddled by the operator, along with handlebars for steering control.

UTV: (Utility Task Vehicle). Also known as a side by side or ROV, (Recreational Off Road Vehicle), small 2-4 person off road vehicle with seats, seat belts and steering much like an automobile.

Golf Cart: A small vehicle 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 as defined by 625 Illinois Compiled Statutes 5/1-123.9 and 11-1426.1(a)(2) of the Illinois Vehicle Code.

Low Speed Vehicle: Shall mean any four-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 standard set forth in 49 C.F.R. Part 571.500.

Manufacturer: Company that originally manufactured the vehicle including any aftermarket parts applied by the original manufacturer that appear as standard or optional equipment, not including aftermarket items added by a retailer, or subsequent purchaser of the vehicle.

Non-Highway Vehicle: Any recreational off-highway vehicle not specifically designed to be used on a public highway. For purposes of this article, non-highway vehicles shall not include Non-Highway Vehicle only, as such terms are defined in the Illinois Vehicle Code. ATVs are not considered a Non-Highway Vehicle in this chapter.

Qualified applicant: Any governmental unit, government agency or organization, not for profit charitable, civic or religious corporation or organization, or fraternal organization. The Village shall be entitled to request proof of documentation, including but not limited to tax-exempt status, from any person or entity purporting to be a qualified applicant.

Exhaust Modification: The addition or modification of the exhaust system of the vehicle which results in the noise being produced by the engine that exceeds that of the original manufacturer.

Vehicle: For the purposes of this ordinance no dragsters or race car shall be considered a vehicle permitted to be operated on village roadways pursuant to this ordinance.

16-13-2 RULES AND REGULATIONS:

- A.** The use of Non-Highway Vehicle on the streets, roadways and alleys of the Village shall be permissible subject to the provisions of this article. Non-Highway Vehicle may not be used on any controlled access highway or other highway or road under the jurisdiction of the state, except through permitted crossings as set forth in this article. Any other Non-Highway Vehicle is not permitted on any roadway, street or alleyway in the Village.
- B.** The use of Non-Highway Vehicle on streets, roadways and alleys of the Village shall be permissible if operated in accordance with the provisions set forth in section 11-1426.2 of the Illinois Vehicle Code and such other provisions applicable to low-speed vehicles are set forth in this article.
- C.** When authorized by and pursuant to the provisions of this article, Non-Highway Vehicle may be operated within the Village in compliance with all traffic rules and regulations established by the Illinois Vehicle Code or by Village Ordinance, and only those vehicles that comply with the equipment requirements of the Illinois Vehicle Code may be operated when otherwise authorized pursuant to this article. Nothing herein shall be interpreted or construed to permit a person who does not possess a valid drivers license to operate a Golf Cart or UTV. A valid driver's license means a license issued in the name of the operator by the state or a foreign jurisdiction and in force at the time of operation of the vehicle.
- D.** Non-Highway Vehicles shall be permitted to operate within the Village 24 hours a day.
- E.** Non-Highway Vehicles are strictly prohibited from any park within the Village.
- F.** Non-Highway Vehicles shall not be allowed on the Village sidewalks and Village right-of-way. Golf Carts nor UTVs are not allowed on any private property unless permitted by the owner of said property.
- G.** A person may not operate a Golf Cart or UTV upon any street, highway, roadway, alleyway unless he or she is 16 years of age or older; and has a valid drivers license issued in his or her name by the Illinois Secretary of State or such other applicable foreign jurisdiction. All passengers in the Golf cart or UTV must be at least six (6) years of age.
- H.** Golf Carts nor UTVs shall not be allowed to be driven on County Highway 4, County Highway 23. Non-Highway Vehicle shall be allowed to cross a county highway if the operator of the Golf Cart or UTV makes a direct crossing provided:
 - a.** The crossing is made at an angle 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.
 - b.** The Golf cart or UTV is brought to a complete stop before attempting a crossing.
 - c.** The operator of the Golf Cart or UTV yields to the right of way to all pedestrian and vehicular traffic which constitutes a hazard.
 - d.** That when crossing a divided highway, the crossing is made only at an intersection of the highway with another public street, road, or alleyway.
- I.** A Golf Cart or UTV shall not be operated on any street or roadway unless, at a minimum, it has the following:
 - a.** Brakes;
 - b.** A steering Apparatus;
 - c.** Tires;
 - d.** A rearview mirror;
 - e.** Amber reflectorized warning devices in the front and red reflective warning devices in the rear;
 - f.** A slow-moving emblem (as required of other vehicles in section 12-709 of the illinois Vehicle Code) on the rear of the non-highway vehicle;
 - g.** A headlight that emits a white light visible from a distance of 500 feet to the front;
 - h.** A tail lamp that emits a red light visible from 100 feet from the rear;
 - i.** A horn;
 - j.** A full windshield;
 - k.** Seat belts for all seat positions;
 - l.** Brake Lights; and
 - m.** Turn Signals.
- J.** When operated on a roadway, a non-highway vehicle shall have its headlights and tail lamps lighted as required by section 12-201 of the Illinois Vehicle Code.

- K. A person who drives or is in actual physical control of the non-highway vehicle on a roadway while under the influence is subject to sections 11-500 through 11-502 of the Illinois Vehicle Code and all other applicable laws.
- L. The operation of a non-highway vehicle upon any street, roadway or alley is subject to the provisions of Chapter 11 of the Illinois Vehicle Code concerning the Rules of the Road and all applicable Village ordinances, as the same may be amended from time to time.
- M. Non-highway vehicles shall not be operated on any Village sidewalk or other surfaces other than Village streets, alleys and roadways.
- N. Non-highway vehicles shall at all times be operated in accordance with the standards set forth in section 11-1426.2 of the Illinois Vehicle Code.
- O. Any person who operates a non-highway vehicle on the street, roadway or alley shall be subject to the mandatory insurance requirements and the minimum liability insurance set forth in article VI of Chapter 7 of the Illinois Vehicle Code.
- P. The operator and all passengers shall wear a seatbelt at all times during the operation of the non-highway vehicle.
- Q. No aftermarket enhancements shall be done on the vehicles that causes for the original make of the Vehicle to be altered or changed which enhances the sound the vehicle originally makes.

16-13-3 REGISTRATION FEE AND STICKER PLACEMENT:

- A. No person shall operate a Non-Highway Vehicle on the Village streets, roadways or alleys without first obtaining an annual permit from the Village as provided herein. Permits for Non-Highway Vehicle shall be limited to qualified applicants only.
- B. A permit shall be valid, unless suspended or revoked, from April 1st of the year of issuance until May 30th of the following year.
- C. The cost of the annual permit shall be \$100.00. Every non-highway vehicle shall be required to have a permit and such permit shall not be transferable. Annual renewal stickers shall be displayed in the proper location as indicated on the registration plate.
- D. Every application for a permit shall be made on a form supplied by the Village and shall contain, at a minimum, the following information:
 - 1. Name and address of applicant
 - 2. Name of insurance carrier and policy number and or a photocopy of applicable liability insurance coverage issued specifically for the golf cart to be operated by the pursuant to the permit;
 - 3. The serial number, make, model and description of the Golf cart;
 - 4. A certification from the applicant that the Non-Highway Vehicle satisfies the requirements of this article and the Illinois Vehicle Code; and
 - 5. Such other information as the Village may require, including a release and waiver of liability signed by the applicant releasing the Village and its employees, and agreeing to indemnify and hold the Village harmless, including the costs of defense, from any and all claims, penalties, costs, judgements, settlements or causes of action resulting or arising from the operation of applicant's golf cart or non-highway vehicle on Village streets, roadways or alleys.
- E. No application shall be approved until the chief of the police, police officer or a qualified designee, has conducted an investigation into the application, and shall have caused an inspection of the vehicle or vehicles for which permit is sought to be obtained. Following completion of the inspection and investigation, the chief or his or her designee shall report their findings to the mayor, and upon satisfactory inspection the mayor shall direct the city clerk to issue the permit. The inspection conducted by the chief or his or her designee shall be to ascertain:
 - 1. That the vehicle or vehicles comply with all applicable laws and regulations concerning equipment required to be installed under the article;
 - 2. The name or names of the persons who shall be operators of the vehicles;
 - 3. That said persons possess the required driver's license;
 - 4. That the vehicle or vehicles are insured to meet or exceed the requirements of the Illinois Vehicle Code; and
 - 5. That the applicant is otherwise qualified to hold a permit hereunder.

- F. The Village shall issue each permitted Non-Highway Vehicles a numbered sticker or other identifier which shall be affixed to the rear of such vehicle. Every Golf cart shall be required to have such identification and shall not be transferable. There shall be a fee of \$25.00 for any replacement.
- G. The Mayor may deny issuance of a permit to any applicant if:
 - 1. The inspection reveals that any equipment required by this article does not exist;
 - 2. The operators do not possess the required license;
 - 3. The applicant or any of the proposed operators of the vehicle have previously been found to be in violation of the provisions of this article or have previously had a permit issued pursuant to this article revoked; or
 - 4. The applicant would otherwise not qualify for the issuance of a permit hereunder.

16-13-4 USE UNDER THE INFLUENCE:

A person who drive or is in actual physical control of a vehicle under this chapter on a roadway in the Village of Tiskilwa while under the influence of alcohol or drugs, is subject to the provisions of sections 11-500 through 11-502 of the Illinois Vehicle Code, 625 Illinois Compiled Statutes 5/11-500 through 11-502. Further, a violation of the provisions of this section shall be cause for the Village of Tiskilwa to revoke the permit of the authorized vehicle.

16-13-5 DENIAL, SUSPENSION OR REVOCATION OF PERMIT; HEARING:

An appeal for refusal to grant a permit must be submitted in writing to the mayor and filed in the office of the Village clerk within ten days following the issuance of the denial of the application by the mayor. Notice of the date and time of the hearing shall be given in the writing by the mayor to the party appealing the decision at least five days prior to the hearing.

For any proposed revocation or suspension of a permit issued pursuant to this article a notice of hearing on such a proposal shall be given in writing by the mayor setting forth the grounds for the proposed revocation or suspension, and the time and place of hearing. Such notice shall be sent certified mail, return receipt requested, at the address of the applicant set forth in the application for the permit, and shall be sent at least five days prior to the date set for the hearing. If, prior to the hearing, the appellate requests a continuance of the date of hearing, the mayor may impose a suspension of the permit pending the final hearing, and the final hearing shall be rescheduled for a date not later than 14 days following the request for continuance.

Hearings shall be conducted by the mayor. At the hearing, the Village attorney shall present the complaint on behalf of the Village and shall offer evidence sufficient to justify the revocation or suspension, as applicable. ON appeal of the denial of a permit, the appellant shall be required to produce evidence to rebut the basis for denial. The appellant in either case shall be allowed counsel and shall have the right to submit evidence and cross examine witnesses. The mayor shall preside over the hearing and shall render a written decision to the appellant within 30 days following the conclusion of the hearing.

Following the written decision of the mayor, the appellant shall have the right to appeal to the ordinance and license committee of the Village council. Such appeal shall be taken by filing with the city clerk a request to appeal within ten days after notice of the written decision by the mayor. The committee shall thereupon set the time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in this section. The hearing shall be held at a date not earlier than five days after the notice is given, and may not be held at a regular scheduled meeting of the committee. The decision of the committee on such appeal shall be final and shall constitute a final administrative ruling, subject to review under the provisions of the state administrative review law (735 ILCS 5/3-101 et.seq.).

16-13-6 PENALTIES AND VIOLATIONS:

Any person who violated any provision of this ordinance shall be punished by a fine of \$250.00 plus court costs.

A second or subsequent offense by any person who violated any provision of this ordinance shall be guilty of a petty offense and shall be punished by a fine of no less than \$250.00 but no more than \$750.00, plus court costs.

Any second or subsequent offense shall result in the revocation of the permit for a period of not less than one(1) nor more than three (3) years.

To the extent that any violation of this ordinance also constitutes a violation of a criminal statute of the State of Illinois then the violator shall also be subject to criminal prosecution.

Non-Highway Vehicles or Golf Carts shall be subject to impoundment to the same extent as other vehicles as set forth in Chapter 12, of the Tiskilwa Village Code.