

ORDINANCE NO. 684

AN ORDINANCE AMENDING THE MUNICIPAL CODE  
OF THE VILLAGE OF STOCKTON, JO DAVIESS COUNTY, IL  
TO ADD CHAPTER 6 TO TITLE 5  
TO ALLOW FOR THE OPERATION OF  
UTILITY TERRAIN VEHICLES (UTVs) ON VILLAGE STREETS

*WHEREAS*, the Illinois Motor Vehicle Code, ILCS 5/11-1426.1(d), provides that a municipality may authorize or restrict the operation of utility terrain vehicles on roadways under its jurisdiction, provided that said municipality has determined that public safety will not be jeopardized by such operation; and

*WHEREAS*, the Illinois Motor Vehicle Code further requires that before a municipality permits the operation of utility terrain vehicles on its roadways, it considers the impacts such vehicles may have in the community and on its roads and streets and determine whether such vehicles may safely access, travel on and use said roads and streets; and

*WHEREAS*, the Board of Trustees of the Village of Stockton has determined that utility terrain vehicles may safely operate on the roadways subject to its jurisdiction.

SECTION 1:

*NOW, THEREFORE, BE IT ORDAINED* by the Board of Trustees of the Village of Stockton, that utility terrain vehicles may be operated on the roads and streets located within the corporate limits of the Village of Stockton, which are subject to its jurisdiction as follows:

5-6-1 Operation of Utility Terrain Vehicles

The operation of utility terrain vehicles for personal transportation upon the roads and streets subject to the jurisdiction of the Village of Stockton is allowed in accordance with the provisions of this Ordinance.

5-6-2 Definitions

(a) Utility Terrain Vehicle (UTV).

A commercially designed and manufactured motorized vehicle with 4 wheels, a steering wheel, and non-straddle seating that conform to applicable federal regulations (see Title 49 C.F.R. part 571.500).

(b) Village Streets.

Village streets means any public right of way, roadway, or street located within the corporate limits of the Village of Stockton, and subject to the jurisdiction of the Village of Stockton, Jo Daviess County, IL.

### 5-6-3 Operation of Utility Terrain Vehicles

No person shall operate a UTV upon the streets and roads subject to the jurisdiction of the Village of Stockton unless such person meets the following requirements:

- (a) The operator must be 21 years of age or older.
- (b) The operator must possess a current valid driver's license and be insured in accordance with the laws of the State of Illinois providing for liability insurance.
- (c) At the time of application the UTV is inspected by the Stockton Police Dept. or its designee, and the vehicle certified that it meets all applicable safety standards and equipment requirements for safe operation.

### 5-6-4 Equipment

All UTVs operated on Village roads and streets must be equipped with the following:

- (a) Brakes and brake lights.
- (b) White front headlight(s) that are illuminated when the vehicle is in operation and visible from a distance of 500'.
- (c) Red rear tail light(s)/lamp(s) that are illuminated when the vehicle is in operation and visible from a distance of not less than 100'.
- (d) Seat belts for all occupants which must be engaged and in use when the UTV is in motion.
- (f) Turn signals and horn.
- (g) Orange/red flag mounted on the driver's side of the UTV mounted 7' from ground level.
- (h) Additional requirements upon amendment of the Illinois Motor Vehicle Code or by Stockton Village Ordinance.

### 5-6-5 Miscellaneous

- (a) Operators of UTVs comply with and obey all traffic laws of the State of Illinois and the ordinances of the Village of Stockton.
- (b) UTVs shall be operated only on Village streets and not on highways subject to County, State or Federal jurisdiction [i.e. IL Route 78 S (Main St.) and U.S. Route 20 (North Ave.)] except to cross at intersections with Village streets.

- (c) UTVs must obey posted speed limits.
- (d) no person shall operate or be in physical control of a UTV on a Village roadway while impaired or under the influence of alcohol or drugs in violation of provisions of the Illinois Motor Vehicle Code.
- (e) UTVs may not be operated on Village sidewalks, in parks or parking areas unless being operated for purposes of snow removal.
- (f) During use, UTV operators must have a copy of his/her approved application/permit available if requested by law enforcement or Village personnel.

#### 5-6-6 Permits

- (a) No person shall operate a UTV upon the Village streets without first obtaining a permit from the Village Clerk. Permits shall be issued for a period of one (1) year and renewed annually on a calendar year basis without proration at a cost of Fifty (\$50). A decal or sticker shall be issued for each UTV certified to be operated upon the Village's streets upon the payment of the annual fee(s). The non-transferable decal or sticker must be displayed on the UTV.
- (b) Applications for permits shall be obtained from the Village Clerk and once completed be returned with proof of liability insurance on the UTV for which the permit is requested.
- (c) The application shall include the following information:
  - (1) Name, address and age of the applicant;
  - (2) Valid driver's license number;
  - (3) Name of liability insurance carrier and a copy of the declaration of coverage issued by the carrier insuring the UTV;
  - (4) Make, model, serial number and description of UTV for which the permit is sought;
  - (5) An executed waiver of liability signed by the applicant releasing the Village of Stockton from any liability for any claim and agreeing to hold the Village harmless and indemnify it for any claim resulting from the applicant's operation of the UTV on the Village streets; and
  - (6) Such other information as may be requested by the Village.

#### 5-6-7 Inspections

No permit shall be issued by the Village Clerk until the UTV sought to be permitted is inspected by the Stockton Police Department or its designee. All UTVs shall be in compliance with this ordinance and the Illinois Motor Vehicle Code as applicable.

5-6-8 Violations/Penalty

Any violation of this ordinance shall be punishable by a fine of not less than Hundred Dollars (\$100.00) for a first offense; Two hundred and fifty dollars (\$250) for a second offense; and five hundred (\$500) for a third or each subsequent offense and the suspension or revocation of the violator's permit to operate a UTV upon the roads and streets of Stockton at the discretion of the Village of Stockton Police Department.

SECTION 2:

This ordinance shall be in full force and effect on March 1, 2020 after its passage and approval.

Passed by the Board of Trustees of the Village of Stockton, Jo Daviess County, IL on February 11, 2020.

Introduced: February 11, 2020.

Passed: February 11, 2020.

Approved: February 11, 2020.

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*RODNEY A. BRANDT*  
Village President

ATTEST:

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*SUSANNE YOUNG*  
Village Clerk

Ayes: Lickes, Timpe, Gonnerman, Kunz

Nays: None

Absent: Eisfeller, Julius