

CITY OF TRENTON, ILLINOIS  
ORDINANCE NO. 1680

**AN ORDINANCE AUTHORIZING THE OPERATION OF CERTAIN QUALIFIED  
NON-HIGHWAY VEHICLES ON STREETS UNDER THE JURISDICTION OF THE  
CITY OF TRENTON, ILLINOIS**

WHEREAS, the City of Trenton ("City"), Clinton County, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the City of Trenton has determined that the operation of certain non-highway vehicles should be allowed under certain conditions on the streets under the jurisdiction of the City of Trenton; and

WHEREAS, the Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1) authorizes municipalities, by ordinance, to permit qualified non-highway vehicles to operate upon the streets under the jurisdiction of the municipality; and

WHEREAS, the City of Trenton has considered the volume, speed and character of the traffic on the streets within its jurisdiction and has determined that, subject to the conditions stated herein and the provisions of 625 ILCS 5/11-1426.1, the qualified non-highway vehicles, as defined herein, may safely operate on the streets within the jurisdiction of the City.

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

Section 1. Article IX of the Trenton Revised Code of Ordinances is hereby amended and shall hereafter read as follows:

**ARTICLE IX – NON-HIGHWAY VEHICLES**

**24-9-1 DEFINITIONS.**

"City Streets" means any of the streets and allies within the boundaries and under the authority of the City of Trenton.

"Golf Cart," means 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.

“Recreational Off-Highway Vehicle,” means 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.

**24-9-2 NON-HIGHWAY VEHICLES ON CITY STREETS.** Non-Highway Vehicles, as identified and defined by 24-9-1, and qualified herein, shall be allowed on City Streets, subject to the conditions stated herein.

**24-9-3 REQUIREMENTS.** All persons operating a Non-Highway Vehicle on the City Streets, must comply with the following requirements:

- (a) Must possess at all times, proof of current liability insurance meeting the requirements of Articles VI of Chapter 7 of the Illinois Vehicle Code.
- (b) Must possess a Non-Highway Vehicle permit from the City of Trenton.
- (c) Must comply with the published “Rules Concerning Alternate Transportation for the City of Trenton” as periodically updated.
- (d) Must display City decal on the rear of the vehicle.
- (e) Must have a current, valid driver’s license and be eighteen (18) years of age or older.
- (f) Non-Highway Vehicles must be equipped with the following items; with such items being fully operational:
  - i. Horn;
  - ii. Brakes and Brake Lights;
  - iii. Turn Signals;
  - iv. A Steering Wheel Apparatus;
  - v. Tires;
  - vi. Rearview Mirror;
  - vii. Approved “Slow Moving Vehicle” emblem on the rear of the vehicle (625 ILCS 5/12-709);
  - viii. Headlights that emits a white light visible from a distance of 500 feet to the front which must illuminate when in operation;
  - ix. Tail Lamp that emits a red light visible from at least 100 feet from the rear which must be illuminated when in operation;
  - x. Red reflectorized warning devices in the front and rear.
  - xi. Seat belts for each passenger and the driver of the vehicle.
  - xii. Any additional requirements which may be amended to 625 ILCS 5/11-1426.1 or any other provision of the Illinois Motor Vehicle Code.

- (g) Must obey all traffic laws of the State of Illinois and the City of Trenton.
- (h) Must operate headlights and tail lamps at all times that the Non-Highway Vehicle is in use on the City Streets.
- (i) May be operated only on City Streets; except where specifically prohibited.
- (j) Must be operated only on streets where the posted speed limit is 35 MPH or less.
- (k) May only be operated between 6:00 a.m. and 11:59 p.m.
- (l) May not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation or the County Highway Department (currently: US Highway 50 or Illinois State Route 160), except for purposes of directly crossing said highways at an established intersection.
- (m) A person operating or who is in actual physical control of a Non-Highway Vehicle as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500-11-502).
- (n) Non-Highway Vehicles shall not be operated on sidewalks or in City Parks other than parking areas.

**24-9-4 PERMITS.**

- (a) No person shall operate a qualified Non-Highway Vehicle without first obtaining a permit from the City Clerk, as provided herein. Each permit obtained shall be valid for one Non-Highway Vehicle. The cost of the permit shall be \$25.00 for residents and \$50.00 for non-residents. Each permit shall be valid for one (1) year, commencing on January 1, and expiring on December 31. The cost of a permit obtained during such term shall not be pro-rated to reflect the actual time remaining on such permit.
- (b) Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
  - i. Name and address of applicant;
  - ii. Name of liability insurance carrier and insurance policy number;
  - iii. The serial number or vehicle identification number, year of manufacture, make, model and description of Non-Highway Vehicle;
  - iv. Signed Waiver of Liability by applicant releasing the City of Trenton and agreeing to indemnify and hold the City harmless from any and all future claims resulting from the operation of applicant's Non-Highway Vehicle on the City Streets;

- v. Photocopy of applicable liability insurance coverage card specifically for the Non-Highway Vehicle to be operated pursuant to the permit;
- vi. Such other information as the City may require.

(c) No permit shall be granted unless the following conditions are met:

- i. The Non-Highway Vehicle must be inspected by the Chief of Police or his/her designee **and** a mechanic possessing a certificate of training from a recognizable certifying authority such as, but not limited to, ASE, Blue Oval, GM Goodwrench., using a form approved by the City, stating that the Non-Highway Vehicle is safe to operate on City Streets and is in compliance with this Ordinance and with the State of Illinois Motor Vehicle Code;
- ii. A physically handicapped applicant must submit a certificate signed by a physician, certifying that the applicant is able to safely operate a qualified Non-Highway Vehicle on City Streets;
- iii. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

**24-9-5 PROHIBITED CROSSING POINTS.** A Non-Highway Vehicle may not be operated on US Highway 50 or Illinois State Route 160. However, a permit holder may make a direct crossing over each of these highways, except at the following intersections:

(a) US Highway 50:

- North Lincoln
- North Fillmore
- North Monroe
- North Cottonwood
- North Pin Oak
- South King Oak
- North Main Street
- South Main Street

(b) Illinois State Route 160

- West Second
- West First
- West Kentucky
- West Iowa

**24-9-6 VIOLATIONS.** A violation of any provision of this Article IX is punishable by a fine of not less than \$100.00 nor more than \$750.00. A second or subsequent offense within any twelve (12) month period may result in the revocation of the Non-Highway Vehicle permit for a period of not less than one (1) year nor more than five (5) years. Additionally, the Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder or operator of holder's non-highway vehicle has violated any provision of this Ordinance or there is evidence that permittee cannot safely operate a qualified Non-Highway Vehicle on the designated roadways. Administrative decisions made pursuant to this Article IX may be appealed in writing within fifteen (15) days of the decision to the Trenton City Administrator for final administrative determination. To the extent a violation of this Ordinance also constitutes a violation of a criminal statute of the State of Illinois, the violator shall also be subject to criminal prosecution.

Section 2. This Ordinance shall take full force and effect immediately upon passage by the Corporate Authorities

PASSED and APPROVED this 14th day of August, 2017.

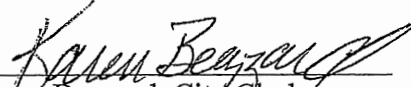
Yeas: HOOKER, MOHME, WEH

Nays: SIMS, WOODS

Absent: ZURLIENE

  
\_\_\_\_\_  
Kyle Jones, Mayor

ATTEST:

  
\_\_\_\_\_  
Karen Buzzard, City Clerk

## City of Trenton

### Rules Concerning Non-Highway Vehicle Transportation

1. Must hold a current, valid driver's license
2. Must be 18 years of age or older
3. Must possess a Non-Highway Vehicle permit from the City of Trenton
4. Must comply with the published "Rules Concerning Alternative Transportation for the City of Trenton" as periodically updated
5. Must display City decal on rear of vehicle
6. Must obey all traffic laws of the State of Illinois and the City of Trenton
7. Must operate headlights and tail lamps at all times that the Non-highway vehicle is in use on the City Streets
8. Must be operated only on City Streets; except where specifically prohibited
9. May only be operated between 6:00 a.m. and 11:59 p.m.
10. Vehicle must be inspected by the Chief of Police or his/her designee **and** a mechanic possessing a certificate of training from a recognizable certifying authority such as, but not limited to, ASE, Blue Oval, GM Goodwrench, using a form approved by the City, stating that the Non-Highway Vehicle is safe to operate on City Streets and is in compliance with this Ordinance and with the State of Illinois Motor Vehicle Code
11. The physically handicapped applicant must submit a certificate signed by a physician, certifying that the applicant is able to safely operate a qualified Non-Highway vehicle on City Streets
12. The applicant must provide evidence of insurance in compliance with the provisions of Illinois statutes regarding minimum liability insurance for passenger vehicles to be operated on the roads of the State of Illinois
13. A violation of any provision of this Ordinance is punishable by a fine of not less than \$100.00 nor more than \$750.00. A second or subsequent offense within twelve (12) month period may result in the revocation of the Non-Highway Vehicle permit for a period of not less than one (1) year nor more than five (5) years. Additionally, the Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the holder or operator of holder's non-highway vehicle has violated any provision of this Ordinance or there is evidence that permittee cannot safely operate a qualified Non-Highway Vehicle on the designated roadways. Administrative decisions made pursuant to this Article IX may be appealed in writing within fifteen (15) days of the decision to the Trenton City Administrator for final administrative determination. To the extent a violation of this Ordinance also constitutes a violation of a criminal statute of the State of Illinois, the violator shall also be subject to criminal prosecution.
14. May only be operated on streets where the posted speed limit is 35 MPH or less
15. A person operating or who is in actual physical control of a Non-Highway vehicle as described herein on a roadway while under the influence is subject to section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 thru 11-502)
16. Non-Highway Vehicles cannot be operated on City sidewalks or in City Parks other than parking lots
17. Non-highway Vehicles cannot be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation or Clinton County Highway Department (currently: US Highway 50 or Illinois State Route 160), except for purposes of directly crossing said highways at an established intersection

## CITY OF TRENTON

### PERMIT RULES

1. No person shall operate an Non-Highway Vehicle without first obtaining a proper permit from the City Clerk, as provided herein. Each permit obtained shall be granted for a one (1) year period and renewed annually to coincide with the calendar year. Any permit not renewed by December 31 of said year will be considered void. The annual cost of the permit is \$25.00 for residents and \$50.00 for non-residents and will not be pro-rated. Insurance coverage is to be verified prior to renewing a permit.
2. Every application for a permit shall be made on a form supplied by the City of Trenton and shall contain the following information
  - Name and address of the applicant
  - Name of liability insurance carrier and policy number
  - The serial number or vehicle identification number, year of manufacture, make, model and description of Non-Highway Vehicle
  - Signed waiver of liability by applicant releasing the City of Trenton and agreeing to indemnify and hold the City harmless from any and all future claims resulting from the operation of applicant's Non-Highway vehicle on City streets
  - Photo copy of applicable liability insurance coverage card specifically for the Non-Highway vehicle to be operated pursuant to the permit
  - Such other information as the City may require

#### **Non-Highway Vehicles Addressed:**

Non-Highway Vehicles, both electric and gas powered with the following equipment:

1. Horn
2. Brakes and brake lights
3. Turn signals
4. A steering wheel apparatus
5. Tires
6. Rearview mirror
7. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle(625 ILCS 5/12-709)
8. Headlight that emits a white light visible from a distance of 500 feet to the front which must illuminate when in operation
9. Tail lamp that emits a red light visible from at least 100 feet from the rear which must be illuminated when in operation
10. Amber reflectorized warning devices in the front and Red reflectorized warning devices in the rear
11. Seat belts for each passenger and the driver of the vehicle
12. Any additional requirements which may be amended to 65 ILCS 5/11-1428 or the Illinois Motor Vehicle Code

**CITY OF TRENTON**

**NON-HIGHWAY VEHICLE TRANSPORTATION PERMIT**

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Applicant Driver's License: \_\_\_\_\_

Applicant Phone Number: \_\_\_\_\_

VEHICLE

Make/Model: \_\_\_\_\_

Serial Number: \_\_\_\_\_

Insurance Carrier: \_\_\_\_\_

Agent Name & Number: \_\_\_\_\_

Permit #: \_\_\_\_\_

Instructions:

1. Complete this application and submit with inspection form, Insurance certificate and hold harmless form
2. Make Check payable to City of Trenton
3. Bring this form in person to Trenton City Hall, 14 W. Broadway, Trenton, IL 62293

**This Permit Expires on DECEMBER 31**

I have received and read the City of Trenton's ordinances regarding this transportation permit. I understand that if I wish to operate this vehicle on City streets that I am required to renew this permit annually, which requires an inspection and proof of insurance. By signing this application I agree to maintain adequate insurance in accordance with the above referenced ordinance.

Signature: \_\_\_\_\_

City Hall Please Check

Inspection form: \_\_\_\_\_ Hold Harmless form: \_\_\_\_\_ Proof of Insurance: \_\_\_\_\_

Trenton Police Approval: \_\_\_\_\_



CITY OF TRENTON

Non-Highway Vehicle Inspection Report

Date of Inspection: \_\_\_\_\_

Time of Inspection: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Vehicle Make: \_\_\_\_\_

Serial Number: \_\_\_\_\_

Please Check (x) to indicate compliance

Horn \_\_\_ Brakes \_\_\_ Turn Signals \_\_\_ Tires \_\_\_\_\_

Steering Wheel \_\_\_ Rearview Mirror \_\_\_\_\_ Headlight \_\_\_\_\_

Tail Light \_\_\_ Brake Lights \_\_\_ Slow Moving Vehicle Emblem \_\_\_

Seat Belts \_\_\_\_\_ Amber/Red Reflectorized warning devices \_\_\_\_\_

The above described vehicle was inspected and is in compliance with regulations set forth by City Ordinances for operation within the City of Trenton.

Inspector Name: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Telephone number of Business: \_\_\_\_\_

Signature of Inspector: \_\_\_\_\_

Inspection Type: New \_\_\_\_\_

Renewal \_\_\_\_\_

Trenton Police  
Department Approval: \_\_\_\_\_ Date: \_\_\_\_\_

CITY OF TRENTON LIABILITY RELEASE

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 me \_\_\_\_\_ (hereinafter referred to as Operator) to City of Trenton (hereinafter referred to as the City).

I FULLY RECOGNIZE THAT THERE ARE DANGERS AND RISKS TO WHICH I MAY BE EXPOSED BY OPERATING A NON-HIGHWAY VEHICLE ON CITY 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 CITY 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 NON-HIGHWAY VEHICLE ON CITY STREETS.

THE OPERATOR, AS OF THE DATE BELOW, SHALL HEREINAFTER SAVE, HOLD HARMLESS AND INDEMNIFY THE CITY AGAINST ANY AND ALL LIABILITY, CLAIMS, CAUSES OR 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 THIS NON-HIGHWAY VEHICLE ON CITY STREETS.

I understand that the City has an Ordinance governing the use of qualified non-highway vehicles on City streets and hereby agree to conform with all requirements of the City Ordinance at all times. I have had the opportunity to read said Ordinance and the "Rules Concerning Alternate Transportation for the City of Trenton" and my signature below acknowledges that I will comply with this Ordinance and said Rules as well as all of the applicable traffic laws of the State of Illinois at all times when operating this non-highway vehicle on City streets.

I, THEREFORE, AGREE TO ASSUME AND TAKE ON MYSELF ALL OF THE RISKS AND RESPONSIBILITIES IN ANY WAY ASSOCIATED WITH THIS ACTIVITY. IN CONSIDERATION OF AND RETURN FOR THE OPPORTUNITY TO OPERATE A NON-HIGHWAY VEHICLE ON CITY STREETS I RELEASE THE CITY (AND THE CITY 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 LIMITED TO NEGLIGENCE, MISTAKE, OR FAILURE TO ENFORCE, SUPERVISE, OR MAINTAIN.

I assure the City that there are no health-related reasons or problems which preclude or restrict my participation in this activity. I further assure the City 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 City 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 City, its City 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 assigns, as well as myself.

I HAVE READ THIS ENTIRE RELEASE. I FULLY UNDERSTAND IT, AND I AGREE TO BE LEGALLY BOUND BY IT.

WITNESSES

\_\_\_\_\_  
Operator's Signature

\_\_\_\_\_  
Date