

**VILLAGE OF PALESTINE, ILLINOIS**

**ORDINANCE NO. 2012-0-13**

**AN ORDINANCE TO AMEND CHAPTER 41: TRAFFIC**

**AMENDING ORDINANCE NO. 2005-0-09**  
*"AN ORDINANCE AUTHORIZING THE OPERATION  
OF GOLF CARTS ON STREETS IN  
THE VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS "*  
**ADDING ITEM D. TEMPORARY PERMITS  
OF THE PALESTINE VILLAGE CODE**

AND ALSO

**AMENDING ORDINANCE NO. 2012-0-01**  
*"AN ORDINANCE TO AMEND CHAPTER 41: TRAFFIC  
TO ADD SECTION 41.23 NEIGHBORHOOD VEHICLES"*  
**OF THE PALESTINE VILLAGE CODE**

ADOPTED BY THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PALESTINE, ILLINOIS  
THIS 29TH DAY OF AUGUST, 2012

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF  
THE BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,  
CRAWFORD COUNTY, ILLINOIS  
THIS 29TH DAY OF AUGUST, 2012.

  
SHIRLEY ADAMS, Village Clerk

## **ORDINANCE NO. 2012-0-13**

### **AMENDING ORDINANCE NO. 2005-0-09 "AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS ON STREETS IN THE VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS " ADDING ITEM D. TEMPORARY PERMITS OF THE PALESTINE VILLAGE CODE**

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, as follows:

The purpose of this Ordinance is to Amend said Ordinance to include the following:

#### **D. Temporary Permits – Golf Carts**

1. No person shall operate a motorized golf cart while visiting in the Village of Palestine, or camping in the Palestine Leaverton Park, without first obtaining a Temporary Permit from the Village Clerk (or designee), as provided herein. Temporary Permits shall be granted for a specific period of time. The cost of a Temporary Permit is a minimum fee of \$15.00, for one day, or \$25.00 for a five (5) day permit. Insurance coverage is to be verified in effect by the Village Clerk (or designee).
2. Every application for a Temporary Permit shall be made on a form supplied by the Village of Palestine, and shall contain the following information:
  - a. The name and address of the applicant(s).
  - b. Name of Liability Insurance Carrier, and agent, along with a copy of said applicable liability insurance coverage policy, and card, specifically for the golf cart to be operated on the Village of Palestine streets.
  - c. The serial number, make, model, and description of the golf cart.
  - d. Signed General Release of Liability, Waiver, Discharge and Covenant not to sue by applicant releasing the Village of Palestine, the County of Crawford, the Township of LaMotte, and all other governmental entities which have approved the operation of golf carts on their roadways of and from all liability for direct, indirect, special, incidental or consequential damages, whether arising in court, contract or any other legal theories, in connection with or arising out of the operator's use of a golf cart, and, in addition, the operator(s) shall save, hold harmless and indemnify such governmental entities against any and all liability, claims, causes of action and costs of whatsoever kind and nature, including death, resulting from,

arising out of, or occurring in connection with the use of a golf cart pursuant to this Ordinance, or any other Ordinance of the Village of Palestine, Illinois.

- e. Such other information as the Village may require.
3. No Temporary Permit shall be granted unless the following conditions are met:
- a. The golf cart must be inspected by the Village Chief of Police(or designee) to insure that the vehicle is safe to operate on Village Streets and is in compliance with the requirements of this Ordinance.
  - b. The handicapped applicant must submit a certificate signed by a physician, that said handicapped applicant is able to safely operate a motorized golf cart on the roadways designated.
  - c. The applicant must provide evidence of insurance in compliance with the provisions of Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

The Village Board of Trustees may suspend or revoke a Temporary Permit granted hereunder upon a finding that the holder of said Temporary Permit has violated any of the provisions of this Ordinance or if there is evidence that the permittee cannot safely operate the motorized golf cart on the designated roadways.

Every person operating a golf cart pursuant to Temporary Permit hereunder on designated Village Streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the State Highway Traffic Laws and Regulations except when those provisions cannot reasonably be applied to motorized golf carts.

**AND ALSO**

**AMENDING ORDINANCE NO. 2012-0-01  
"AN ORDINANCE TO AMEND CHAPTER 41: TRAFFIC  
TO ADD SECTION 41.23 – NEIGHBORHOOD VEHICLES"  
ADDING ITEM D. TEMPORARY PERMITS  
OF THE PALESTINE VILLAGE CODE**

**D: Temporary Permits – Neighborhood Vehicles**

- 1. No person shall operate a Neighborhood Vehicle, while visiting in the Village of Palestine, or camping in the Palestine Leaverton Park, without first obtaining a Temporary Permit from the Village Clerk (or designee), as provided herein. Temporary Permits shall be granted for a specific period of time. The cost of a Temporary Permit is a minimum fee of \$15.00, or \$25.00 for a five (5) day permit. Insurance coverage is to be verified in effect by the Village Clerk (or designee).

2. Every application for a Temporary Permit shall be made on a form supplied by the Village of Palestine, and shall contain the following information:

- a. The name and address of the applicant(s).
- b. Name of Liability Insurance Carrier, and agent, along with a copy of said applicable liability insurance coverage policy, and card, specifically for the Neighborhood Vehicle to be operated on the Village of Palestine streets.
- c. The serial number, make, model, and description of the golf cart.
- d. Signed General Release of Liability, Waiver, Discharge and Covenant not to sue by applicant releasing the Village of Palestine, the County of Crawford, the Township of LaMotte, and all other governmental entities which have approved the operation of Neighborhood Vehicles on their roadways of and from all liability for direct, indirect, special, incidental or consequential damages, whether arising in court, contract or any other legal theories, in connection with or arising out of the operator's use of a Neighborhood Vehicle, and, in addition, the operator(s) shall save, hold harmless and indemnify such governmental entities against any and all liability, claims, causes of action and costs of whatsoever kind and nature, including death, resulting from, arising out of, or occurring in connection with the use of a Neighborhood Vehicle pursuant to this Ordinance, or any other Ordinance of the Village of Palestine, Illinois.
- e. Such other information as the Village may require.

3. No Temporary Permit shall be granted unless the following conditions are met:

- a. The Neighborhood Vehicle must be inspected by the Village Chief of Police(or designee) to insure that the vehicle is safe to operate on Village Streets and is in compliance with the requirements of this Ordinance.
- b. The handicapped applicant must submit a certificate signed by a physician, that said handicapped applicant is able to safely operate a motorized Neighborhood Vehicle on the roadways designated.
- c. The applicant must provide evidence of insurance in compliance with the provisions of Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.

The Village Board of Trustees may suspend or revoke a Temporary Permit granted hereunder upon a finding that the holder of said Temporary Permit has violated any of the provisions of this Ordinance or if there is evidence that the permittee cannot safely operate the motorized golf cart on the designated roadways.

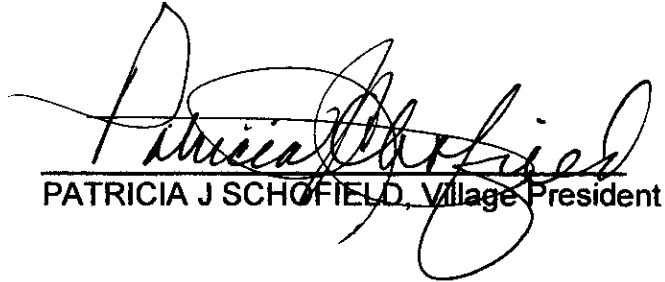
Every person operating a Neighborhood Vehicle pursuant to Temporary Permit hereunder on designated Village Streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the State Highway Traffic Laws and Regulations except when those provisions cannot reasonably be applied to motorized Neighborhood Vehicles.

Upon roll call vote, the following Trustees voted **Aye**:

Gene Purcell; Greta Dennison; Larry Miller; Larry Surrells; J. D. Kimberlin and J. R. Dunlap

Upon roll call vote, the following Trustees voted nay:

Passed, approved and published in pamphlet form this 29<sup>TH</sup>, day of AUGUST, 2012.

  
PATRICIA J SCHOFIELD, Village President

ATTEST:

  
SHIRLEY ADAMS, Village Clerk