



Greenup Village Hall
115 E. Cumberland St.
P.O. Box 246
Greenup, IL 62428

**VILLAGE OF GREENUP
CUMBERLAND COUNTY, ILLINOIS
ORDINANCE NO. 450**

**AN ORDINANCE AUTHORIZING THE OPERATION OF ALL-
TERRAIN UTILITY VEHICLES ON STREETS UNDER THE
JURISDICTION OF THE VILLAGE OF
GREENUP, CUMBERLAND COUNTY, ILLINOIS**

**PASSED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF GREENUP
THIS 5TH DAY OF JULY, 2007**

**PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF
GREENUP, CUMBERLAND COUNTY, ILLINOIS
THIS 6TH DAY OF JULY, 2007**

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compliance for websites.**

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STATE OF ILLINOIS)
) SS.
COUNTY OF CUMBERLAND)

CERIFICATE

I, Nancy Sowers, certify that I am the duly elected and acting municipal clerk of the Village of Greenup, Cumberland County, Illinois.

I further certify that on July 5, 2007 the corporate authorities of such municipality passed and approved Ordinance No. 450, entitled "An Ordinance Authorizing the Operation of All-Terrain Utility Vehicles on Streets Under the Jurisdiction of the Village of Greenup, Cumberland County, Illinois" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 450, including the: Ordinance and a cover sheet thereof: was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 6, 2007 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Greenup, Illinois this 6th day of July, 2007.

(SEAL)

Nancy Sowers, Village Clerk

ORDINANCE NO. 450

AN ORDINANCE AUTHORIZING THE OPERATION OF ALL-TERRAIN UTILITY VEHICLES ON STREETS UNDER THE JURISDICTION OF THE VILLAGE OF GREENUP, CUMBERLAND COUNTY, ILLINOIS

WHEREAS, the Village of Greenup, Illinois, is authorized pursuant to 625 ILCS 5/1 1-1428 to designate one or more specific streets under the jurisdiction of the Village of Greenup, Illinois as egress and ingress routes for the use of all-terrain vehicles and off-highway motorcycles; and:

WHEREAS, the Village Board of Trustees for the Village of Greenup, Illinois, has considered the volume, speed and character of traffic on the streets of the Village of Greenup, Illinois; and,

WHEREAS, the Village Board of Trustees for the Village of Greenup, Illinois has determined that all-terrain vehicles may safely operate on the streets of the Village of Greenup, Illinois, if properly regulated as provided herein.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GREENUP, CUMBERLAND COUNTY, ILLINOIS, THAT:

Section 1: The findings made in the prefatory portion of this Ordinance are hereby adopted.

Section 2: All-terrain utility vehicles may be operated on those streets under the jurisdiction and control of the Village of Greenup, Illinois. All-terrain utility vehicles, however, shall not be operated on South Jefferson Street except to make a direct crossing. All-terrain utility vehicles shall be operated in the same direction as traffic. Furthermore, an all-terrain utility vehicle shall not be operated on streets, roadways, and highways under the jurisdiction of the Illinois Department of Transportation or the County Highway Department.

Section 3: No all-terrain utility vehicle shall be operated on any street or roadway under the jurisdiction and control of the Village of Greenup, Illinois, unless:

- A. The all-terrain utility vehicle is equipped with the following equipment:
 - 1) Brakes
 - 2) Steering apparatus
 - 3) Tires
 - 4) A rear view mirror.
 - 5) A red reflectorized warning device on the front and rear of the all-terrain utility vehicle.
 - 6) A slow moving emblem as required by 625 ILCS 5/12-709 attached to the rear of the all-terrain utility vehicle.
 - 7) A headlight that emits white light visible from at least 500 feet to the front.
 - 8) A tail lamp that emits red light visible from at least 100 feet from the rear.
 - 9) Brake lights on the rear of the all-terrain utility vehicle.

- 10) Turn signals on the front and rear of the all-terrain utility vehicle.
- 11) Windshield
- 12) Seatbelts

Section 4: No all-terrain utility vehicle shall be operated on the streets under the jurisdiction and control of the Village of Greenup, Illinois, unless such all-terrain utility vehicle has its head lights and tail lights illuminated at all time.

Section 5: No person shall operate a all-terrain utility vehicle on the streets under the jurisdiction and control of the Village of Greenup, Illinois, unless such operator is at least twenty-one (21) years of age and has a valid Drivers License.

Section 6: All-terrain utility vehicle shall be operated on streets under the jurisdiction and control of the Village of Greenup, Illinois, only during daylight hours. Furthermore, they shall not be of the operated in inclement weather nor when visibility is impaired by weather, smoke, for, or other conditions, or at anytime when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

Section 7: No person shall operate an all-terrain utility vehicle on the streets under the jurisdiction and control of the Village of Greenup, Illinois, in excess of 20 miles per hour.

Section 8: During the operation of an all-terrain utility vehicle on any street under the jurisdiction and control of the Village of Greenup, Illinois, the operator of such all-terrain utility vehicle shall obey all provisions of the Illinois Vehicle Code, as amended from time to time.

Section 9: No all-terrain utility vehicle shall be operated on the streets under the jurisdiction and control of the Village of Greenup, Illinois, unless said all-terrain utility vehicle is first licensed by the Village of Greenup, Illinois. A person desiring to operate an all-terrain utility vehicle on the streets under the jurisdiction and control of the Village of Greenup, Illinois, shall make application for an all-terrain utility vehicle license with the Village Clerk of the Village of Greenup, Illinois. The license shall be in that form as attached hereto as Exhibit A. The license shall be valid for a period of one (1) year. Any person applying for a all-terrain utility vehicle license pursuant to this Ordinance shall pay an annual fee of \$35.00 to the Village Clerk of the Village of Greenup, Illinois.

Section 10: No person shall operate an all-terrain utility vehicle on the streets under the jurisdiction and control of the Village of Greenup, Illinois, unless the all-terrain utility vehicle is covered by a liability insurance policy as required under 625 ILCS 5/7-601. Every operator of a all-terrain utility vehicle subject to Section 10 of this Ordinance shall carry with the all-terrain utility vehicle evidence of insurance as required by 625 ILCS 5/7-602.

Section 11: Any person who violates this Ordinance shall be guilty of a petty offense punishable by a fine of not less than \$100.00 nor more than \$500.00. Any second or subsequent offense of any provision of this Ordinance shall result in the revocation of the all-terrain utility vehicle license for a period of not less than three (3) nor more than five (5) years.

Section 12: Invalidity. In the event a court of competent jurisdiction declares any particular provision of this Ordinance to be invalid or unenforceable, the remaining provisions of this Ordinance shall be construed to be valid and unenforceable. The invalidity of any part of this Ordinance shall not affect any other part or parts thereof.

Section 13: Effective Date. This Ordinance shall be in full effect from and after passage and approval as provided by law.

Section 14: Any ordinance of the Village of Greenup contrary to the terms and conditions of this Ordinance shall be deemed to be repealed.

Placed on file this 6th day of July, 2007.

Presented, passed and approved this 5th day of July, 2007.

George Hensley	Yea
Jerry Clzek	Yea
Todd Kemper	Absent
Donnie Cornwell	Yea
Zhonna Brown	Yea
Linda Hornbeck	Yea

AYES: 5

NAYS: 0

VILLAGE OF GREENUP, ILLINOIS

Thomas Bauguss, Village President

ATTEST:

Nancy Sowers, Village Clerk



Greenup Village Hall
115 E. Cumberland St.
P.O. Box 246
Greenup, IL 62428

Application All-Terrain Utility Vehicle License

The undersigned hereby makes application for a permit for an all-terrain utility vehicle license:

A. Full Name, age, address, and phone number of Applicant requesting license:

B. Description of vehicle including but not limited to, the make, model, and serial number:

C. Name of liability insurance carrier and policy number:

D. Attach copy of liability insurance policy as required under 625 ILCS 5/7-601 specifically for vehicle to be operated within the Village of Greenup:

Yes No

E. Attach \$35.00 License Fee: Yes No

I, certify that the facts contained in this application are true and complete to the best of my knowledge.

Signature of Applicant:

UNCONDITIONAL AND FULL GENERAL RELEASE OF LIABILITY, WAJVER, 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 Village of Greenup and its Trustees (hereinafter referred to as the Village)

I FULLY RECOGNIZE THAT THERE ARE DANGERS AND RISKS TO WHICH I MAY BE EXPOSED BY OPERATING A GOLF CART 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 GOLF CART ON VILLAGE STREETS.

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 THE USE OF THIS GOLF CART ON-VILLAGE STREETS.

I understand that the Village has an Ordinance governing the use of Golf Carts 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 comply with this Ordinance and all of the applicable traffic laws of the State of Illinois at all times when operating this golf cart on Village streets.

1, 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 GOLF CART ON VILLAGE STREETS, I RELEASE THE VILLAGE (AND THE BOARD OF TRUSTEES, 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 COVERS LIABILITY, CLAIMS AND ACTIONS CAUSED ENTIRELY OR IN PART BY ANY ACTS OR FAILURES TO ACT ON MY PART, INCLUDING BUT NOT LIMITED TO 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 Board of Trustees, 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

EXHIBIT A

**ALL-TERRAIN UTILITY VEHICLE LICENSE
VILLAGE OF GREENUP, ILLINOIS**

The following described all-terrain utility vehicle is hereby licensed to operate on the streets under the jurisdiction and control and of the Village of Greenup, Illinois, in accordance with the Village of Greenup Ordinance No. 450.

1. All-terrain utility vehicle make, model, and description:

2. All-terrain utility vehicle serial number:

3. Owner's Name and Address:

4. Owner's phone number:

5. Expiration date:

6. License fee paid:

\$ _____

7. Attach copy of a liability insurance policy as required under 625 ILCS 5/7-601 specifically for all-terrain utility vehicle to be operated within the Village of Greenup.

Signed: _____
Village Clerk
Village of Greenup, IL

Date: _____