

# **CITY OF CHILLCOTHE, ILLINOIS**

## **ORDINANCE NO. 22-08-32**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF CHILLCOTHE,  
ILLINOIS AUTHORIZING AND REGULATING THE USE OF RECREATIONAL OFF-  
HIGHWAY VEHICLES WITHIN THE MUNICIPAL BOUNDRIES OF THE CITY OF  
CHILLCOTHE, ILLINOIS**

**ADOPTED BY THE CITY COUNCIL OF  
THE CITY OF CHILLCOTHE, ILLINOIS  
THE 8<sup>TH</sup> DAY OF AUGUST, 2022**

**Published in pamphlet form by authority of the City Council of the City of Chillicothe, Peoria County, Illinois, this 8<sup>th</sup> day of August, 2022.**

ORDINANCE NO. 22-08-32

CITY OF CHILLICOTHE, ILLINOIS

AN ORDINANCE AMENDING THE  
CODE OF ORDINANCES, CITY OF CHILLICOTHE, ILLINOIS  
AUTHORIZING AND REGULATING THE USE OF  
RECREATIONAL OFF-HIGHWAY VEHICLES WITHIN THE  
MUNICIPAL BOUNDARIES OF THE CITY OF CHILLICOTHE, ILLINOIS

WHEREAS, the City of Chillicothe, Illinois (“City of Chillicothe”) is an Illinois municipality organized and operating pursuant to the Illinois Municipal Code (65 ILCS 5/1-1-1, *et. seq.*); and

WHEREAS, pursuant to the Illinois Vehicle Code, the City of Chillicothe has the authority to authorize and regulate, by ordinance or resolution, the use of non-highway vehicles on streets, roads, and highways within the municipal boundaries (625 ILCS 5/11-1426.1); and

WHEREAS, pursuant to the Illinois Vehicle Code, a “non-highway vehicle” is defined as a motor vehicle not specifically designed to be used on a public highway (625 ILCS 5/11-1426.1(a)); and

WHEREAS, pursuant to the Illinois Vehicle Code, a “recreational off-highway vehicle” is considered a “non-highway vehicle” and is defined as “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 for gas-powered engines or 3,000 pounds or less for electric-powered engines, 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” (625 ILCS 5/1-168.8); and

WHEREAS, the City of Chillicothe has adopted, codified, and published the Code of Ordinances, City of Chillicothe, Illinois (“Chillicothe Code”), including, amongst other chapters, provisions regarding the use of non-highway vehicles within the municipal boundaries; and

WHEREAS, Section 1-5(b) of the Chillicothe Code allows the City Council of the City of Chillicothe (“City Council”) to amend provisions of the Chillicothe Code, as necessary, for the lawful governance of the City of Chillicothe; and

WHEREAS, the Public Safety Committee has considered the volume, speed, and character of traffic on municipal roadways and the ability for recreational off-highway vehicles to safely travel on or cross municipal roadways and has determined public safety will not be jeopardized by authorizing the use of recreational off-highway vehicles within the municipal boundaries; and

WHEREAS, the City Council has agreed with the determination of the Public Safety Committee and has determined it is necessary and in the best interests of the City of Chillicothe and the health, safety, and welfare of its citizens to amend the Chillicothe Code to authorize and regulate the use of recreational off-highway vehicles within the municipal boundaries of the City of Chillicothe, as provided herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHILLICOTHE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:**

Section One: The foregoing recitals and the findings therein are hereby adopted by the City Council of the City of Chillicothe and are incorporated herein by reference in their entirety.

Section Two: Section 78-126 of the Chillicothe Code is hereby amended to read as follows:

Sec. 78-126. - Recreational Off-Highway Vehicles.

- A. The operation of recreational off-highway vehicles shall be permitted on streets under the jurisdiction of the City of Chillicothe and/or within its corporate boundaries only as set forth in this article. Recreational off-highway vehicles may only be operated on streets where the posted speed limit is 35 miles per hour or less. Recreational off-highway vehicles shall be permitted to make direct crossings at an intersection controlled by a traffic light or four-way stop sign upon or across any highway under the jurisdiction of the State of Illinois as set forth in Section 11-1426.1 of the Illinois Vehicle Code (625 ILCS 5/11-1426.1). The term "recreational off-highway vehicle" shall be defined as follows, in accordance with Section 1-168.8 of the Illinois Vehicle Code (625 ILCS 5/1-168.8):

Recreational Off-highway Vehicle. 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 for gas-powered engines or 3,000 pounds or less for electric-powered engines, 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.

- B. The operation of recreational off-highway vehicles within the City shall be in accordance with all provisions of the Illinois Vehicle Code (625 ILCS 5/1-100 et seq.). All recreational off-highway vehicles must have, at a minimum, the following specifications and equipment:

- 64 inches or less in width
- A manufacturer's dry weight of 2,000 pounds or less for gas-powered engines
- 3,000 pounds or less for electric-powered engines
- 4 or more non-highway tires
- a non-straddle driver's seat
- a steering wheel for steering control
- Brakes;
- Brake lights;
- Windshield;
- Rearview mirrors;
- Yellow or red reflector warning in front/rear/sides;
- Rear slow-moving emblem;
- Headlights - emits white light visible from 500 feet when in operation;
- Taillights - emits red light visible from 100 feet when in operation;
- Front and rear turn signals;
- Seatbelts at each designated seating position (no shoulder strap required)

- C. No person shall operate a recreational off-highway vehicle within the City of Chillicothe without first obtaining a permit, or being listed as an additional operator under a permit, as provided herein. The permit (registration) stickers will be placed on the front windshield of the recreational off-highway vehicles. Permits shall expire on April 30 of each year. The cost of the permit shall be as

set forth in chapter 42 of the City Code. Applications for a permit shall be made on a form supplied by the City, shall be executed by the applicant and each additional operator and shall contain the following:

- Name and address of applicant;
- Name and address of any additional operators;
- Name of liability insurance carrier and policy number;
- The serial number/VIN, make, model and description of recreational off-highway vehicles;
- Waiver of liability;
- Such other information as the City may require.

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

- The vehicle must be inspected and approved by the police department;
- A physically handicapped applicant or operator must submit a certificate signed by a physician, certifying that the applicant is able to safely operate the recreational off-highway vehicle on City streets;
- 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;
- The applicant must provide a copy of the driver's license of the applicant and each operator.

Permits may be renewed upon demonstration of compliance with the requirements for initial issuance of a permit and the payment of the permit fee.

- D. The following requirements shall apply to the operation of recreational off-highway vehicles within the City of Chillicothe:
- The applicant and all operators must be at least 18 years of age.
  - A City decal evidencing that a permit has been obtained shall be displayed on the recreational off-highway vehicle.
- E. Any person who violates the provisions of this article shall be subject to revocation of permit or non-renewal of permit, at the discretion of the City council, and/or a monetary fine.
- F. Recreational off-highway vehicles shall be subject to impoundment to the same extent as vehicles as set forth in article VIII, Impoundment of Vehicles, of chapter 94, Traffic Vehicles, of the City Code.
- G. Each driver of and passenger of a recreational off-highway vehicle operated on a street within the City shall wear a properly adjusted and fastened seat belt of a type described in section 78-107 of the City Code.
- H. The pulling of a trailer occupied by passengers behind a recreational off-highway vehicle shall be permitted on the streets under the jurisdiction of the City only as part of a parade for which a special event license has been issued

by the City, and only if the trailer occupied by passengers has, at a minimum, the following equipment:

- Brake lights
- Tires
- Yellow or red reflector warning in rear/sides
- Slow moving emblem - rear
- Taillights - emits red light visible from 100 feet when in operation
- Rear turn signals
- Seatbelts at each designated seating position (each occupant must wear their own properly adjusted and fastened seatbelt at all times)
- Safety chains on tongue of trailer when in operation

I. The pulling of a utility trailer behind a recreational off-highway vehicle with no passengers shall be permitted on the streets under the jurisdiction of the City. All utility trailers to be pulled behind a recreational off-highway vehicle with no passengers shall have, at a minimum, the following equipment:

- Brake lights
- Tires
- Yellow or red reflector warning in rear/sides
- Slow moving emblem - rear
- Taillights - emits red visible light from 100 feet when in operation
- Rear turn signals
- Safety chains on tongue of trailer when in operation

J. No person shall operate a trailer behind a recreational off-highway vehicle within the City without first obtaining a permit. The permit registration sticker will be placed on the rear of the trailer. Permits shall expire on April 30 of each year. The cost of the permit shall be as set forth in chapter 42 of the City Code. Applications for a trailer permit shall be made on a form supplied by the City and shall contain the following:

- Name and address of applicant
- Name of liability insurance carrier and policy number
- The serial number/VIN, make, model, and description of the trailer
- Waiver of liability
- Such other information as the City may require

K. All applicable provisions of the Chillicothe Code and Illinois Vehicle Code regarding the operation of vehicles shall apply.

Section Three: Section 78-127 of the Chillicothe Code is hereby created to read as follows:

Sec. 78-127. – Special events.

A non-highway vehicle other than a golf cart or recreational off-highway vehicle may be operated on the streets of the City of Chillicothe as part of a special event for which the City has granted approval under section 10-33 of the City Code; provided, however, that all provisions of the Chillicothe City Code,

the Illinois Compiled Statutes, and all other applicable laws and regulations shall apply to such operation. The term "non-highway vehicle" shall have the same meaning as set forth in Section 11-1426.1 of the Illinois Vehicle Code (65 ILCS 5/11-1426.1).

Section Four: Section 42-78 of the Chillicothe Code is hereby amended by adding the following between "§ 78-120." and "§ 78-183," based on the numerical order of the sections or subsections identified therein:

§ 78-126.C. Permit for recreational off-highway vehicle (annual) .....40.00

§ 78-126.I. Permit for recreational off-highway vehicle cart trailer (annual) if application submitted separate from recreational off-highway vehicle permit application (if application for recreational off-highway vehicle trailer permit is submitted with application for recreational off-highway vehicle permit, there is no additional fee) .....20.00

Section Five: Section 42-94 of the Chillicothe Code is hereby amended as follows:

§94-304. Administrative fee for impoundment of a golf cart or recreational off-highway vehicle ..... 250.00

Section Six: This Ordinance shall be effective immediately upon passage, approval and publication as may be required by law.

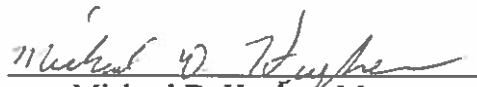
**PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHILLICOTHE, PEORIA COUNTY, ILLINOIS this 8th day of August, 2022.**

Ayes: Seven (7)

Nays: One (1)

Absent: None (0)

Attest:   
Margaret Hurd, Clerk

  
Michael D. Hughes, Mayor

