

Title 10

VEHICLES AND TRAFFIC

Chapters:

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Chapter 10.02

Sections:

- 10.02.010 Vehicles as a Public Nuisance
- 10.02.020 Exceptions
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10.02.010 Vehicles as a Public Nuisance.

A. A motor vehicle which is used in the commission of or in conjunction with the commission of any of the offenses described herein shall be declared a public nuisance and shall be subject to seizure and impoundment pursuant to this chapter:

1. The driver or any other person within the motor vehicle commits an act of prostitution or solicitation for prostitution in violation of the Illinois Criminal Code, 720 ILCS5/11-14 or 11-15.

2. The driver or any other person within the motor vehicle commits the offense of illegal dumping, in violation of Chapter 8.04 of the Code of Ordinances of Rossville, Illinois.

*Chapter 10.02 adopted August 20, 2007; Ref Ord NO 2007-23
Section 10.02.010 amended Oct 15, 2007; Ref Ord # 2007-23A
Section 10.21.050 amended November 21, 2016 Ref Ord #2016-09*

3. The driver of the motor vehicle, while being under the age of 21, is in possession of or has consumed an alcoholic beverage in violation of the Illinois Liquor Control Act, 235 ILCS 5/6-20.

4. The driver or any other person within the motor vehicle commits a violation of the Illinois Criminal code 720 ILCS 5/21-1.5 concerning the transportation of anhydrous ammonia.

5. The driver or any other person within the motor vehicle commits a violation of the Illinois Criminal Code, 720 ILCS 5/24-1.5 entitled "Reckless Discharge of a Firearm".

6. The driver or any other person within the motor vehicle commits a violation of the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq.

7. The driver or any other person within the motor vehicle commits any act of criminal damage to property or criminal trespass in violation of Title 9 of the Rossville Ordinances or any similar provision under state law and only where the vandalism results in injury to a person or damage to property.

8. The driver or any other person in possession of a motor vehicle commits a violation of the Illinois Motor Vehicle Code, 625 ILCS 5/12-611, entitled "Sound Amplification Systems:",

9. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS 5/6-101 by operating the vehicle without a license or permit.

10. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS sec. 5/6-303 by operating the vehicle when the person's license or permit has been suspended or revoked.

11. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle code, 625 ILCS Sec. 5/11-501 by operating a motor vehicle while under the influence of alcohol or drugs, and or commits a violation of the Illinois Vehicle code 625 ILCS 5/11-502a and 5/11-502b.

Chapter 10.02.010 adopted August 20, 2007; Ref Ord # 2007-23

Section 10.02.010 Amended Oct 15, 2007; Ref Ord # 2007-23A

Section 10.2.010 #6 and #12 revised April 21, 2010 Ref Ord #2010-07

Section 10.2.010 #6 removed January 20, 2020 Ref Ord #2020-01

12. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec. 5/11-503 driving recklessly or committing aggravated reckless driving.

13. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/11-104 drag racing.

14. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/04-104(a) 1 through 5 by violating the provisions relating to possession of title and registration.

15. The driver or other person in control of a motor vehicle commits a violation of the Illinois vehicle Code, 625 ILCS Sec 5/3-707 operating the vehicle without insurance.

16. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/12-602 operating the vehicle with a muffler that allows excessive or unusual noise.

17. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/3-702 operating a motor vehicle when the registration has been cancelled, suspended or revoked.

18. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/3-708 operating a motor vehicle when the registration has been suspended for non-insurance.

19. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/3-710 displaying false evidence of insurance.

20. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS 5/11-401 failing to stop after an accident involving death or personal injuries.

21. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/11-402 failure to stop after an accident in which a motor vehicle sustains damage.

22. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle code, 625 ILCS Sec 5/11-403 failure to give information or render assistance after a motor vehicle accident.

23. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code 625 ILCS Sec 5/11-404 failure to stop and notify the owner after a property damage accident.

24. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/11-406 failure to submit a written report involving a motor vehicle accident.

25. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/11-407 failure to give notice of an accident where no police officer is present.

26. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/11-409 giving false information regarding a motor vehicle accident.

27. The driver or any other person within the motor vehicle commits a violation of 720 ILCS Sec. 5/31-1, resisting a peace officer or 720 ILCS Sec 5/12-2 or 5/12-4, aggravated assault or battery to a peace officer.

28. The driver or other person in control of a motor vehicle commits a violation of the Illinois Vehicle Code, 625 ILCS Sec 5/3-413F, operating a vehicle, after expiration of an Illinois Registration plate or registration sticker after the termination of the registration period for which issued.

B. The penalties provided in this chapter shall be in addition to any penalties which may be imposed against the driver or other persons within the motor vehicle pursuant to any other Village ordinance or state law.

C. The term "motor vehicle" as used in this chapter shall have the same meaning as set forth in Section 1-146 of the Illinois Motor Vehicle Code, 625 ILCS sec. 5/1-146. In addition,

*Chapter 10.02.010 amended November 19, 2012 Ref Ord 2012-18
Chapter 10.02.010 adopted August 20, 2007; Ref Ord # 2007-23
Section 10.02.010 amended Oct. 15, 2007; Ref Ord # 2007-23A*

the term "motor vehicle" as used in this chapter shall include motorcycles and motorized pedalcycles, as defined in Sections 1-147 and 1-148.2 of the Illinois Motor Vehicle Code, 625 ILCS Sec. 5/1-147, 1-148.2

10.02.020 Exceptions. This chapter shall not apply:

A. If the motor vehicle used in the violation is stolen at the time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered;

B. If the motor vehicle is operating as a common carrier and the violation occurs without the knowledge of the person in control of the motor vehicle.

10.02.030 Seizure and Impoundment. Whenever a police officer has probable cause to believe that, a motor vehicle is subject to seizure and impoundment pursuant to this chapter, the police officer shall provide for the towing of the motor vehicle to a facility controlled by the Village or its agents. Before or at the time the vehicle is towed, the police officer shall notify any person identifying himself as the owner of the vehicle, or any person who is found in control of the vehicle at the time of the alleged violation, of the fact of the seizure and of the owner's right to post a cash bond to recover the vehicle.

10.02.040 Bonding Procedure. A. Whenever the owner of record of a motor vehicle seized and impounded pursuant to this chapter desires to retrieve the motor vehicle prior to the evidentiary hearing they may do so by posting a cash bond at the office of the Village Clerk in the amount indicated herein. Once the bond has been posted and the towing and storage fees paid, the motor vehicle shall be released until the evidentiary hearing is held by the village designated Hearing department. The amount of bond shall be three hundred dollars.

B. If a motor vehicle may be subject to forfeiture pursuant to the Drug Asset Forfeiture Procedure Act, 725 ILCS 150/1 et seq., or any other state or federal law concerning the forfeiture of property, said vehicle shall not be released by the posting of the bond described in this section.

*Chapter 10.02 adopted August 20, 2007; Ref Ord No. 2007-23
Chapter 10.02.040, Revised 9/20/10: Ref. Ord. No., 2010-14
Chapter 10.02.040, Revised 11/17/2014 Ref. Ord. No. 2014-12*

10.02.050 Vehicle Impoundment Hearing; Notification.

A. If the owner of record of a vehicle seized pursuant to this chapter desires to appeal the seizure, said owner must make a request for a vehicle impoundment hearing no later than the next business day after the seizure. Said request shall be in writing and filed with the Village Hearing Department. If the request is timely filed, a designated Hearing Officer shall conduct such hearing within 72 hours after the request, excluding Saturdays, Sundays and holidays. All interested persons shall be given a reasonable opportunity to be heard at the hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible. IF, after the hearing, the Hearing Officer determines there is probable cause to believe that the vehicle is subject to seizure and impoundment pursuant to this chapter, the Hearing Officer shall order the continued impoundment of the vehicle until the full evidentiary hearing pursuant to this section, unless the vehicle owner posts the applicable cash bond, and a notice of such full evidentiary hearing shall be given to the vehicle owner.

B. Unless the vehicle owner has received a notice after a hearing held pursuant to subsection (A) above, within ten days after a motor vehicle is seized and impounded pursuant to this chapter, the village or designee shall notify, or send notice by certified mail return receipt requested, the owner of record of the date, time and location of a full evidentiary hearing concerning the seizure and impoundment. Such hearing shall be scheduled and held, unless continued by order of the hearing officer, no later than 30 days after the motor vehicle was seized. All interested persons shall be conducted in accordance with Title 11 of the Village Ordinance Code, or as otherwise provided by law.

C. If, after the hearing set forth in subsection (B) above, the hearing Officer determines by a preponderance of evidence that the motor vehicle was used in the commission of or in conjunction with any of the offenses described in Section 10.02.010 and that none of the exceptions set forth in Section 10.02.020 apply, then the Hearing Officer shall enter an order finding the owner of record of the motor vehicle civilly liable to the Village and impose the penalties set forth in this chapter. IF the Hearing Officer determines that no such violation occurred, the Hearing Officer shall order the return of the motor vehicle and/or any cash bond posted and towing and storage fees paid.

D. In the event that the owner of record desires to appeal the decision of the Hearing Officer under the provisions of the Illinois Administrative Review Act, he shall pay the costs of the preparation and transcription of the record of the hearing.

10.02.060 Penalties.

A. Whenever a motor vehicle is used in the commission of or in conjunction with any of the offenses described in Section 10.02.010 the motor vehicle may be impounded and the owner of record of the motor vehicle shall be liable for an administrative penalty in the amount of three hundred dollars and any applicable towing and storage fees.

B. Costs. In addition to any fine or other penalty imposed pursuant to this chapter, the owner of record shall be ordered to pay the costs and fees incurred by the village in prosecuting the violation, which shall include, but not be limited to, the costs associated with an administrative adjudication proceeding or court proceeding, and reasonable attorney's fee.

C. If a penalty is imposed pursuant to this chapter, such penalty shall constitute a debt due and owing to the village. The owner of record's obligation to pay such debt to the village shall be independent of the village's return of any impounded motor vehicle. If a bond has been posted, the Hearing Officer shall enter an order deducting any fines and fees imposed pursuant to this chapter from the bond so posted.

*Chapter 10.02 adopted August 20, 2007; Ref Ord. No. 2007-23
Chapter 10.02.060.A Revised 9/20/10: Ref Ord. No.2010-14
Chapter 10.02.040, Revised 9/20/10: Ref. Ord. No., 2010-14
Chapter 10.02.060, Revised 11/17/2014 Ref. Ord. No. 2014-12*

D. Except as otherwise provided in this chapter, an impounded motor vehicle shall be returned to the owner of record, or other person who is legally entitled to possess the motor vehicle, upon his or her payment to the village of the penalty or penalties imposed pursuant to this chapter, including the towing and storage fees, unless the motor vehicle has been sold or otherwise disposed of to satisfy a judgment or enforce a lien as provided by law.

E. Notwithstanding any other provisions of this chapter, whenever a person with a lien of record against a motor vehicle impounded under this chapter has commenced foreclosure or repossession proceedings, possession of the motor vehicle shall be given to that person, but only upon agreeing, in writing, to refund to the village the net proceeds of any sale of the motor vehicle, less any amounts necessary to pay all lien holders of record, up to the total amount of penalties imposed pursuant to this chapter which are outstanding.

10.02.070 Unclaimed Vehicles.

Any motor vehicle which is not reclaimed within 30 days after expiration of the time during which the owner of record may seek judicial review of the village's actions pursuant to this chapter, or the time at which is final judgment is rendered in favor of the village, or the time a final administrative order is entered against an owner of record who is found in default, may be disposed of as an unclaimed motor vehicle as provided by law.

10.02.080 Severability. If any provision or part of this chapter shall be found unconstitutional or outside the corporate or home rule powers of the village, the remaining provisions shall continue in full force and effect.

Chapter 10.03

All-Terrain Vehicle Operation and Safety

Sections:

- 10.03.010 All-Terrain, Off Road Motorcycles and Golf Carts
- 10.03.020 Compliance with Traffic Regulations
- 10.03.030 Equipment
- 10.03.040 Operation
- 10.03.050 Emergency
- 10.03.060 Penalty

10.03.010 All-Terrain, Off Road Motorcycles and Golf Carts.

The State statutes regulating operation of all-terrain and off highway motorcycles, being 625 ILCS, 5/11-14236, 11-1427, 11-1427.1, 11-1427.2, 11-1427.3, 11-1427.4 and 11-1428 as amended, are incorporated by reference as if fully set forth herein.

10.03.020 Compliance with Traffic Regulations. In addition to the directions for operation for all-terrain vehicles here and above set forth, operators must obey all traffic regulations as prescribed for motor vehicle traffic, and are subject to the same penalties for violation thereof.

10.03.030 Equipment. All-terrain vehicles operated within the limits of the Village shall be equipped as required by the provisions of 625 ILCS 5/11-1426 and 11-1427.

10.03.040 Operation. It is unlawful for any person to drive or operate any all-terrain vehicle in the Village in a manner prohibited by 625 ILCS 5/11-1426 and 11-1427. All operators of all-terrain vehicles shall not use Village streets, except as permitted by 625 ILCS 5/11-1426 and 11-1427.

10.03.050 Emergency and Snow Removal.

A. Emergency. In the event of an emergency, the restrictions as to the use and operation of all-terrain vehicles within the Village may be waived for the operation of all-terrain that are summoned or used in an emergency provided the emergency is declared by the Chief of Police, the President, or the Mayor.

B. Snow Removal: In the event that measured snowfall of more than two inches (2"), the restrictions as to the use of all-terrain vehicles will be waived only when the all-terrain vehicle is fitted with a plow or snow removal attachment and is actively removing snow from sidewalks or private drives with in the Village limits.

10.03.060 Penalty. Violation of this section may be punished pursuant to section 1.16.010 of these ordinances.

Chapter 10.04

PARKING--SPEEDS

Sections:

- 10.04.010 Benton Street between Chicago and Harrison Streets--Penalty for violation.
- 10.04.020 Chicago Street--Generally.
- 10.04.030 Chicago Street--Between Benton Avenue and Green Street--Penalty for violation.
- 10.04.040 Business district between two and five a.m. - Repealed in its entirety
- 10.04.050 East Attica Street and West Attica Street.
- 10.04.060 Gilbert Street.
- 10.04.070 Penalty for violation of Section 10.04.050 or 10.04.060.
- 10.04.080 Municipal parking lot between two and five a.m.--Penalty for violation.
- 10.04.090 No U-turns on Chicago Street--Penalty for violation.
- 10.04.095 Speeds upon Village streets.

10.04.010 Benton Street between Chicago Street and Harrison Streets--Penalty for violation.

A. There shall be no parking in the south side of Benton Street between Chicago Street and Harrison Street, between the hours of 7:30 a.m. and 4:00 p.m., on days school is in session.

1. The maximum speed limit for all motor vehicles traveling going east and west Benton from Chicago to Harrison shall be limited to twenty miles a per hour during school hours or when children are present.

2. The maximum speed on Benton going east or west shall be twenty five miles per hour.

B. No parking for fifty feet on either side of the school driveway, on the north side of Benton Street between 7:30 a.m. and 4:00 p.m., on days when school is in session.

C. No parking for fifty feet on either side of the school driveway on the north and south sides of Green Street between, 7:30 a.m. and 4:00 p.m. on days when school is in session.

D. Anyone violating the provisions of these sections may be punished pursuant to section 1.16.010.

Section 10.04.010-D amended Aug 19, 2002; Ref Ord # 2002-12

Section 10.04.010 amended Nov. 21, 1994; Ref. Ordinance No. 94-80.

10.04.020 Chicago Street--Generally.

A. All parking shall be prohibited on both sides of the street known as South Chicago Street, (also known as Illinois State Route No. 1) from its intersection with Maple Street to the south village limits.

B. All parking shall be prohibited on both sides of the street known as North Chicago Street, (also known as State Route No. 1) beginning 100 feet of the first east-west alley north of the intersection of Attica and Chicago Streets to the north village limits.

10.040.030 Chicago Street--Between Benton Avenue and Green Street--Penalty for violation.

A. No person shall stop, stand or park any motor vehicle, at any time, within the limits of Chicago Street between the north intersection of Benton Avenue and Chicago Street and the south intersection of Green Street with Chicago Street, in the village.

B. Any person convicted of a violation of any provision of this section shall be punished pursuant to section 1.16.010.

10.04.040 Business district between two and five thirty a.m.--Penalty for violation.

Repealed in its entirety.

10.04.050 East Attica Street and West Attica Street.

A. In the business district on East Attica Street between Chicago Street and the first alley east, parking on East Attica Street on the north side and south side shall be parallel parking only with the front of the vehicle facing in the proper direction according to the traffic flow.

B. On East Attica Street east of the first alley east of Chicago street to the west edge of the Harrison-Attica Street intersection, parking shall be parallel on both sides of the street with the vehicle facing in the proper direction according to the traffic flow.

Section 10.04.020--Repealing C & D Ref Ord #2012-16

Section 10.04.020--D amended Aug. 21, 1995; Ref Ord #95-14

Section 10.04.040 Repealed in its entirety Dec 15, 2008; Ref Ord No 2008-16

C. On the south side of East Attica Street from the east side of the Harrison-Attica Street intersection, east to the village limits, parking shall be parallel only with the vehicle facing the east. On the north side of East Attica Street from the east side of the Harrison-Attica Street intersection east to the village limits, no parking is allowed.

D. On West Attica Street on the north side, parking shall be parallel with the vehicle facing west from Chicago Street to the east side of the fire station. From the alley adjacent to the Historical Society Building, parking shall be parallel with the front of the vehicle facing east. From the west side of the alley adjacent to the Historical Society Building west to the village limits, no parking is allowed on the north side of West Attica Street.

E. The south side of West Attica Street from the village limits east to the first alley west of Chicago Street, parking shall be parallel only with the vehicle facing the east. On West Attica Street, on the south side, from the first alley west of Chicago Street, east to Chicago Street, parking shall be parallel only, with the front of the vehicle facing east.

F. There shall be three designated handicapped parking places in the business district. One shall be on the north east corner of East Attica Street and Chicago Street, one at the north west corner of West Attica Street and North Chicago Street, and the third to be the space immediately west of the sidewalk leading to the front door of the municipal building.

10.04.060 Gilbert Street. On Gilbert Street, there shall only be parking on one side of the street and this shall consist of parallel parking, facing west on the north side of Gilbert Street.

10.04.070 Penalty for violation of Section 10.04.050 or 10.04.060. A. Anyone violating the provisions of Section 10.04.050 paragraph A. through E. or section 10.04.060 may be punished pursuant to section 1.16.010. Section F shall be fined \$250 plus court cost.

10.04.080 Municipal parking lot -- Penalty for violation.

A. A maximum parking time of twenty four hours is allowed in the Municipal parking lot at the rear of the Municipal Building located at 120 East Attica Street.

Section 10.04.050-F amended Aug 21, 1995; Ref Ord. No. 860-B

Section 10.04.070 Amended Oct. 15, 2012; Ref Ord #2012-17

Section 10.04.070 par A. & B amended Aug 19, 2002; Ref Ord #2002-12

Parking spaces located in the front of the Municipal Building shall be limited to 30 minutes during business hours, Monday through Friday 8:30 am to 5:00 PM. There shall be no parking in front of the Municipal Building between 5:00 p.m. and 8:30 a.m. except for a meeting or an event taking place within the Village Hall.

B. Anyone violating the provisions of this section may be fined pursuant to Section 1.16.010.

C. Any motor vehicle found parked on the municipal parking lot in violation of this section may be towed away at the owner's expense.

10.04.090 No U-turns on Chicago Street and East and West Attica in the downtown area--Penalty for violation.

A. It is unlawful for any operator of a motor vehicle to make a U-turn at the intersection of Chicago and Maple Streets north to intersection of Chicago Street and Benton Street on Chicago Street.

B. It is unlawful for a motor vehicle to make a U-turn on east Attica from the corner of Harrison and East Attica going west to the west edge of Driveway along west side of the Historical Society Building.

C. Any person violating any of the provisions of this section shall be subject to punishment pursuant to Section 1.16.010.

10.04.095 Speeds upon street within Village.

A. On East and West Attica the maximum speed shall be twenty five miles per hour as posted.

B. On Benton Street the maximum speed going east or west bound shall be twenty five miles per hour.

C. On Henderson Street the maximum speed going east or west bound shall be twenty five miles per hour.

D. All other streets, unless posted otherwise will be twenty five (25) miles per hour.

E. All alleys within the village limits shall be fifteen miles per hour.

Section 10.04.080 Par A. amended Oct. 2000, Ref Ord #00-12.

Section 10.04.080 Par B amended Aug 19, 2002; Ref Ord # 2002-12

Section 10.04.090 amended Nov. 21, 1994; Ref Ord # 94-80

Section 10.04.090 par. C. amended Aug 19, 2002; Ref Ord # 2002-12

Sect 10.04.095 amended Nov 21, 1994; Ref Ord No. 94-80

Sect 10.04.095 par D. amended Oct. 16, 2000, Ref Ord. No.00-11

Chapter 10.08

BICYCLES AND TRICYCLES

Sections:

- 10.08.010 Definitions
- 10.08.020 Prohibition of use.
- 10.08.030 Prohibited on sidewalks.
- 10.08.040 Lighting on bicycle.
- 10.08.050 Penalty.
- 10.08.060 Citations.

10.08.010 Definitions.

- A. Bicycle is a vehicle with two wheels tandem, a steering handle, a saddle seat and pedals by which it is propelled.
- B. Tricycle is a three wheeled vehicle propelled by pedals, hand levers or a motor.
- C. Roller skate is a shoe with a set of wheels attached for skating over a flat surface or a metal frame with wheels attached that can be fitted to the sole of a shoe.
- D. Roller blade is a boot with a set of in wheels, or balls attached for skating over a flat surface.
- E. Skate board is a narrow board about two feet long mounted on roller skate wheels.

10.08.020 Prohibition of use. Bicycles, tricycles, skateboards and roller skates and roller blades shall be prohibited on sidewalks as stated under Section 10.08.030.

10.08.030 Prohibited on sidewalks. The following are sidewalks upon which the use of bicycles, tricycles, skateboards, roller skates and roller blades are prohibited in the Village of Rossville. The one hundred block of South Chicago, North Chicago, West Attica, and East Attica streets.

10.08.040 Lighting on Bicycle. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type visible from one hundred to six hundred feet to the rear. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

Section 10.08.030 amended Oct 1996; Ref Ord # 96-10

Section 10.08 amended October 1996; Ref Ordinance No. 96-10.

10.08.050 Penalty.

A. Any person or persons violating the provisions of this chapter shall be deemed guilty of a petty offense and fined in any sum not less than twenty five dollars nor more than one hundred dollars for the first offense.

B. Any person or persons found guilty of a second violation occurring after the first conviction but within one year of the first conviction shall be fined not less than fifty dollars or no more than two hundred dollars.

C. Any person or persons found guilty of a third violation occurring within one year after the first offense shall be fined not less than seventy five dollars and no more than five hundred dollars for each offense.

10.08.060 Citations. Offenses under this Chapter shall be initiated by citation issued by members of the Rossville Police Department.

Chapter 10.10

Snowmobiles

Sections:

- 10.10.010 Definitions
- 10.10.020 Operation unlawful when
- 10.10.030 Equipment requirements
- 10.10.035 Areas of access to and from city designated
- 10.10.040 Traffic regulations must be observed
- 10.10.045 Leaving vehicles unattended
- 10.10.050 Penalty for violation
- 10.10.055 Registration
- 10.10.060 State of Illinois Regulations

10.10.010 Definitions. For the purposes of this chapter:

- A. "Operate" means to control the operation of a snowmobile.
- B. "Operator" means a person who operates or is in actual control of a snowmobile.
- C. "Snowmobile means a self-propelled vehicle designed for travel on snow or ice in a natural terrain, steered by wheels, skis or runners.

10.10.020 Operation unlawful when: It is unlawful for any person to operate a snowmobile under the following circumstances:

- A. On private property of another without the express permission to do so by the owner or occupant of the property;
- B. On public schoolgrounds, park property, playgrounds, recreational areas and golf courses without express provision or permission to do so by the proper public authority;
- C. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons;
- D. In a careless, reckless or negligent manner so as to endanger the safety of any person or the property of any other person;

E. Without having such snowmobile registered as provided for by statute except that this provision shall not apply to the operation of a snowmobile on the private property of the owner by the owner or a member of his immediate family;

F. Within the right of way of any public street within the city except as provided in this chapter;

G. Without a valid driver's license

H. At a speed in excess of speeds detailed in 10.04.095

I. In the event of an emergency, when a snowmobile is required, the following persons, in the precedence listed, may designate routes and speeds:

1. President of Village Board
2. Chairman of Health & Safety Committee
3. Chief of Police
4. Any other Village Trustee
5. Police officer on scene

J. Such operator is not in possession of a certificate issued by the Department authorizing the holder to operate snowmobiles.

10.10.030 Equipment Requirements. All snowmobiles operated within the city shall have the following equipment:

A. At least one white headlamp having a minimum candlepower of sufficient intensity to exhibit a white light plainly visible from a distance of at least five hundred feet ahead during hours of darkness under normal atmospheric conditions;

B. At least one red tail lamp having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred feet to the rear during hours of darkness under normal atmospheric conditions;

C. A brake system in good mechanical condition;

D. Reflective material of a minimum area of sixteen square inches mounted on each side of the cowling. Identifying numbers may be included in computing the required sixteen square inch are.

E. Mufflers which are properly attached and which reduce the noise of operation of the vehicles and no person shall use a muffler cutout, bypass or similar device on the vehicle.

F. A safety or so called deadman throttle in operating condition; a "safety" or "deadman" throttle is defined as a device which when pressure is removed from the accelerator or throttle causes the motor to be disengaged from driving track.

10.10.035 Areas of access to and from city designation.

Designated areas available for the use of snowmobiles for the purpose of ingress and egress to and from the city:

A. Any Alley within the city; (maximum 15 mph speed)

1. The crossing is made at an angle approximately ninety degrees to the direction of the street and at a place where no obstruction prevents a quick and safe crossing, and

2. The snowmobile is brought to a complete stop before crossing the street, and

3. The operator yields the right-of-way to all oncoming traffic which constitutes a hazard.

10.10.040 Traffic regulations must be observed. Each person operating a snowmobile shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the order and direction of any police officer of the city authorized to direct or regulate traffic.

10.10.045 Leaving vehicles unattended. It is unlawful for the owner or operator to leave or allow a snowmobile to be or remain unattended on public property while the motor is running or with the keys for starting the vehicle left in the ignition.

10.10.050 Penalty for violation. Any person, firm or corporation violating any provision of this chapter shall be punished pursuant to Section 1.16.010.

10.10.055 Registration is prima facie proof of control. The fact that a snowmobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the snowmobile at the time of such violation.

10.10.060 State of Illinois regulations. Each person operating a snowmobile shall strictly observe all State of Illinois operating regulations and laws.

Chapter 10.12

RAILROADS

Sections:

- 10.12.010 Speed of passenger trains.
- 10.12.020 Speed of freight trains.
- 10.12.030 Obstructing crossings.
- 10.12.040 Sounding whistles.
- 10.12.050 Lighting requirements.
- 10.12.060 Culverts, crossings or bridges--Standards and maintenance.
- 10.12.070 Culverts, crossings or bridges--Notice of need to construct or repair.
- 10.12.080 Culverts, crossings or bridges--Company liability when village constructs or repairs.
- 10.12.090 Penalty for violation.

*Chapter 10.10. adopted March 17, 1997. Ref. Ord. No. 97-01-A.
Sect. 10.12.010 and Sect. 10.12.030 amended Nov. 21, 1994; Ref. Ord. No 94-80
Section 10.10.050 amended Aug 19, 2002; Ref Ord # 2002-12*

10.12.010 Speed of passenger trains. No railroad company or corporation, railroad engineer, conductor or other person, shall run or cause to run, any locomotive engine or passenger car, or any such train of passenger cars, upon or along any railroad track, side track or switch within the corporate limits of the village at a greater speed than thirty miles per hour.

10.12.020 Speed of freight trains. No railroad company or corporation, railroad engineer, conductor, or other person, shall run or cause to run any locomotive engine or freight car, or any train of freight cars upon or along any railroad track, sidetrack or switch within the corporate limits of the village, at a greater speed than thirty miles per hour.

10.12.030 Obstructing crossings. No railroad company or corporation, railroad engineer, conductor or other person, shall cause or permit any locomotive, car or cars or train of cars to stop in or remain upon the street or railroad crossing, within the village for a longer period than fifteen minutes.

10.12.040 Sounding whistles. No such railroad company or corporation, locomotive engineer or fireman, shall cause or allow the whistle of any locomotive engine to be sounded within the corporate limits of the village, except necessary brake signals, and such as may be absolutely necessary to prevent injury to persons, or other casualty or accident or as required by the statutes of the state.

10.12.050 Lighting requirements. Every locomotive engine, railroad car or train of cars running in the night time on the railroad track in the village shall have and keep, while so running, a conspicuous light on the forward end of such locomotive, car or train of cars. If such engine, car, or train of cars is backing, it shall have a conspicuous light in the rear car or engine, so as to show in the direction the car is moving.

10.12.060 Culverts, crossings or bridges--Standards and maintenance. All such railroad companies or corporations whose tracks now or may hereafter enter or pass through the corporate limits of the village, shall respectively construct, repair and maintain good, safe and sufficient culverts, crossings and bridges, with good and easy approaches thereto, on all public alleys, streets, sidewalks and highways where their respective tracks pass under, across or over any alley, street or highway within the village.

10.12.070 Culverts, crossings or bridges--Notice of need to construct or repair. Whenever any crossing, culvert or bridge is needed upon the line of any railroad within the village, or needs repairing, it shall be the duty of the village president or village attorney to give such company or corporation fifteen days' notice, in writing, of the work to be done, and the place where required; and any railroad company or corporation neglecting or refusing to construct or repair any crossing, culvert, or bridge after having received fifteen days' notice to do so shall be fined not less than fifty dollars nor more than one hundred dollars for each day of such neglect or refusal.

10.12.080 Culverts, crossings or bridges--Company liability when village constructs or repairs. In case of the failure or refusal of any railroad company or corporation to construct or repair any crossings, culvert or bridge when duly notified by the village president or the village attorney, to do so, as provided in Section 10.12.070, the village board may order such crossing, culvert or bridge to be constructed or repaired, as may be needed, at the expense of the village, and such company shall be liable to the village in an action of debt for the cost thereof.

Section 10.12.070 amended Nov. 21, 1994; Ref. Ordinance No. 94-80.

10.12.090 Penalty for violation. Any railroad company or railroad corporation who, of themselves or by their agents or employees, violates or fails to observe any of the foregoing provisions of this chapter, or any agent, engineer, conductor or other employee of such railroad company or corporation, who violates or fails to observe the same shall, where no other penalty is imposed be punished pursuant to section 1.16.010.

Chapter 10.16

ALLEY TRAFFIC

This chapter repealed in its entirety August 18, 2008

Chapter 10.20

Motor Vehicles - Railroad Signals

Sections:

10.20.010 Bridge and railroad signals

10.20.020 Obedience to signal indicating approach of train

10.20.010 Bridge and Railroad Signals.

A. No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate or barrier after a bridge operation signal indication has been given.

B. No pedestrian shall pass through, around, over or under any crossing gate or barrier at railroad grade crossing or bridge while such gate or barrier is closed or being opened or closed.

C. No pedestrian shall enter, remain upon or traverse over a railroad grade crossing or pedestrian walkway crossing a railroad track when an audible bell or clearly visible electric or mechanical signal device is operational giving warning of the approach of a railroad train.

D. A violation of any part of this section shall result in a mandatory fine pursuant to section 1.16.010.

E. Local authorities shall impose fines as established in subsection (D) for pedestrians who fail to obey signals indicating the approach or passage of a train.

10.20.020 Obedience to Signal Indicating Approach of Train.

A. Whenever any person driving a vehicle approaches a railroad grade crossing such a person must exercise due care and caution as the existence of a railroad track across a highway is a warning of danger, and under any of the circumstances stated in this Section, the driver shall stop within 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he can do so safely.

The foregoing requirements shall apply when:

1. A clearly visible electric or mechanical signal device gives a warning of the immediate approach of a railroad train;

2. A crossing gate is lowered or a human flagman gives or continues to give a signal of the approach or passage of a railroad train;

3. A railroad train approaching a highway crossing emits a warning signal and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;

4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

5. A railroad train is approaching so closely that an immediate hazard is created.

B. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

C. The department, and local authorities with the approval of the department, are hereby authorized to designate particularly dangerous highway grade crossings or railroads and to erect stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

D. At any railroad grade crossing provided with the railroad crossbuck signs, without automatic, electric, or mechanical signal devices, crossing gates, or a human flagon giving a signal of the approach or passage of a train, the driver of a vehicle shall in obedience to the railroad crossbuck sign, yield the right of way and slow down to a speed reasonable for the existing conditions and shall stop, if required for safety, at clearly marked stopped lines, or if no stop line, within fifty feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he or she can do so safely. If the driver is involved in a collision at a railroad crossing or interferes with the movement of a train after driving past the railroad crossbuck sign, the collision or interference is prima facie evidence of the driver's failure to yield right of way.

E. A violation of any part of this section shall result in a mandatory fine pursuant to Section 1.16.010.

F. Local authorities shall impose fines as established in subsection (E) for vehicles that fail to obey signals indicating the approach or passage of a train.

10.20.030 Traffic Signs.

A. A "stop" and "No right turn sign shall be posted on Church Street" at its intersection with Henderson.

B. A "Stop" sign shall be posted on the first alley west of the railroad tracks on Attica Street, with intersection with Maple Street.

C. Violation of 10.20.030. (A) or (B) may be subject to punishment pursuant to Section 1.16.010.

*Refer to 625 ILCS 5/11-207 and 5/11-208.

*Chapter 10.20 amended March 18, 1996; Ref Ord # 96-03
Chapter 10.30 adopted Feb 22, 2000; Ref Ord # 2000-02
Section 10.30 amended Aug 19, 2002; Ref Ord # 2002-12
Chapter 10.20 amended March 18, 1996; Ref Ord #96-03
Section 10.20.020 amended Aug 19, 2002; Ref Ord # 2002-12*

Chapter 21Operation of Golf Carts and Recreational Off-Highway Vehicles on Village of Rossville Streets

Sections:

- 10.21.010 Policy Statement
- 10.21.020 Rules and Regulations
- 10.21.030 Permits
- 10.21.040 Enforcement
- 10.21.050 Definitions

10.21.010 Policy Statement. This ordinance is adopted in the interest of public safety. Golf carts are not designed or manufactured to be used on public streets and roads, hereinafter "street(s)" and the Village of Rossville in no way advocates or endorses their operation on streets. The Village, by regulating such operation is merely addressing safety issues. This Ordinance is not to be relied upon as determination that operation on streets is safe or advisable even if done in accordance with this ordinance. All persons operating golf carts must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. All persons who operate or ride golf carts on streets inside the Village of Rossville do so at their own risk and peril. The Village of Rossville has no liability under any theory of liability for permitting golf carts to be operated on Village streets.

10.21.020 rules and Regulations. A. Golf carts may only be operated on streets within the Village of Rossville in accordance with the following rules and regulations:

1. Any person who operates a golf cart in the Village of Rossville takes full responsibility for all liability associated with operating the golf cart.
2. Any person who operates a golf cart must be at least sixteen (16) years of age and possess a valid driver's license to operate a motor vehicle issued by Illinois or any other state.
3. Any person who operates a golf cart must possess proof of liability insurance for personal injury and property damage with limits of liability not less than the minimum required by the State of Illinois for passenger vehicles.

4. Removed in its entirety the limitations on hours and months of operation.
5. A golf cart shall have its headlight and tail lamps lighted at all times when operated on Village streets as required by Section 12-201 of the Illinois Vehicle Code.
6. Golf carts may not be operated when visibility is impaired by weather, smoke, fog or other conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
7. Golf carts may not be operated on any area other than roads or parking areas within Parks. Golf carts may not be operated on any Village sidewalks within the Village.
8. Golf carts may be operated on Village streets which have a posted speed limit of thirty-five (35) miles per hour or less. This section does not prohibit golf carts from crossing a road or street at the intersection where the road or street has a posted speed limit of more than 35 miles an hour.
9. Golf carts may not be operated on the following national or state highways except to cross said highways at the intersections in a path ninety (90) degrees to said highway: IL State Route #1
10. Golf carts must be equipped with seat belts for the rear seats, brakes, a steering apparatus, tires, a rearview mirror, side reflectors or reflectorized tape, front and rear red reflectorized warning devices, a slow moving vehicle emblem on the rear of the cart in conformity with 625 ILCS 5/12-709 of the Illinois Vehicle Code, a headlight that emits a white light visible from a distance of 500 feet to the front, a tail lamp that emits a red light visible from a least 100 feet from the rear, brake lights, and turn signals.
11. Any person who operates a golf cart on the streets in the Village of Rossville must adhere to all applicable State laws, concerning the possession and use of alcoholic beverages, and other illegal drugs, as well as all other state traffic laws.

*Section 10.21.020 #4 removed 9/16/2013 Ref Ord #2013-14
Section 10.21.020 #9 revised 11/18/2013 Ref Ord #2013-16
Section 10.21.020 #7 revised 4/20/2020 Ref Ord #2020-07*

12. Golf cart drivers must yield the right-of-way to overtaking vehicles at all times.
13. The maximum occupancy of golf carts traveling on Village streets will be one person per bucket seat or two people per bench seat.
14. Children must be properly seated while golf cart is in motion and may not be transported in a negligent manner.
15. Golf carts are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking sticker.
16. No modifications may be made to the golf cart's suspension or drive train.
17. All golf carts operated on the streets must be inspected by the Chief of Police of the Village of Rossville or his/her designee and must have valid permit documentation from the Village of Rossville.
18. Special Permits may be issued for special events for a fee of \$10.00. Those already issued permits shall be exempt from the special fee. These golf carts must comply with all equipment requirements listed in item #10.

10.21.030 Permits.

- A. No person shall operate a motorized golf cart without obtaining a permit from the Village of Rossville as provided in this section.
- B. Permits shall be granted for a period of one year and may be renewed annually.
- C. Effective March 1, 2011, the cost of a permit shall be fifty-dollars (\$50.00) per golf cart to cover the costs of implementing and maintaining this ordinance. Insurance coverage will be verified as in effect by the Village when issuing or renewing a permit.
- D. The Village of Rossville Police Chief or his/her designee retains the right to refuse to issue and/or revoke any permit sticker for any golf cart at any time for any reason that he/she feels is appropriate to ensure the safety and well-being of the citizens of the Village of Rossville.
- E. Golf cart owners must complete the attached permit application form. The completed forms will be maintained by the Village of Rossville Police Department. The Rossville Police Department may issue visible proof of compliance that must be attached to the rear of the golf cart.

10.21.040 Enforcement.

A. Any act constituting a violation of this Ordinance or failure to comply with any of its requirements is deemed a petty offense and shall be punishable in accordance with Section 1.16.010 of the Village of Rossville Ordinances.

B. Repeat offenders may have the privileges granted by the Ordinance revoked by the Board of Trustees of the Village of Rossville upon recommendation by the Village of Rossville Police Department and or the Village Mayor.

C. Upon investigation by and the recommendation of the Village Police Department, the Village Board may suspend or revoke a permit granted hereunder upon a finding that there is evidence that the permittee cannot safely operate the motorized golf cart on the designated streets.

D. The Rossville Police Department's and/or the Village Board's interpretation of the above rules and regulations are final.

E. The Board of Trustees of the Village of Rossville reserves the right to revoke this Ordinance at any time.

10.21.050 Definitions.

A. "Golf Cart" is defined as 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.

(1) A golf cart is capable of obtaining a speed of more than twenty (20) miles per hour, but not more than twenty-five (25) miles per hour. The definition of golf cart does not include all-terrain vehicles (ATV's) or any vehicle that is not a golf cart.

(2) Recreational off-highway vehicle shall mean any motorized off-highway device designed to travel primarily off-highway, 64 inches or less is width, having 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. All such vehicles must be equipped with a utility bed capable of hauling and dumping in order to comply with this Section. All passengers must be seated in a seat at any time such vehicles is moving. It is a violation of this Section if passenger is in the utility bed of as off-highway vehicle at any time said vehicle is in motion.

B. "Village Streets" is defined as any of the streets within the boundaries of the Village of Rossville except for state and county roads.

C. The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this article or there is evidence that permittee cannot safely operate a qualified golf cart or recreational off-highway vehicle on the designated roadways.

Title 11

(Reserved)

