
THE VILLAGE OF FLANAGAN

LIVINGSTON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-01

**AN ORDINANCE AMENDING ORDINANCE NO. 12-4
BY ALLOWING AND REGULATING NON-HIGHWAY VEHICLES
IN THE VILLAGE OF FLANAGAN AND REPEALING ORDINANCE NO 11- 2**

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Flanagan
on May 17th, 2016

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BY ALLOWING AND REGULATING NON-HIGHWAY VEHICLES
IN THE VILLAGE OF FLANAGAN AND REPEALING ORDINANCE NO 11- ?

WHEREAS, the Village of Flanagan is an Illinois municipal corporation operating and organized under the Illinois Municipal Code; and

WHEREAS, the Village of Flanagan has adopted Ordinance No. 12-4 regulating and permitting the operation of golf carts in the Village of Flanagan pursuant to Section 11-1426 of the Illinois Motor Vehicle Code; and

WHEREAS, the Village of Flanagan has received requests to permit the operation of all terrain vehicles and other non-highway vehicles within the Village of Flanagan on the same terms and conditions as permitted for golf carts; and

WHEREAS, pursuant to the Illinois Motor Vehicle Code, Section 11-1426.1, the Village of Flanagan may allow all terrain vehicles, off-highway motorcycles, and recreational off-highway vehicles along with golf carts to operate within the Village of Flanagan pursuant to the terms and conditions of said Section of the Illinois Motor Vehicle Code; and

WHEREAS, the President and Board or Trustees for the Village of Flanagan find it in the best interest of the health, safety, and welfare of the citizens of the Village of Flanagan to permit other non-highway vehicles to be operated within the Village of Flanagan on the same terms and conditions as golf carts; and

WHEREAS, the Village approved Ordinance No. 11- ? regulating certain non-highway vehicles in the Village of Flanagan; and

WHEREAS, it is in the best interest of the citizens of the Village of Flanagan to repeal Ordinance No. 11- 7 and amend Ordinance No. 12-4 to include non-highway vehicles in addition to golf carts.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF FLANAGAN, ILLINOIS AS FOLLOWS:

Section 1: Section 2, subsection 1 of Ordinance No. 12-4 is deleted in its entirety and the following is substituted in its place:

2.1 Definition of Non-Highway Vehicle. As used in this Ordinance “non-highway vehicle” means a motor vehicle not specifically designed to be used on a public highway and is restricted to the following: (a) an all terrain vehicle as defined by Section 1-101.8 of the Illinois Motor Vehicle Code (625 ILCS 5/1-101.8); (b) a golf cart as defined by Section 1-123.9 of the Illinois Motor Vehicle Code (625 ILCS 5/1-123.9); (c) an off-highway motorcycle as defined by Section 1-153.1 of the Illinois Motor Vehicle Code (625 ILCS 5/1-153.1); and (d) a recreational off-highway vehicle as defined by Section 1-168.8 of the Illinois Motor Vehicle Code (625 ILCS 5/1-168.8).

Section 2: That Ordinance No. 12-4 is hereby further amended by deleting all references to “golf cart” appearing in said Ordinance and substituting therefor the term “non-highway vehicle.”

Section 3: That Ordinance No. 12-4 shall remain in full force and effect as amended by this Ordinance, it being the intent of the Village of Flanagan to allow non-highway vehicle use within the Village on the same terms and conditions as set forth in Ordinance No. 12-4 for golf carts.

Section 4: That the Village Code for the Village of Flanagan be and in the same hereby amended by substituting the phrase "non-highway vehicle" for "golf cart" as set forth in this amendatory ordinance.

Section 5: Repeal and Savings. Ordinance No. 11-7 is repealed in its entirety, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed provided however that nothing herein contained shall affect any rights, actions, or causes of actions which shall have accrued to the Village of Flanagan prior to the effective date of this Ordinance.

Section 6: Severability. The provisions of this Ordinance shall be deemed severable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

Section 7: Effective Date. This Ordinance shall be in full force and effect ten (10) days from an after its passage, approval, and publication. In pamphlet form as provided by law.

PASSED this 17th day of May, 2016, in Flanagan, Livingston County, Illinois.

AYES: 6
NAYES: 0
ABSENT: 0



R. Jerome Roche
R. Jerome Roche, President, Village of Flanagan

ATTEST:

R. Jerome Roche for clerk w/ certificate on file
Dana L. Worrell Jumper, Village Clerk