

**MCHENRY TOWNSHIP ROAD DISTRICT ORDINANCE # 242105**

**AN ORDINANCE PERMITTING NEIGHBORHOOD VEHICLES TO BE OPERATED ON PUBLIC ROADWAYS WITHIN THE BOAT & SADDLE SUBDIVISION**

**WHEREAS**, the Boat & Saddle Subdivision (the “Subdivision”) is shown on **Exhibit “A”** attached hereto and incorporated herein by this reference thereto; and

**WHEREAS**, all roads within the Subdivision are public roads under the jurisdiction of the McHenry Township Road District (“Road District”); and

**WHEREAS**, the operation of non-highway vehicles (“neighborhood vehicles”) on public streets and roads is regulated by Illinois Statute 625 ILCS 5/11-1426.1; and

**WHEREAS**, pursuant to 625 ILCS 5/11-1426.1(d) the McHenry Township Road District may authorize the operation of neighborhood vehicles if the Road District determines the public safety will not be jeopardized on the Township Roads (“Township Roads”); and

**WHEREAS**, the McHenry Township Road District must consider the volume, speed, and character of traffic on the roadway and determine whether neighborhood vehicles may safely travel or cross the roadways; and

**WHEREAS**, the McHenry Township Highway Commissioner has considered that there is a speed limit of 30 mph or less on the Township Roads within the Subdivision, and has further considered the volume, speed and character of traffic on the Township Roads within the Subdivision; and

**WHEREAS**, the McHenry Township Road District, Highway Commissioner, has determined that neighborhood vehicles may operate safely on the Township Roads within the Subdivision and that the public safety will not be jeopardized on the Township Roads in accordance with 625 ILCS 5/11-1426.1.

**NOW, THEREFORE, BE IT ORDAINED BY THE HIGHWAY COMMISSIONER OF THE MCHENRY TOWNSHIP ROAD DISTRICT, MCHENRY COUNTY, ILLINOIS, AS FOLLOWS:**

- A. Recitals.** The above recitals are incorporated by reference.
- B. Permitted Use.** Neighborhood vehicles are permitted to be operated on the Township Roads within the Subdivision in accordance with 625 ILCS 5/11-1426.1 and as provided herein.
- C. Defined.** “Neighborhood vehicles” or “non-highway vehicles” shall be defined motor vehicles not specifically designed to be used on a public highway, including:
  - a. a golf cart.** 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 playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course. [as defined by 625 ILCS 5/1-123.9]
  - b. a recreational off-highway vehicle.** A recreational off-highway vehicle 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. [as defined by 625 ILCS 5/1-168.8] For the avoidance of doubt, **lawnmowers are not permitted.**

**D. Standards.** Neighborhood vehicles operated on Township Roads within the Subdivision shall meet the following standards:

1. No neighborhood vehicle may be operated unless, at a minimum, it has the following: brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear of the neighborhood vehicle (as required of other vehicles on Section 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 at least 100 feet from the rear, brake lights, and turn signals. (see 11-1426.1(e))
2. Neighborhood vehicles must always have its headlight and tail lamps lighted as required by Section 12-201 of the Illinois Vehicle Code. (see 11-1426.1(e))
3. A person who drives or is in actual physical control of a neighborhood while under the influence is subject to Section 11-500 through 11-501 of the Illinois Vehicle Code. (see 11-1426.1(f))
4. Mandatory Insurance requirement as required by Article VI of Chapter 7 of the Illinois Vehicle Code must be in full force and effect for neighborhood vehicles. (see 11-1426.1(g))
5. Neighborhood vehicles must observe posted speed and warning signage, traffic control devices and other safety rules of operation specified in the Illinois Vehicle Code applicable to licensed motor vehicles.
6. A person shall not operate a neighborhood vehicle unless he or she has a valid driver's license issued in his or her name by the Secretary of State.

**E. Signs.** It shall be the responsibility of the Road District to install signage at various locations within the Subdivision notifying residents that neighborhood vehicles may be operated on Township Roads within the Subdivision only in accordance with this Ordinance.

**F. Notice.** Upon the passage of this Ordinance, the Highway Commissioner shall deliver a copy of this Ordinance to **Boat & Saddle Home Owners Association** (the "Association"). This Ordinance shall be available at the Township Clerk and Highway Commissioner's Office.

**G. Violation.** Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than ten dollars or more than five hundred dollars for each offense.

**H. Effective.** The Ordinance shall be in full force and effect from and after its passage, approval, and publication, as required by law.

The foregoing Ordinance was adopted on 21<sup>st</sup> DAY OF MAY, 2024 by the Highway Commissioner of McHenry Township Road District.

**McHenry Township Road District**



James E. Condon, P.E.  
Highway Commissioner  
McHenry Township Road District



Attest:

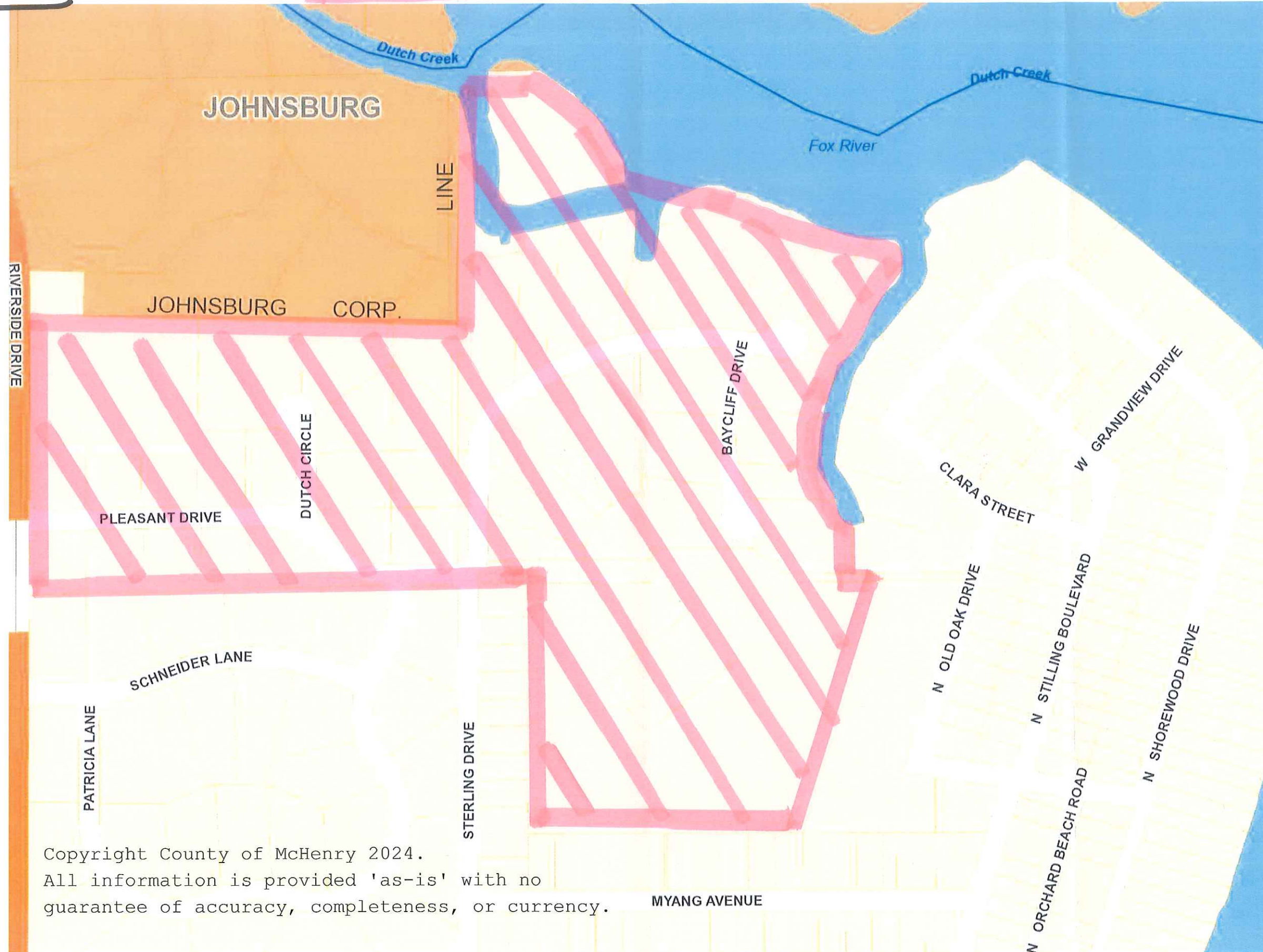


Danielle Aylward  
Highway Clerk  
McHenry Township Road District

EXHIBIT A



= BOAT & SADDLE SUBD.



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