

VILLAGE OF MAPLE PARK,
KANE AND DEKALB COUNTIES, ILLINOIS

ORDINANCE NO. 2011-03

ADOPTED BY
THE PRESIDENT AND
BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK

**AN ORDINANCE ADOPTING TITLE 7, CHAPTER 11 OF THE *MAPLE PARK
VILLAGE CODE* CONCERNING THE OPERATION OF SNOWMOBILES
WITHIN THE JURISDICTION OF THE VILLAGE OF MAPLE PARK**

Passed March 1, 2011, by the President and Board of Trustees of the Village of
Maple Park, Kane and DeKalb Counties, Illinois, and approved and published in
pamphlet form
this 2 day of March, 2011.

ORDINANCE NO. 2011-03

AN ORDINANCE ADOPTING TITLE 7, CHAPTER 10 OF THE *MAPLE PARK VILLAGE CODE* CONCERNING THE OPERATION OF SNOWMOBILES WITHIN THE JURISDICTION OF THE VILLAGE OF MAPLE PARK

WHEREAS, the Village of Maple Park, DeKalb and Kane Counties, Illinois (hereinafter referred to as the “VILLAGE”), is a non-home rule municipality, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, it is the intention of the Corporate Authorities to amend the Code to govern the operation and use of snowmobiles within the jurisdiction of the Village of Maple Park;

BE IT HEREAFTER ORDAINED by the President and Village Board of the Village of Maple Park, Kane and DeKalb Counties, Illinois, duly assembled in regular session that **Title 7, Chapter 11**, of the Code shall be enacted to state as follows:

**CHAPTER 11
SNOWMOBILES**

SECTION:

- 7-11-1: Registration Of Snowmobiles
- 7-11-2: Equipment Requirements
- 7-11-3: Operation Of Snowmobiles
- 7-11-4: Applicability Of State Law
- 7-11-5: Enforcement; Obedience To Police

7-11-1: **REGISTRATION OF SNOWMOBILES:** No person shall, after the effective date hereof, operate any snowmobile within the corporate limits of the village unless such snowmobile has been registered and numbered in accordance with the provisions of the Illinois snowmobile registration and safety act. 625 ILCS 40/1-1 *et seq.*

7-11-2: **EQUIPMENT REQUIREMENTS:**

A. Headlamp: All snowmobiles in operation shall display at least one lighted headlamp, white in color, having a minimum candlepower of sufficient intensity to exhibit a white light plainly visible from a distance of at least five hundred feet (500') ahead during hours of darkness under normal atmospheric conditions.

B. Taillights: All snowmobiles, while in operation, shall display at least one red taillight having a minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of five hundred feet (500') to the rear during hours of darkness under normal atmospheric conditions.

C. Reflective Material: All snowmobiles in operation shall be equipped with reflective material of a minimum area of sixteen (16) square inches mounted on each side of the cowling. Identifying numbers may be included in computing the required sixteen (16) square inch area. "Cowling" means the forward portions of a snowmobile surrounding the motor and clutch assembly.

D. Brakes: All snowmobiles shall have an operating brake system in good mechanical condition.

E. Muffler: No snowmobile shall be sold or offered for sale or operated unless it is equipped with a sound muffling device installed by the manufacturer which is in good operating condition. Under no circumstances shall this muffler device be modified or removed by the owner or operator. The muffler shall limit total machine noise in accordance with noise pollution standards established pursuant to the environmental protection act. 415 ILCS 5/1 *et seq.*

F. Compliance By Dealers And Sellers: No dealer or owner of a snowmobile shall offer for sale, sell or possess for sale any snowmobile which fails to comply with this section.

7-11-3: **OPERATION OF SNOWMOBILES:**

A. Operation On Highways And Roadways:

1. Hour of Operation: The operation of any snowmobile within the Village of Maple Park shall be permitted between the hours of six o'clock (6:00 a.m.) and ten o'clock (10:00 p.m.) only
2. It is unlawful for any person to operate any snowmobile on any state highway or roadway, limited access highway, county highway, township highway or village street or alley, except for:
 - a. Village roadway for use only as a way of access to and from commonly used snowmobile trails. During the use of village roadways, the operator shall be subject to all village and state traffic laws governing the operation of vehicles on public roads. Snowmobiles operated on village roadways shall be driven single file in the right of way, at a speed not to exceed ten (10) miles per hour.
 - b. "Right of Way" shall be defined to include only the designated area that lies between private property lines on the side that parallels the street. By way of example, a sidewalk in front of a home shall be considered part of the public right-of-way. The right-of-way line shall encompass the entire road frontage of the property.

- c. Joyriding shall be prohibited within the Village. For purposes of this Chapter, joyriding is defined as any snowmobile travel within the Village right-of-way undertaken without the intention of entering commonly used snowmobile trails.
- B. Speed Restrictions: Unless some other speed restriction is established by the posting of speed limit signs under the authority of the village, the maximum speed limit for snowmobiles shall be Ten (10) miles per hour.
- C. Private Property: No snowmobile shall be operated on private property.
- D. Age Of Operator: It is unlawful for any person to operate a snowmobile without a valid driver's license; except, that unlicensed operators twelve (12) to sixteen (16) years of age may operate a snowmobile if they have completed a state authorized safety course and possess on their person a valid certificate. Violations of this subsection with the knowledge of a parent or guardian shall be deemed a violation of this subsection by said parent or guardian.
- E. Under Influence Of Intoxicants: No person who is under the influence of intoxicating liquor may drive or be in actual physical control of any snowmobile within the village, and further, no person who is a habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a snowmobile may drive or be in actual physical control of any snowmobile within the village.
- F. Consumption, Transportation Of Liquor: No person shall consume any alcoholic liquor while operating a snowmobile within the village, and any alcoholic liquor transported in a snowmobile shall be in its original package and with the seal unbroken.
- G. Firearms: No person, except persons permitted by law, shall operate or ride any snowmobile with any firearm in his possession.

7-11-4: **APPLICABILITY OF STATE LAW:** This chapter is in no way intended to modify, amend, lessen or change the provisions of the Illinois Snowmobile Registration and Safety Act.

7-11-5: **ENFORCEMENT; OBEDIENCE TO POLICE:**

- A. Inspections; Violations Procedure: Peace officers may stop and inspect any snowmobile at any time for the purpose of determining compliance with the provisions of this chapter. If the peace officer discovers any violations of this chapter, he may issue a summons or notice to appear to the operator and/or owner of such snowmobile requiring appearance before the county circuit court.

B. Arrest: It is the duty of all peace officers to arrest any person violating any provision of this chapter or to fine any violator in accordance with section 1-4-1 of this code.

C. Obedience To Police:

1. The operator of any snowmobile shall obey the commands of the peace officer, including a command to stop.
2. It is unlawful for any person to resist or obstruct any peace officer in a discharge of his duties under this chapter.

THIS ORDINANCE shall be in full force and effect upon its adoption by the Village of Maple Park Board of Trustees of Maple Park, Illinois. Any ordinance, or portion thereof, of the Village of Maple Park which is contrary to this ordinance shall be deemed to be repealed. In the event that 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 enforceable and the invalidity of any part of this ordinance shall not affect any part of parts thereof.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAPLE PARK, ILLINOIS PURSUANT TO ROLL CALL VOTE AS FOLLOWS:

AYES: Trustee Armstrong, Moisa, Borg, Fahnestock, Lunardon

NAYS: 0

ABSENT: Trustee Delaney

APPROVED THE 1st DAY OF March, 2011



Kathleen Curtis
Village President

ATTEST:



Claudia Tremaine
Village Clerk

