

Chapter 62 TRAFFIC AND VEHICLES

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FOOTNOTE(S):

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Cross reference— Law enforcement, ch. 34; offenses and miscellaneous provisions, ch. 38; streets, sidewalks and other public places, ch. 50; recreational vehicles, § 70-467. [\(Back\)](#)

ARTICLE I. IN GENERAL

[Sec. 62-1. State vehicle code adopted by reference.](#)

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[Secs. 62-5—62-40. Reserved.](#)

Sec. 62-1. State vehicle code adopted by reference.

The provisions of the state vehicle code, 625 ILCS 5/1-100 et seq., are hereby adopted by reference, as if set out at length in this chapter.

State Law reference— Authority to adopt vehicle code by reference, 625 ILCS 5/20-204.

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Sec. 62-2. Vehicle regulations.

- (a) *Generally.* Vehicles on the streets of the village shall be governed by this chapter, and it is the intention of the village to make and enforce such regulations as shall be necessary to ensure the safety of pedestrians as well as other vehicles.
- (b) *Speed limits.* Vehicles shall proceed on the righthand of the center of the street and shall not exceed a speed of 20 miles per hour in the business district, (Third Street from Jefferson to Washington and Adams Street from Second to Fourth), and 30 miles per hour on other streets.
- (c) *Molestation of traffic signs.* Molestation of traffic signs is unlawful and any interference with them is absolutely forbidden.

(Ord. No. 121, §§ 1, 2, 4, 11-13-1985)

Sec. 62-3. School speed zone.

- (a) A school speed zone shall be imposed in the area on Third Street south of Washington Street and north of Patterson Street and on Sprague Street east of Second Street and west of Fourth Street.
- (b) A school speed zone shall be imposed in areas.
- (c) School speed zone signs shall be posted marking these areas as school speed zones.
- (d) It shall be unlawful to drive any motor vehicle at a speed in excess of 20 miles per hour in this area on school days when children are present.

(Ord. No. 71-1, § 3, 11-13-1985; Ord. No. 2002-05, §§ 1—3, 4-12-2002)

Sec. 62-4. Weight limitation.

- (a) *Gross weight limit.* It shall be unlawful to drive on any street within the village any motor vehicle, which, together with towed trailers, wagons, or implements, if any, has a gross weight exceeding 16,000 pounds.
- (b) *Streets excepted.* Exceptions to this section will be allowed on Second Street from Route 38 to South Malta Road, Third Street from Van Buren Street to South Malta Road, Van Buren Street from Second Street to Fourth Street, Adams Street from First Street to Fifth Street, Sprague Street from Second Street to Fifth Street, South Malta Road from Orput Street to Sixth Street, and Fourth Street from Sprague Street to Patterson Street and from Route 38 to Van Buren Street.
- (c) *Penalty.* Any person violating the provisions of this section shall be subject to a fine of \$50.00, or \$0.02 per pound of gross weight in excess of 16,000 pounds, whichever is greater, for overweight violation.
- (d) *Certain vehicles excepted.* Fire and municipal vehicles, garbage trucks, school vehicles, vehicles delivering merchandise to residents on an occasional basis, and farm vehicles entering upon a village street directly from field or farmstead shall be and are excepted from the provisions of this section.

(Ord. No. 86-1, §§ I—IV, 2-12-1986)

Secs. 62-5—62-40. Reserved.

ARTICLE II. STOPPING, STANDING AND PARKING ^[2]

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Sec. 62-41. Parking prohibited in certain places.

At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic signal:

- (1) Within any intersection.
- (2) Within 20 feet of a crosswalk at an intersection.
- (3) Between a safety zone or crosswalk so as to block pedestrians or safe passage through the safety zone or crosswalk.
- (4) Within 30 feet upon the approach to a flashing signal, stop sign, yield sign or traffic control signal located at the side of a roadway.
- (5) Within 20 feet of an intersection.
- (6) At any place so as to reduce the width of the roadway to less than 18 feet.
- (7) Within 15 feet of a fire hydrant.
- (8) In front of a public or private driveway.
- (9) Within 50 feet of the nearest rail of a railroad grade crossing.
- (10) Within 20 feet of the driveway entrance to any such station whether it is the police department or fire department and on the side of the street opposite the fire department entrance to any such station within 75 feet of such entrance, when properly signposted.
- (11) At any place where official signs prohibit parking.
- (12) On sidewalks or parkway.
- (13) No vehicle shall park with the left side of such vehicle to the curb or side of roadway, all other vehicles shall park parallel with the curb or roadway except where angular parking is marked on the streets, then vehicles shall be parked at the angle to the curb indicated and within such marks.
- (14) No vehicle for sale shall be parked on any village street, alley, causeway, right-of-way, or thoroughfare.

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- (15) On any village street after two inches of snowfall, either accumulative or all at once.
- (16) In any alley so as to block either pedestrian or vehicular traffic.
- (17) On any village street, alley, roadway, thoroughfare or causeway, any vehicle without either a valid state registration or village registration sticker or a valid city or village sticker from another city or village, or valid out-of-state plate registration.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-42. Parking spaces.

The mayor and village board shall have lines or markings painted upon the curb or street so as to clearly designate parking places and nonparking places. All vehicles shall park within such lines or markings. It shall be unlawful for any vehicle to park across such lines or markings, or to park a vehicle in such a position that it shall not be entirely within the space designated by such lines or markings, or to keep another vehicle from parking within such lines or markings. It shall be unlawful for any vehicle to stand parked on any village street, alley, causeway, roadway or thoroughfare for longer than 72 hours without being moved more than one-tenth of a mile.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-43. Ticket violations.

It shall be the duty of the mayor and/or the village board to designate a police officer whose duties shall be to keep account of all violations of this article. The police officer so designated shall keep an account of and report:

- (1) The date of the offense;
- (2) The time of the offense;
- (3) The place of the offense (as accurately as possible);
- (4) The state license plate number or village registration number or the name on the license applied for sticker;
- (5) Any other facts, the knowledge of which is necessary to thoroughly understand the circumstances attending such violation.

Such police officer shall also attach to such vehicle a notice stating that such vehicle has been parked in violation of a provision of this article, and notify the owner or operator of the charge for such violation and where to pay such charge as provided in this article.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-44. Towing vehicles in violations.

It shall be the duty of any police officer to remove and tow away, or have removed and towed away by commercial towing service, any car or other vehicle illegally parked or remaining parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle. Cars, so towed away for illegal parking, shall be stored in a safe place and shall be restored to the owner or operator with proof of ownership or permission

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of use by the owner and the full payment of towing fees and storage fees as is standard and fair, set by the commercial towing service.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-45. Penalties for violation of article.

- (a) *Generally.* Any person violating any provisions of this article except where other fines are provided for shall be charged the fine of \$5.00.
- (b) *Specific penalties.* Any person violating the following specific provisions shall be fined as follows: Within 15 feet of a fire hydrant, within 20 feet of the driveway entrance of any such station whether it is the police department or fire department and on the street opposite the fire department entrance to any such station within 75 feet of such entrance; and on any village street after two inches of snowfall, either accumulative depth or all at once, or to allow any vehicle to stand parked on village streets, alley, causeway, roadway or thoroughfare for longer than 72 hours without being moved more than one-tenth of a mile. The fine for these specific violations shall be \$25.00 for each occurrence, and any person can be ticketed if they remain in violation, one ticket for every 24 hours in violation.
- (c) *Late charges.* Any person in violation and ticketed shall have one week from the ticket issuance date to pay the fine. After one week there will be a late charge of \$1.00 per day up to a maximum of \$100.00.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-46. Prima facie proof.

- (a) The fact that an automobile which is illegally parked is registered in the name of a person shall be considered prima facie proof that such a person was in control of the automobile at the time of such parking.
- (b) All fines can and shall be paid to either the police department or the village clerk or comptroller, and a receipt shall be issued for the money received. All money shall be promptly turned over to the village clerk to be used in the manner provided for the disposition of fines for traffic violations.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-47. Failure to pay penalty or fines.

Any person failing to pay penalties or fines will have a warrant for their arrest filed in the county.

(Ord. No. 82-2, 4-14-1982)

Sec. 62-48. Restricting parking on certain streets.

- (a) Jefferson Street, west of Second Street, is declared a fire lane so as to permit emergency vehicles access along such roadway at any time.
- (b) It shall be unlawful to permit any vehicle to stand or park on Jefferson Street, west of Second Street, except when it is necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.

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- (c) It shall be unlawful to permit any vehicle to stand or park on Madison Street, west of Second Street, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.
- (d) Any person violating any provision of this section shall be fined not less than \$15.00 or more than \$50.00 for each offense.
- (e) The fact that an automobile which is illegally parked is registered in the name of a person shall be considered prima facie evidence that such person was in control of the automobile at the time of the parking.
- (f) The police department and all its members are authorized to remove and tow away, or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire lane or fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle.

(Ord. No. 78-11, 11-14-1979)

Cross reference— Streets, sidewalks and other public places, ch. 50.

Sec. 62-49. Upon or along state highway route no. 38.

- (a) *Prohibited generally; exception.* No person shall stop, park or leave standing any vehicle, whether tended or unattended, upon or along state highway route no. 38, from the westernmost boundary of the village to the easternmost boundary of the village, except when necessary to avoid conflict with other traffic, or in compliance with the law or the directions of a police officer or official traffic control device.
- (b) *Penalty.* The penalty on conviction of a violation of any portion of this section shall be a fine of not less than \$25.00, nor more than \$250.00, together with costs. Any vehicle parked in violation of any portion of this section may be removed and stored by the village at the expense of the owner.

(Ord. No. 86-5, §§ 1, 2, 9-10-1986)

Sec. 62-50. Angle parking.

Angle parking is permitted in the block from Washington to Adams on Third Street. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, firefighter, or school crossing guard invested by law with the authority to direct, control, or regulate traffic.

(Ord. No. 121, § 3, 11-13-1985)

Secs. 62-51—62-80. Reserved.

FOOTNOTE(S):

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Cross reference— Off-street parking and loading, § 70-531 et seq. ([Back](#))

ARTICLE III. ABANDONED AND INOPERABLE MOTOR VEHICLES

[Sec. 62-81. Definitions.](#)

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[Secs. 62-86—62-120. Reserved.](#)

Sec. 62-81. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicle means any vehicle which is left at any place for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

Inoperable motor vehicle means any motor vehicle from which, for a period of at least 24 hours on any village street, alley, roadway, thoroughfare or causeway, or seven days on private property, the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. However, the term "inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicles that are kept within a building when not in use, or to historic vehicles over 25 years of age.

(Ord. No. 2000-3, § 6, 2-23-2000)

Cross reference— Definitions generally, § 1-2.

Sec. 62-82. Prohibited acts.

No person shall abandon any vehicle within the village, and no person shall leave any vehicle at any place within the village for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned. No person shall leave any partially dismantled, nonoperating, wrecked or junked vehicle on any street or highway in the village.

(Ord. No. 2000-3, §§ 1, 2, 2-23-2000)

Sec. 62-83. Inoperable vehicles declared nuisance.

Inoperable vehicles are declared to be a nuisance. Inoperable motor vehicles, whether on public or private property, are hereby declared to be a nuisance. All persons are required to dispose of any inoperable

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motor vehicles under their control upon written notice received from the corporate authorities or from the chief of police, or any member of his department designated by him, commanding such disposition of such inoperable motor vehicle.

(Ord. No. 2000-3, § 3, 2-23-2000)

Sec. 62-84. Removal; impoundment.

The chief of police, or any member of his department designated by him, is hereby authorized to remove or have removed any vehicle left at any place within the village which reasonably appears to be in violation of this article or which reasonably appears to be lost, stolen or unclaimed, or which is an inoperable vehicle. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with 625 ILCS 5/4-201—5/4-214.

(Ord. No. 2000-3, § 4, 2-23-2000)

Sec. 62-85. Penalty for violation of article.

Any person violating any of the provisions of this article shall be subject to punishment as provided in section 1-10 of this Code.

(Ord. No. 2000-3, § 5, 2-23-2000)

Secs. 62-86—62-120. Reserved.

ARTICLE IV. SNOWMOBILES

[Sec. 62-121. Speed limit.](#)

[Sec. 62-122. Operation on streets and alleys.](#)

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[Sec. 62-130. Penalties for violation of article.](#)

Sec. 62-121. Speed limit.

No snowmobile shall be operated within the village at a speed in excess of 15 miles per hour.

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(Ord. of 2-12-1975, § 1)

Sec. 62-122. Operation on streets and alleys.

- (a) Any vehicle being operated on public streets or alleyways within the village must be operated as close as possible to the right edge of the roadway and in single file.
- (b) The snowmobile shall be operated on public streets and alleyways of the village only for the purposes of entering or leaving the village by the most direct route.

(Ord. of 2-12-1975, §§ 2, 3)

Cross reference— Streets, sidewalks and other public places, ch. 50.

Sec. 62-123. Prohibited hours of operation.

It shall be unlawful to operate a snowmobile in the village between the hours of 12:01 a.m. and 8:00 a.m.

(Ord. of 2-12-1975, § 4)

Sec. 62-124. Street crossing angle.

A snowmobile is allowed to cross a street in the village only on a 90-degree angle.

(Ord. of 2-12-1975, § 5)

Sec. 62-125. Youthful operators.

- (a) No person under ten years of age may operate a snowmobile, other than machines designed for use by small children primarily as a toy and used only on private property and not on any public use trail.
- (b) Persons at least ten and less than 12 years of age may operate a snowmobile only if they are either accompanied on the snowmobile by a parent or guardian or a person at least 18 years of age designated by a parent or guardian.
- (c) Persons at least 12 years of age and less than 16 years of age may operate a snowmobile only if they are either accompanied on the snowmobile by a parent or guardian or a person at least 16 years of age designated by a parent or guardian, or such operator is in possession of a certificate issued by the state's department of natural resources authorizing the holder to operate snowmobiles.
- (d) Any person who operates a snowmobile on a highway as provided in 625 ILCS 40/5-2 shall:
 - (1) Possess a valid motor vehicle driver's license; or
 - (2) Possess a safety certificate as provided for in this section. Any such person less than 16 years of age shall also be under the immediate supervision of a parent or guardian or a person at least 18 years of age designated by the parent or guardian.
- (e) Violations of this section done with the knowledge of a parent or guardian shall be deemed a violation by the parent or guardian and punishable under 625 ILCS 40/10-1 et seq.

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(Ord. of 2-12-1975, § 6)

Sec. 62-126. State registration required for operation.

It shall be unlawful to operate a snowmobile within the village unless such vehicle contains a state registration.

(Ord. of 2-12-1975, § 7)

Sec. 62-127. Headlight required.

Any snowmobile operated within the village must have a headlight on at all times.

(Ord. of 2-12-1975, § 8)

Sec. 62-128. Pulling of sleds, toboggans or other devices.

It shall be unlawful for a snowmobile to pull any sleds, toboggans or other devices except sleds specifically made for the purpose of being towed by snowmobiles.

(Ord. of 2-12-1975, § 9)

Sec. 62-129. Obeying state traffic and snowmobile regulations.

Any person operating a snowmobile within the village must obey all regulations of the state pertaining to vehicular traffic and must meet all regulations of the state pertaining to the operation of snowmobiles.

(Ord. of 2-12-1975, § 10)

Sec. 62-130. Penalties for violation of article.

The violation of any of the provisions of this article shall be considered separate offenses, and such violator shall be subject to punishment as provided in section 1-10.

(Ord. of 2-12-1975)

**ARTICLE V. OPERATION OF QUALIFIED GOLF CARTS AND UTILITY-TERRAIN VEHICLES
(NOT INTENDED FOR 4 WHEELERS)**

[Sec. 62-141. Golf carts and utility-terrain vehicles \(not intended for 4 wheelers\).](#)

[Sec. 62-142. Definitions.](#)

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Sec. 62-141. Golf carts and utility-terrain vehicles (not intended for 4 wheelers).

Golf carts and utility-terrain vehicle, as defined and qualified herein shall be allowed on village streets under the conditions as stated herein.

(Ord. No. 2010-04, § 1, 11-10-2010)

Sec. 62-142. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) A *golf cart* is defined as a motorized vehicle with three or four wheels that is not designed to be operated at a speed of more than 25 m.p.h. whose purpose can include, but is not limited to, the playing of golf and is generally designed to carry persons including the driver.
- (2) *Utility-terrain vehicle* (not intended for 4 wheelers) shall mean a self-propelled, electrically powered four wheel motor vehicle or self-propelled gasoline or diesel powered four wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters which is capable of attaining in one mile speed of more than 15 miles per hour and which conforms to the federal regulations under Title 49 C.F.R. Part 571.500.
- (3) *Village streets* means any of the streets or alleys dedicated within the boundaries of the Village of Malta.

(Ord. No. 2010-4, § 1, 11-10-2010)

Sec. 62-143. Requirements.

All persons wishing to operate a golf cart or a utility-terrain vehicle on the village streets must ensure compliance with the following requirements:

- (1) Proof of current liability insurance.
- (2) Must be certified with the village and have the vehicles certified with the village by inspection by the Village of Malta or its designated representative.
- (3) Must have village decal on the rear of the vehicle.
- (4) Must have current, valid Illinois driver's license.
- (5) Golf carts must be equipped as follows:
 - a. Horn;
 - b. Brakes and brake lights;
 - c. Turn signals;
 - d. A steering wheel apparatus;
 - e. Tires;
 - f. Rearview mirror;

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- g. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - h. Headlight that emits a white light visible from a distance of 300 feet to the front of which illuminate when in operation;
 - i. Tail lamp that emits red light visible from at least 100 feet from the rear which must be illuminated when in operation;
 - j. Any additional requirements which may be amended to 651LCS5/11-1426.1 et seq. or the Illinois Vehicle Code.
- (6) Utility-terrain vehicles must be equipped as follows:
- a. Horn;
 - b. Brakes and brake lights;
 - c. Turn signals on the front and rear;
 - d. A steering wheel apparatus;
 - e. Tires;
 - f. Rearview mirror;
 - g. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - h. Headlight that emits a white light visible from a distance of 300 feet to the front of which illuminate when in operation;
 - i. Tail lamp that emits red light visible from at least 100 feet from the rear which must be illuminated when in operation;
 - j. Any additional requirements which may be amended to 65 ILCS 5/11-1426.1 et seq. or the Illinois Vehicle Code.
- (7) Must obey all traffic laws of the State of Illinois and the Village of Malta.
- (8) Must be 18 years of age.
- (9) Must be operated only on village streets as defined, except where prohibited.
- (10) Must not be operated in excess of posted speed limit and, with respect to utility-terrain vehicles, may not exceed 25 miles per hour.
- (11) A person operating or is in actual physical control of a golf cart or utility-terrain vehicle as described herein on a roadway while under the influence is subject to sections 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500-11-502).
- (12) Golf carts and utility-vehicle shall not be operated on sidewalks or in village parks other than parking areas.
- (13) Golf carts and utility-terrain vehicles may not be operated on streets and highways and roads under the jurisdiction of Illinois Department of Transportation (Illinois State Route 38).

(Ord. No. 2010-4, § 1, 11-10-2010)

Sec. 62-144. Permits.

- (a) No person shall operate a qualified golf cart or utility-terrain vehicle without first obtaining a permit from the Village of Malta or its designated representative as provided herein. Permits shall be granted for a period of one year and renewed annually. The cost of the permit is \$35.00. Insurance coverage is to be verified by the Village of Malta or designated representative when obtaining or renewing a permit.

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- (b) Every application for a permit shall be made on a form supplied by the Village of Malta and shall contain the following:
 - (1) Name and address of applicant/and owner, if different;
 - (2) Name and address of the liability insurance carrier and insurance agent;
 - (3) The serial number, make, model and description of golf cart or utility terrain vehicle;
 - (4) Signed waiver of liability by applicant releasing the Village of Malta and agreeing to indemnify and hold the village harmless from any and all future claims resulting from the operation of their golf cart or utility terrain vehicle on the Village of Malta streets;
 - (5) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - (6) Verification by applicant that all information contained in the permit application is true and accurate;
 - (7) Such other information as the village may require.
- (c) No permit shall be granted unless the following conditions are met:
 - (1) The vehicle must be inspected by the Village of Malta or its designated representative to insure that the vehicle is safe to operate on village streets and is in compliance with this article and with the State of Illinois Motor Vehicle Code;
 - (2) A physically handicapped applicant must be submitting a certificate signed by a physician certifying that the applicant is able to safely operate a qualified golf cart or utility-terrain vehicle on village streets;
 - (3) The applicant must provide evidence of insurance in compliance with provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicle to be operated on the roads of the State of Illinois.
- (d) The village president of the Village of Malta may suspend a permit granted hereunder upon 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 utility-terrain vehicle on the designated roadways. Such suspension shall be in effect until the next scheduled Village of Malta Board meeting at which time said board of trustees shall by majority vote determine to continue such suspension or revoke said permit.

(Ord. No. 2010-4, § 1, 11-10-2010)

Sec. 62-145. Violations.

Any person who violates any provisions of this ordinance shall be guilty of a petty offense and shall be punished by a fine of \$75.00. Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three nor more than five years. To the extent that any violation of this article also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

(Ord. No. 2010-4, § 1, 11-10-2010)