

Ordinance No. 2011-15

Town of Merrill Ice Drags Ordinance

STATE OF WISCONSIN

LINCOLN COUNTY

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of Merrill Ice Drags Ordinance. The purpose of this ordinance is to provide safe and healthful conditions for the town residents, spectators, and ice drag participants during ice drag events. The environmental impact of the ice drag events has been considered in creation of this ordinance.

SECTION II – APPLICABILITY AND JURISDICTION

The provisions of this chapter shall apply to the lakes and rivers within the jurisdiction of the Town of Merrill. This ordinance is not valid unless each town, village, and city having jurisdiction over any portion of Lake Alexander has enacted an identical ordinance. When the identical ordinances have been enacted, the ordinance of any individual town, village, or city is in effect on the entire lake.

SECTION III – ADOPTION OF THIS ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, provides for regulation of the ice drag races and events held in the Town of Merrill.

SECTION IV – SPECIFIC PROVISIONS

- A. A contact list for Merrill Ice Draggers, Inc., proof of insurance covering all race activities within the township and on the lake, and a list of event dates must be provided to the Town of Merrill Chairman and the Council Grounds State Park superintendent prior to November 1 of the calendar year preceding the ice drags.
- B. The Merrill ice drags will take place on the icebound waterway in the Town of Merrill at the location formally known as Ullman's Bay. Ice drag participants participating in ice drag events shall have the right-of-way on the marked area and no other person shall obstruct such area during the race or event or interfere therewith.
- C. Any ice drag events including test & tune, race days, championship races, and grudge match races may not begin before the first Saturday of January

of the calendar year and must conclude no later than the second Saturday of February of the calendar year.

- D. Race course construction, maintenance, plowing, and race day events may only take place between the hours of 7 am and 7 pm.
- E. All unsafe ice breakthroughs shall be marked appropriately with high visibility markers such as flags or cones. The provisions of Wis. Stat. 167.26(1) remain in effect.
- F. A distance of thirty feet shall be maintained between any fencing or temporary building and the Council Grounds State Park shoreline to facilitate public traffic access to the lake and potentially necessary emergency services. Fencing shall not impinge on the established snowmobile trail. Fencing near the established snowmobile trail shall contain retro-reflective markings. A minimum distance of 200 feet must be maintained between residential shoreline and race lanes.
- G. A minimum of three public waste facilities must be available. At least one facility must be placed in the spectator area. The facilities must be removed from the ice after race events are held. A minimum of eight refuse containers of appropriate size must be available at all times. A minimum of four refuse containers must be placed in the spectator area. All refuse containers must be removed from the ice after race events. All refuse must be removed from the race area, spectator area, and refuse containers and disposed of appropriately by the Merrill Ice Draggers.
- H. All fencing, posts, temporary buildings, waste facilities, refuse containers, signs, etc., must be removed no later than seven days after the last scheduled ice drag event. The Wisconsin Department of Natural Resources and/or the Town of Merrill reserve the right to request and enforce a spring clean-up to be performed by the Merrill Ice Draggers.

SECTION V – LIABILITY OF LOCAL GOVERNMENT

All traffic on icebound, inland waters shall be at the risk of the traveler. This ordinance shall not render the Town of Merrill liable for any accident to those engaged in ice drag racing while the ordinance is in effect.

SECTION VI – PENALTY PROVISION

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$500, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION VI I- SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION VIII – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly post or publish this ordinance as required under s.60.80, Wis. Stats.

Adopted this 11th day of Sept., 2011.

Signatures of Town Board:

Wilhelm Burgener

[Signature] *opposed*

Stacy Stettin

[Signature]

Larry Smith *opposed*

Attest:

Naomi Finckel Clerk

Ordinance No. 2011-15, entitled Ice Drags Ordinance, on September 12, 2011. The ordinance is to provide safe and healthful conditions for town residents, spectators and ice drag participants during ice drag events.

Effective 9/24,
2011