

PROPOSED ORDINANCE # <sup>94-04</sup>~~04-94~~

An Ordinance for the Regulation of Races and Racetracks in the Town of Milltown, Polk County, Wisconsin

1:01 No person shall hold, conduct, or be present at a race or racetrack within the Town of Milltown, except as may be held at a public racetrack or on premises duly licensed to be used as such under the provisions of this Ordinance.

1:02 A "race" as used in this Ordinance shall mean any race by one or more motor vehicles, motorcycles, snowmobiles, or any kind of motorized equipment against any other motor vehicle, motorcycle, snowmobile, or any kind of motorized equipment, whether against a time clock or not, to which the public generally gain admission with or without payment of a fee for any race operated for a profit, or for which an entrance fee is charged. A "practice race" as used in this Ordinance shall mean traversing of the race track not heretofore defined as a "race".

1:03 The term "racetrack" as used herein, shall be taken to mean a place licensed to hold a "race".

1:04 (1) Applications for a license for a racetrack may be made by petition signed by the owner or tenant of the premises for which a license is sought directly to the Town Board and accompanied by an annual fee of \$250.00. Such license shall be granted by the Town Board in case a majority of the same vote in favor thereof and shall be denied otherwise, provided that between meeting by the Town Chairman, subject to the approval of the Town Board at its next meeting.

(2) The Town Board, in considering the granting of license, may consider the character of the applicant, the safety of the track itself, the adequacy of restrooms and toilet facilities, the safety and adequacy of the public seating facilities, the adequacy of adjacent public roads, the impact on the enjoyment of property, and other circumstances and conditions.

(3) If the Town Board is convinced that the well-being of the public will be conserved by the refusal to grant the application for license, it may so decide.

(4) The license of any racetrack may be suspended or revoked by the Town Board at any regular or special meeting on satisfactory evidence of the violation of provision of this Ordinance, or when any disorderly conduct is in evidence.

(5) Suspension or revocation shall only be after a hearing with at least three (3) days notice to the licensee. Suspension of a license shall be for a



(6) Upon the revocation of any racetrack license, no new license shall be issued either to the same licensee or to a different licensee for the same racetrack within six months following the date of such revocation.

1:05 The following rules and regulations shall govern the conduct, operation, and management of all "racetracks", races, and practice races:

(1) Racetracks may be open only on Friday, Saturday, and Sunday.

(2) Races and Practice Races shall be discontinued and racetracks closed by 8:00 p.m.. No Races or Practice Races shall be conducted nor shall the racetracks be open between said closing hours and 9:00 a.m..

(3) Dust shall be controlled by either a hard surface on the racetrack or by sufficient watering of the racetrack. All roadways on the racetrack premises shall also be controlled after each race. All applicants must show proof of ownership of a tank truck capable of holding 500 gallons of water suitable for this purpose.

(4) The participation in a race or in a practice race by persons under the influence of liquor or drugs shall not be permitted.

(5) Loud, discordant and unnecessary noises at racetracks shall not be permitted. All participating vehicles in a race or practice race shall be equipped with mufflers which limit their noise output to no more than 85 dbA at any boundary of the licensed premises.

(6) Two licensed Wisconsin police officers must be on the licensed premises at all times during races.

(7) A licensed Wisconsin ambulance with at least 2 certified EMT's must be on the premises at all times when races are held.

(8) The entrance to all property licensed for a racetrack shall be from a hard surfaced (pavement or blacktop) town or country road.

(9) All racetrack applicants must show that they have installed permanent sanitation facilities sufficient to handle 500 people, or the total of participants plus audience, whichever is the larger, and according to Wisconsin DILHR or DLF of Health Standards.

1:06 No license shall be issued until the applicant has on file with the Town Clerk of the Township of Milltown, a current public liability insurance policy. Said policy must be in the minimum amounts of Two Hundred Fifty Thousand Dollars (\$250,000.00) per person, and Five Hundred Thousand Dollars (\$500,000.00) per occurrence.

1:07 Any person who shall violate any of the provisions of this Ordinance shall be punished by a fine or forfeit of not less than \$100.00, and not more than \$500.00, and if such fine or forfeiture shall not be paid, by imprisonment for not less than 30 days nor more than 90 days in County Jail. As an added penalty thereto, the license of the person or persons so violating the provisions of this Ordinance shall be revoked.

1:08 No license shall be issued until the applicant has on file with the Town Clerk of Milltown Township, a written and signed acknowledgement of all terms and conditions of the license.

1:09 If any of these provisions are declared invalid, the remainder of the Ordinance shall remain in full force and effect.

1:10 This Ordinance shall be in effect as of <sup>August</sup> ~~May~~ 1, 1994.

DATED THIS 11th DAY OF <sup>July</sup> ~~APRIL~~, 1994.

SIGNED Bruce L. Christen Chair. Tr.  
Mill House

ATTEST Clifford Christen Sec.

William J. Christen Secy.