

**ORDINANCE NO. 2020-02
Merrill Ice Drags Ordinance**

STATE OF WISCONSIN }
 } ss
COUNTY OF LINCOLN }

SECTION I – TITLE AND PURPOSE

The title of this Ordinance is the “Merrill Ice Drags Ordinance.” The purpose of this Ordinance is to provide safe and healthful conditions for residents, spectators, and participants of the Merrill Ice Drags. The environmental impact of the Merrill Ice Drags event has been considered in the creation of this Ordinance.

SECTION II – APPLICABILITY AND JURISDICTION

The provisions of this Ordinance shall apply to Lake Alexander, located within the municipalities of the Town of Merrill, Town of Harding, Town of Rock Falls, Town of Scott, and City of Merrill located in Lincoln County, Wisconsin. This Ordinance is created pursuant to the jurisdiction provided the municipalities and in accordance with § 30.81, Wis. Stat. This Local Ordinance is not valid unless each municipality, having jurisdiction of any portion of Lake Alexander, has enacted the identical ordinance. When the identical ordinance has been enacted by all of the above-stated municipalities, the Ordinance becomes effective. All provisions of § 30.81, Wis. Stat., apply to this Ordinance, including subsection (4) relating to enforcement.

SECTION III – ADOPTION OF ORDINANCE

This Ordinance, adopted by a majority of the governing body of each municipality by a roll call vote, with a quorum present and voting and proper notice having been given, provides for the regulation of ice drag races on Lake Alexander.

SECTION IV – SPECIFIC PROVISIONS

- A. The Merrill Ice Drags take place on the icebound waterway of Lake Alexander at a location formerly known as “Ullman’s Bay.” Ice drag participants who take part in these events shall have the right-of-way on

the marked areas designated for ice drags, and no other person shall obstruct such area during the race or event or interfere herewith.

- B. In the event any party or entity places an obstacle to interfere with the ice drag races, an authorized law enforcement party may summarily temporarily remove such obstacle from the area designated for ice drag purposes.
- C. The Merrill Ice Drags shall be sponsored and conducted by Merrill Ice Dragers, Inc., a Wisconsin corporation. Merrill Ice Dragers, Inc., shall provide proof of liability insurance in the amount of \$5,000,000.00 to each municipality prior to November 1st of each calendar year.
- D. Race course construction, maintenance, plowing, and race day events may only take place between the hours of 7:00 am and 7:00 pm.
- E. A distance of thirty feet (30') 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.
- F. A minimum of three (3) public waste facilities must be available. At least one (1) facility must be placed in the spectator area.
- G. A minimum of eight (8) refuse containers of appropriate size must be available at all times. A minimum of four (4) refuse containers must be placed in the spectator area. The refuse containers must be removed from the ice after race events are held.
- H. All fencing, posts, temporary buildings, waste facilities, refuse containers, signs, etc., must be removed no later than seven (7) days after the last scheduled ice drag event.

SECTION V – LIABILITY OF LOCAL GOVERNMENT

All traffic on icebound, inland waterways shall be at the risk of the traveler. This Ordinance shall not render any municipality liable for any accident to those engaged in ice drag racing, including spectators, pursuant to § 30.81(3), Wis. Stat.

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 \$100.00 plus the applicable surcharges, assessments, and costs for each violation. Each day that a violation exists or continues constitutes a separate offense under this Ordinance. In addition, the municipality may seek injunctive relief from a court of record to enjoin further violations.

SECTION VII – SEVERABILITY

If any provision of this Ordinance or application to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applicability of this Ordinance, which can be given effect without the invalidated provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION VIII

This ordinance shall be in effect through December 31, 2020.

SECTION IX – EFFECTIVE DATE

This Ordinance is effective upon passage by all municipalities having jurisdiction on any part of Lake Alexander and upon the applicable publication or posting.

Adopted this ____ day of _____, 20____.

_____	_____
_____	_____
_____	_____

CERTIFICATION

The undersigned Clerk of the Town of _____ hereby certifies that the foregoing Ordinance was passed by the governing body at its meeting on the _____ day of _____, 20____.

Dated this _____ day of _____, 20____.

(Kay Tautges, Clerk/Treasurer)

*THIS INSTRUMENT DRAFTED BY:
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