

**TOWN
Of
ST. CROIX FALLS**
Polk County, Wisconsin

ORDINANCE No. 17-02

**Regulation of Motor Vehicle Races and Other Motor Vehicle
Performance Events for Entertainment Purposes**

Section 1. Purpose

This ordinance repeals and recreates existing Ordinance No. 9 entitled “Regulation of Races and Racetracks”. The purpose of this ordinance is to ensure public health, safety and welfare; to protect the physical, mental and social well-being of town residents; to minimize air pollution; to minimize noise pollution; to avoid any public nuisance that would interfere with the peaceful use and enjoyment of the homes and property of town residents, and; to establish rules and regulations governing the operation of such events and facilities.

Section 2. Authority

The Town Board of the Town of St. Croix Falls, Polk County, Wisconsin, has the specific authority to adopt this Ordinance under Wisconsin Statutes section 60.10 (2)(c) [village powers] and section 61.34(1) [authority to protect the health, safety and welfare of the public].

Section 3. Definitions

The following definitions shall apply to terms used in this Ordinance:

"Decibel (dBA)" means a unit for measuring the volume of a sound, equal to twenty times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

“Fireworks” means any device using explosive material intended to produce audible or visible effects for entertainment purposes.

“Holiday” means January 1, Memorial Day (the last Monday in May), July 4, Labor Day (the first Monday in September), Thanksgiving (the fourth Thursday in November), December 24, Christmas Day (December 25), December 31, and the

following Monday if January 1, July 4, or December 25 falls on Sunday.

“Motor Vehicle” means any motor powered vehicle capable of carrying a person. It includes, but is not limited to, automobiles, race cars, sprint cars, tractors, go-carts, motorcycles, motor-bikes, mini-bikes, trail bikes, motor scooters, all-terrain vehicles, snowmobiles, and any other manner of motorized vehicle or conveyance,

“Motor Vehicle Performance Event” means track racing, drag racing, time trials, demolition derbies, automobile thrill shows, tractor pulls, and any other event where participants or spectators engage in competition or vehicle performance for entertainment purposes. The performance includes the actual event and also includes practice, time trials, and testing of a track or the vehicles.

“Noise” means the sound created by the motor of a performing vehicle or by the artificial amplification of voice or music.

“Operator” means the person or entity that applies for license to hold a Motor Vehicle Performance Event and will be legally and financially responsible for all requirements of this ordinance.

“Owner” means the person or entity that owns the real estate where the Motor Vehicle Performance Event will take place. An owner may also be the operator.

“Sound Amplification Equipment” means a device which amplifies or otherwise increases the natural output of sound generated by a person or object including, but not limited to, sound systems, public address systems, stereo systems, loudspeakers, bullhorns, megaphones and sirens.

“Event Day” means the calendar day of a scheduled event permitted in the applicant’s license.

“Week” means the calendar week beginning on Sunday and ending on Saturday.

Section 4. Regulations

- A. There shall be no more than one event day per calendar week; provided, however, when a holiday occurs during a week, the actual holiday may serve as a second event

day during that week.

- B. The event day shall commence at 10:00 a.m. and end at midnight. Participants and spectators may enter the event premises at 10:00 a.m. The motor vehicle performance may not commence before 12:00 p.m. (noon) and shall end on or before 11:00 p.m. All participants and spectators shall vacate the event premises by midnight.
- C. Upon application, the Town may grant permission for up to four special events per calendar year that allows a performance event on a date or hours not otherwise specified in these regulations.
- D. The use of sound amplification is prohibited except during the performance event. Noise shall be controlled and directed to minimize the volume of sound reaching adjacent properties. During the permitted period of operation, maximum sound levels shall not exceed 90 dBA measured at any point on the property line of the event location.
- E. The racetrack or speedway shall comply at all times with all other provisions of the town code, regulations and zoning ordinances.
- F. Sufficient sanitary facilities must be provided and properly maintained for all participants and spectators.
- G. The owner and the operator of the premises shall take all necessary steps to enforce the requirements of this ordinance, including but not limited to, installing fencing and gates to control access to the facility.
- H. The owner and operator of the premises shall ensure that there is no runoff or discharge from the track, pit areas or performance area onto adjacent properties.
- I. If the racetrack or performance area is not paved with a hard surface, the track areas shall be watered or otherwise maintained to ensure that the amount of dust and particulate matter generated by the racing or performance event is reduced.
- J. If the premises for the event are not zoned for camping, no camping or sleeping in vehicles on the premises shall be permitted and overnight parking of motor vehicles on the premises of the event location is prohibited except owner's and operator's vehicles

are allowed.

- K. No fireworks display shall be held except as explicitly authorized by Town permit.
- L. Any event license shall require proof of liability insurance in an amount not less than One Million Dollars (\$1,000,000.00). Such insurance policy shall name the Town of St. Croix Falls and its agents as additional insured.

Section 5. Application for License.

A license to hold a motor vehicle performance event may be granted for one calendar year, January 1 through December 31. An application shall be accompanied by annual fee as provided for in the Town's fee ordinance. If an application is granted, it shall not be effective until the applicant provides written evidence of the liability insurance required by this ordinance.

The Town Board, in considering the granting of the license, may consider the character of the applicant, the safety of the racetrack or other event location, potential traffic congestion, the adequacy of off road parking, the adequacy of the rest room and toilet facilities, the safety and adequacy of the public seating facilities and other circumstances and conditions.

If the Town Board determines that the health, safety and welfare of the public will be compromised by the proposed events, it may refuse to grant an application.

Section 6. Violations.

Any license for a motor vehicle performance event may be suspended or revoked by the Town Board upon a finding that there has been a substantial or a repeated violation of the requirements of this ordinance. Suspension or revocation shall only be after a hearing with at least ten (10) days' notice to the licensee.

Violations of the provisions of this ordinance are hereby declared to be a public nuisance and may be abated by cancellation of the license, fines or other penalties as provide in the Town of St. Croix Fall ordinances.

Section 7. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such finding shall not affect or impair any of

the remaining provisions of this Ordinance.

Section 8. Effective Date.

This Ordinance shall take effect on March 22, 2017.

Adopted March 15, 2017, Resolution 17-10.

Attest:

/s/James Beistle, Chairperson

/s/Janet Krueger, Clerk