

Title 10 ► Chapter 5

Exhibition Driving

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Sec. 10-5-1 Purpose.

The purpose of this ordinance is for the Town of Big Bend to regulate by penalty the Exhibition driving by excessive or unnecessary acceleration damage to the roads/highway in the Town of Big Bend.

Sec. 10-5-2 Authority.

The Town Board of the Town of Big Bend has the specific authority under Sec. 175.25, Wis. Stats., and general authority under its village powers under Sec. 60.22, Wis. Stats., to adopt this ordinance.

Sec. 10-5-3 Definitions.

- (a) **Highway** WI Stat 340.01(22) Highway means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of public schools, as defined in s. 115.01 (1), and institutions under the jurisdiction of the county board of supervisors, but does not include private roads or driveways as defined in sub. (46).
- (b) **Motor vehicle.** Except when included in the terms "motor vehicle", means a vehicle that was, at the time of its manufacture, self-propelled.
- (c) **Person.** An individual, corporation, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity.
- (d) **Town.** The Town of Big Bend, Rusk County, Wisconsin.
- (e) **Town board.** The board of supervisors for the Town of Big Bend, Rusk County, Wisconsin, and includes designees of the board authorized to act for the board.
- (f) **Town clerk.** The clerk of the Town of Big Bend, Rusk County, Wisconsin.
- (g) **Unlicensed Vehicle.** Any vehicle that requires registration and/or license to operate in this state and said vehicle does not have a current license and registration.
- (h) **Vehicle.** Every device in, upon, or by which any person or property is or may be

transported. "Vehicle" includes, but is not limited to, all of the following:

- (1) "All-terrain vehicles" as defined in Sec. 340.01 (2g), Wis. Stats.
- (2) "Antique vehicles" as described in Sec. 341.265, Wis. Stats.
- (3) "Automobiles" as defined in Sec. 340.01 (4), Wis. Stats.
- (4) "Camping trailers" as defined in Sec. 340.01 (6m), Wis. Stats.
- (5) "Farm equipment" as defined in Sec. 100.47 (1), Wis. Stats.
- (6) "Farm tractors" as defined in Sec. 340.01 (16), Wis. Stats.
- (7) "Hobbyist or homemade vehicles" as defined in Sec. 341.268, Wis. Stats.
- (8) "Implements of husbandry" as defined in Sec. 340.01 (24), Wis. Stats.
- (9) "Mobile homes" as defined in Sec. 340.01 (29), Wis. Stats.
- (10) "Mopeds" as defined in Sec. 340.01 (29m), Wis. Stats.
- (11) "Motor bicycles" as defined in Sec. 340.01 (30), Wis. Stats.
- (12) "Motor buses" as defined in Sec. 340.01 (31), Wis. Stats.
- (13) "Motor homes" as defined in Sec. 340.01 (33m), Wis. Stats.
- (14) "Motor trucks" as defined in Sec. 340.01 (34), Wis. Stats.
- (15) "Motorcycles" as defined in Sec. 340.01 (32), Wis. Stats.
- (16) "Recreational vehicles" as defined in Sec. 340.01 (48r), Wis. Stats.
- (17) "Road machinery" as defined in Sec. 340.01 (52), Wis. Stats.
- (18) "Road tractors" as defined in Sec. 340.01 (53), Wis. Stats.
- (19) "Salvage vehicles" as defined in Sec. 340.01 (55g), Wis. Stats.
- (20) "School buses" as defined in Sec. 340.01 (56), Wis. Stats.
- (21) "Semi-trailers" as defined in Sec. 340.01 (57), Wis. Stats.
- (22) "Snowmobiles" as defined in Sec. 340.01 (58), Wis. Stats.
- (23) "Special interest vehicles" as defined in Sec. 341.266, Wis. Stats.
- (24) "Trailers" as defined in Sec. 340.01 (71), Wis. Stats.
- (25) "Truck tractors" as defined in Sec. 340.01 (73), Wis. Stats.
- (26) Unlicensed demolition motor vehicles and unlicensed racing motor vehicles.
- (27) Golf carts, garden tractors, riding lawn mowers, and other motorized tractors, motorized carts, and motorized utility vehicles that require no registration or licensure by the State of Wisconsin.

- (i) **Wis. Stats.** means the Wisconsin Statutes, including successor provisions to cited statutes.

Sec. 10-5-4 Coverage.

In this ordinance, road damage coverage refers to a requirement for individuals or companies to pay for any harm they cause to local streets and other public infrastructure. This is common in towns and municipalities that want to protect their investment in public roads/highway and minimize the use of taxpayer funds for unnecessary repairs

- (a) No driver of any vehicle shall cause, by excessive or unnecessary acceleration, the tires of such vehicle to spin and emit loud noises, or to unnecessarily throw stones, gravel or other material, nor shall any driver cause to be made by excessive and unnecessary acceleration any loud noise, such as would disturb the public peace, nor shall any driver otherwise

operate a motor vehicle within the Town of Big Bend in a manner that would disturb the public peace or endanger the safety of other motorists, pedestrians, or property.

- (b) No driver of any vehicle shall cause, by excessive or unnecessary acceleration, damage to any Town roads/highway in the Town of Big Bend. Damage includes, but is not limited to, ruts in roads/highway, damage to shoulders or ditches or erosion of blacktop surfaces.

Sec. 10-5-5 Penalty Provisions.

- A. Town Board may impose WI Stat 86.02; Injury to road/highway - Any person who shall injure any road/highway by obstructing or diverting any creek or watercourse or sluiceway, or by dragging logs or timber thereon, or by any other act, shall be liable in treble damages, to be recovered by the political division chargeable with the maintenance of road/highway injured, and the amount recovered shall be credited to the road/highway maintenance fund.
- B. Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture as per the Town Fee Schedule 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.

Sec. 10-5-6 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.