

ORDINANCE

An Ordinance to amend Sections 10.070 and 14.130 of the Manitowoc Municipal Code to better regulate unnecessary acceleration – burnouts on City streets and to provide for penalties for such violations.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 10.070 is amended to read as follows:

“10.070 Unnecessary Acceleration and Display of Power Prohibited.

(1) It shall be unlawful for any person to operate any vehicle, including motorcycles, all-terrain vehicles and bicycles, in such a manner as to cause, by excessive and unnecessary acceleration, the tires of such vehicle or cycle to spin or emit loud noises or to unnecessarily throw stones or gravel; nor shall such driver cause to be made by excessive and unnecessary acceleration that any loud noise as would disturb the peace; nor acceleration that is greater than necessary to accelerate into the traffic flow.

(2) Anyone violating the terms of this ordinance shall forfeit not less than Twenty-Five (\$25.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.

(3) Anyone violating the terms of this ordinance during the course of a parade, special event approved by the City of Manitowoc, or in an area where pedestrians are nearby and concentrated shall forfeit not less than Two-Hundred Fifty (\$250.00) Dollars nor more than One Thousand (\$1,000.00) Dollars.”

Section 2. Section 14.130 is amended to read as follows:

“14.130 Disorderly Conduct.

Whoever does any of the following shall be in violation of this section:

...

(3) Disorderly Conduct with a Motor Vehicle.

(a) No person shall, within the City of Manitowoc, by or through the use of any motor vehicle, including but not limited to an automobile, truck, motorcycle, minibike, or snowmobile, cause or provide disorderly conduct with a motor vehicle.

(b) Disorderly conduct with a motor vehicle shall mean, while operating or in control of a motor vehicle, to engage in conduct or activities which are violent, unreasonably loud, dangerous to persons or property, or otherwise against the public peace, welfare, and safety, including but not limited to unnecessary, deliberate, or intentional spinning of the wheels, squealing of the tires, revving or racing of the engine, blowing of the horn, causing the engine to backfire, or causing the vehicle, while commencing to move or while in motion, to raise one or more wheels off the ground. Specifically excluded from this definition are legitimate, scheduled racing events.

(34) Compression Brakes Prohibited.

...”

Section 3. These ordinance revisions shall take effect the day after publication.

INTRODUCED _____

ADOPTED _____

Justin M. Nickels, Mayor

APPROVED _____

Fiscal Impact: Minimal cost for publication of ordinance. Enforcement of ordinance contemplated within current job responsibilities of which position costs are factored in to existing. Citation revenue indeterminate at the time due to unknown frequency.

Funding Source: 2023 General Fund

Finance Director Approval: /SMA

Approved as to form: /EGN

This resolution was drafted by Eric G. Nycz, Assistant City Attorney.