

## CHAPTER 26

### AIRPORT OPERATION AND LAND USE STANDARDS

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## **26.01 DEFINITIONS.**

- (1) "Airport" means the Boscobel Municipal Airport.
- (2) "Board" means the Board of Public Works.
- (3) "City" means the City of Boscobel, which is the owner of the airport.
- (4) "Commission" means the Commission established by Section 1.07(9) of the Municipal Code.
- (5) "Corporate Hangar" means a building housing one or more aircraft for the personal or business use of the hangar owner or lessee, in which no commercial activity is allowed without the express permission of the City or the Commission.
- (6) "Fixed-Based Operator" means any manager, person, firm, corporation, partnership, or association conducting any aeronautical business at the airport.
- (7) "Multiple T-Hangar" means a building composed of partitioned, nested units designed to house no more than one aircraft in each unit and having single door opening for each unit.

## **26.02 GENERAL AUTHORITY AND DUTIES**

(1) AIRPORT COMMISSION'S AUTHORITY. The airport commission established by Section 1.07(9) of the Municipal Code shall have jurisdiction over the airport and shall oversee all construction, improvements, equipment, operation and maintenance within the airport and shall oversee its operations under the policies established by this Chapter and Chapter 27 of the Municipal Code, Minimum Standards for Aeronautical Services. The Commission shall prepare and submit for approval to the Common Council standard leases and agreements for airport activities and land uses. It shall make studies and conduct surveys, as appropriate, to help improve airport operations. It shall cooperate with the Wisconsin Bureau of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities. The Commission shall cooperate with, and shall be entitled to the cooperation of, all City departments that provide services or assistance to the airport.

(2) REGULATIONS AND FEES. The Commission shall adopt regulations and establish fees and charges for use of the airport, subject to the approval of the Common Council.

(3) AIRPORT MANAGER. The Commission may employ a manager whose activities and responsibilities they shall specify in writing. The Commission shall supervise the manager, and shall administer and enforce all airport ordinances, leases, contracts, agreements,

rules and regulations. The Commission and the manager shall meet at least once in every calendar quarter to inspect airport facilities, to review airport operations and finances, to discuss any proposed airport development, and to conduct any other airport business. Notice of such meetings shall be posted at City Hall in accordance with Section 19.84 of the Statutes. Posting shall be the responsibility of the Chairperson, who may delegate that duty to the City Clerk or to the Clerk's designee.

(4) ACCOUNTING. The Commission, in cooperation with the City Treasurer, shall establish a system of accounting of sufficient detail to enable it to establish adequate rates and fees for services and for use of the airport, to identify and eliminate inefficient operation and maintenance practices, and to establish a system of sound financial planning.

(5) ANNUAL REPORT. The Commission shall prepare and submit an annual report to the Common Council that shall provide current information on airport operations, based aircraft, and revenues and expenses. The report shall provide comparative figures for the previous year, projects planned for the coming year, and other pertinent information. The Commission shall submit the report to the Common Council on or before its first meeting in May.

(6) BUDGET. The Commission shall submit an estimated budget to the City Clerk annually, on or before October 1, according to Section 3.05(1) of the Municipal Code.

### **26.03 OPERATION POLICIES.**

(1) PRIVATE SECTOR. To the extent it is practical, the Commission shall make arrangements that activities and services of the airport shall be accomplished through leases and contracts with nongovernmental parties, provided, however, that the City may provide airport maintenance.

(2) AIRPORT DEVELOPMENT. The City will encourage the development of the airport, particularly in those areas where lessees incur substantial building costs, by approving long term leases that provide for periodic evaluation and readjustment of rates, charges and fees during the term of the lease.

(3) UTILITY SERVICES. The City or the Board may install utility services up to a lessee's property line, but the lessee shall bear the cost of extending utility services from the property line to any building or structure.

(4) REGULATION OF BUSINESSES. No person shall engage in any business or commercial activity at the airport, except under terms and conditions prescribed in a written contract, lease or agreement between such person and the Commission. Lessees and other contract parties shall be selected based on their qualifications, financial capabilities and services

offered. The Commission need not award leases, contracts and agreements solely to the lowest bidder. Contracts for services shall not be subject to the bidding requirements of Section 62.15, Stats. In determining the use of building space, the Commission shall give primary consideration to public necessity and convenience. The Commission shall provide the Bureau of Aeronautics with one complete copy of each current lease, contract or agreement.

(5) **BUILDINGS AND IMPROVEMENTS.** Buildings to be constructed by lessees and other contracting parties shall conform to all state and local building codes. All building plans shall be subject to the approval of the Commission, the Department of Industry, Labor and Human Relations, the Bureau of Aeronautics, and the Federal Aviation Administration.

(6) **REGULATION OF FUEL.** No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the public, except those persons satisfying the requirements of Chapter 27 of the Municipal Code. No person shall engage in the activity of storing, transporting or dispensing noncommercial aviation fuels, except those persons who satisfy the requirements set forth in Section 26.04(12) and who are parties to a written agreement with the Commission to do so. Storage of all aviation fuel shall be in underground tanks only. To the extent it is practical, the Commission shall require the installation of all aviation fuel storage in the Fuel Farm area.

(7) **GROUND ACCESS.** Aircraft ground access to the airport property shall not be allowed, except from an approved Airport Industrial Park.

#### **26.04 LAND USES.**

(1) **MUNICIPAL TERMINAL AREA.** This area shall be reserved for the public terminal building and other public use facilities.

(2) **UTILITY AND SERVICE AREA.** This area shall be reserved for utility, service, crash, fire and rescue, and maintenance facilities operated by the City.

(3) **COMMERCIAL AVIATION AREAS.**

(a) This area shall be reserved for commercial aviation business normally conducted by fixed base operators. Permitted activities include, but are not limited to, the following: aircraft sales and rentals; airframe, power plant and instrument repair; aircraft fuel and oil dispensing; flight training; and air taxi service.

(b) Lot and setbacks shall be in conformity with the airport ALP, and building heights shall conform with part 77 of the Federal Aviation Regulations.

(c) The location of specialized commercial aviation businesses that pose special safety and operational problems, such as agricultural spraying facilities, shall be considered on a case-by-case basis by the Commission.

(4) CORPORATE HANGAR AREA.

(a) This area shall be reserved for noncommercial hangars, excluding multiple T-Hangars, and the exclusive use of this area shall be for aircraft housing. No person shall conduct any commercial activity from a corporate hangar. No person shall store any flammable liquids above or below the ground, nor shall aviation fuel be dispensed in this area, other than by dispensing equipment operating from the commercial aviation areas or Fuel Farm areas.

(b) Lot sizes and setbacks shall be in conformity with the airport ALP, and building heights shall conform with Part 77 of the Federal Aviation Regulations.

(5) MULTIPLE T-HANGAR AREAS.

(a) This area shall be reserved for the location of multiple unit T-Hangars for the storage of aircraft. No person shall conduct any commercial activities from a multiple T-Hangar. No person shall store or use any flammable liquids in this area, nor shall aviation fuel be dispensed into any aircraft while in a hangar. Aircraft, vehicles, and equipment shall be parked in a way that does not interfere with the movement of aircraft. Aircraft maintenance or repair that creates a fire hazard or endangers other aircraft or property of another is prohibited.

(b) Lot sizes and setbacks shall be in conformity with the airport ALP, and building heights shall conform with Part 77 of the Federal Aviation Regulations.

(6) TIE-DOWN AREAS. These areas are reserved for long term parking of aircraft based on the airport and those transient aircraft remaining overnight. The Commission or the Manager may designate temporary tie-down areas.

(7) PUBLIC APRON AREAS. These areas are reserved for unloading or loading passengers and cargo, refueling aircraft, and temporary parking of aircraft.

(8) AUTO PARKING AREAS. These areas are reserved for automobile parking. The Commission or the Manager may also designate temporary vehicle parking areas.

(9) AGRICULTURAL AREA. These areas are reserved for agricultural purposes under approved leases until the Commission designates them for aviation purposes.

(10) INDUSTRIAL PARK AREA. This area shall be reserved for the location of businesses compatible with airport operations. The Commission shall review proposals for

leasing land in this area on a case-by-case basis. Lot sizes, setbacks, and building heights and designs shall be specified in a written agreement between the lessee or contract party and the Commission.

(11) AIR CARGO AREA. This area shall be reserved for the location of businesses engaged solely in the transportation of everything except passengers and baggage. The Commission shall review proposals for leasing land in this area on a case-by-case basis. Lot sizes, setbacks and building heights shall be specified in a written agreement between the lessee or contract party and the Commission.

(12) FUEL FARM AREA. This area is reserved for the underground storage of fuel used in aircraft. A written agreement between a fuel farm tenant, other than a fixed-base operator, and the Commission shall contain, but not be limited to, the following provisions:

(a) The tenant shall not share, sublease or in any other way provide fuel or fueling facilities to any other tenant or any other aircraft, except those aircraft owned by or leased for the exclusive use of the tenant designated in the agreement.

(b) The City shall install and maintain all fuel facilities within the fuel farm according to plans and specifications approved in writing by the Commission.

(c) The City shall comply with all federal, state and local laws and regulations governing the installation, operation and maintenance of all fueling facilities, equipment and dispensing trucks.

(d) Dispensing trucks, bulk fuel trucks, emergency vehicles, and other vehicles approved by the Commission or Manager shall be only the vehicles permitted within the fuel farm.

(e) All fuel storage shall be in underground tanks with only necessary equipment, such as valves, meters and vents, protruding above ground level.

(f) Each prospective fuel farm tenant shall submit to the Commission a written proposal setting forth the extent of operation, to include: fuel grades; estimated annual volume; experience and training of fuel handling personnel; type, size and condition of all fueling facilities and equipment to be used; and provisions for the security and safety of the facility.

## **26.05 AIRPORT VEHICLE USE LAW.**

### **(1) DEFINITIONS:**

(a) Pedestrian: Any person afoot.

(b) Vehicle: Every device in, upon, or by which any person or property

is or may be transported or drawn excepting aircraft.

(c) Emergency Equipment: Crash, fire and rescue, or police motor vehicles and such other equipment as the airport manager may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

(d) Service, Maintenance and Construction Equipment: Approved equipment normally operated by the airport owner, its agents or under contract, fixed base operator(s), or other governmental agencies performing official duties on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services or for the servicing of aircraft. This definition shall include equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the City of Boscobel or Boscobel Municipal Airport Commission.

**(2) OPERATION OF VEHICLES ON RUNWAYS, TAXIWAYS AND RAMPS.**

No vehicle shall enter, be driven upon, or operated upon any airport runway, taxiway, ramp, tie down area, or any area posted by signs prohibiting the entrance thereon. The provisions of this section shall not apply to emergency equipment or service, maintenance, and construction equipment when engaged in performing normal duties. Aircraft owners may be granted authorization by the airport manager or his designated representative to operate a vehicle to reach their own aircraft in a tie down area. Aircraft owners desiring to operate a vehicle for this purpose shall request such authorization in advance. Any authorization granted shall apply only to a specific need request. Blanket-type authorizations shall not be granted. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway, or ramp and shall proceed through the tie down area at a speed not to exceed 10 miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of Part 139 or Part 107, Federal Aviation Regulations (applicable only to airline airports).

**(3) SPEED OF VEHICLES**

No vehicle shall be driven upon any road within the perimeter of the airport or upon other airport areas, in excess of the speed limit posted, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicle traffic on or about the airport.

**(4) PEDESTRIAN TRAFFIC ON AIRPORT**

No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie down area unless for the purpose of embarking in or disembarking from an aircraft, or

unless authorized by the airport manager. Pedestrian traffic is prohibited on taxiway, runways, and outlying areas of the airport except for those employees of the city, county, state or federal government, or contractors engaged in airport construction or maintenance work.

**(5) VEHICLE PARKING**

All vehicles parked on the airport shall be parked in designated areas and in accordance with posted signs or other markings. The airport manager may move, or order the removal of any vehicle improperly parking, at the owner's expense. Fines or forfeitures may be levied in accordance with Section VII.

**(6) ENFORCEMENT**

It shall be the duty of the Police Department of the City of Boscobel to enforce the provisions of this ordinance.

**(7) VIOLATION**

Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not less than \$10.00 nor more than \$200.00, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the Grant County jail until said forfeiture and costs are paid, but not exceeding 90 days.