

CHAPTER 27

MINIMUM STANDARDS FOR AERONAUTICAL SERVICES

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27.01 DEFINITIONS. When used in this ordinance, the following terms have these specific definitions:

(1) “Aircraft fuel dispensing service operator” means a person or persons, firm, or corporation engaged in the sale and into-plane delivery of recognized brands of aviation fuels, lubricants, and other related aviation petroleum products. The operator shall provide servicing of aircraft, including ramp assistance and the parking and tie-down of aircraft.

(2) “Aircraft sale’s operator” means a person or persons, firm, or corporation engaged in the sale of new or used aircraft through a franchise or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; and who provides repairs, services, and parts necessary to meet any guarantee or warranty on new or used aircraft sold.

(3) “Aircraft rental operator” means a person or persons, firm or corporation engaged in the rental of aircraft to the public.

(4) “Airframe and power plan repair facilities” mean a person or persons, firm, or corporation providing one or a combination of airframe and power plant repair service, but, with at least one person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.

(5) “Airport committee” means the Airport Commission established by section 1.07(9) of the municipal code.

(6) “Airport manager” means the person, firm, or corporation, whether an employee of the City or an independent contractor, whose duties and responsibilities include the management of the Boscobel Municipal Airport.

(7) “Charter, air taxi operator” means a person or persons, firm, or corporation engaged in the business of providing air transportation (of persons or property) to the public for hire, either on a charter basis (commercial operation) or as an air taxi operator, as defined in the Federal Aviation Act.

(8) “Fixed base operator” means any person, firm, corporation, or association conducting any aeronautical business on the airport.

(9) “Flight training operator” means a person or persons, firm, or corporation engaged instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary before taking a written examination and flight check ride for the category or categories of pilot’s license and ratings involved.

(10) “Multiple service provider” means one who engages in any two or more of the aeronautical services for which minimum standards have been established by this chapter.

(11) “Radio, instrument, or propeller repair operator” means a person or persons, firm, or corporation engaged in the business of, and providing a shop for, the repair of aircraft radios, propellers, instruments, and accessories for general aviation aircraft. This category shall include the sale of new or used aircraft radios, propellers, instruments, and accessories, but such is not an exclusive right. The operator shall hold the appropriate repair shop certificates issued by FAA.

(12) “Special flying service operator” means a person or persons, firm, or corporation engaged in air transportation for hire to provide the use of aircraft for the activities listed below:

- (a) Nonstop sightseeing flights that begin and end at the same airport, not to exceed 25 statute miles;
- (b) Crop dusting, seeding, spraying, and bird chasing;
- (c) Aerial photography or survey;
- (d) Firefighting;
- (e) Power line or pipe line patrol; and
- (f) Any other operations specifically excluded from part 135 of the Federal Aviation Regulations.

27.02 GENERAL REQUIREMENTS OF ALL OPERATORS.

(1) **QUALIFICATIONS.** No person, persons, firm, or corporation shall engage in any commercial aviation activity or business at the Boscobel Municipal Airport unless they meet the following minimum standards, adhere to the following minimum standards, and operate in the best interest of the airport. Such person, persons, firm, or corporation shall operate under the terms and conditions prescribed in a written agreement between the operator, the airport committee, the airport manager, and the City of Boscobel. Operators shall be selected based on their qualifications, financial capabilities, and services offered. Agreements, contracts, or leases need not be awarded solely based on the lowest bid offered. In determining the use of public building space, first consideration shall be given to public necessity and convenience. An operator shall arrange with the City of Boscobel for space described in the Fixed-Base Operator Agreement.

(2) **BUILDINGS.** Buildings to be constructed by operators shall conform to all state and local building codes, and the building plans shall be subject to the approval of the City, the Wisconsin Department of Industry, Labor and Human Relations, the Wisconsin Division of

Aeronautics, and the Federal Aviation Administration.

(3) INSURANCE.

(a) In addition to any other insurance required under this chapter, an operator shall also carry for any related exposure at the Boscobel Municipal Airport, an insurance policy in the amount of at least one million dollars (\$1,000,000.00), single limit coverage, provided such insurance shall be increased operator's expense, if state or federal law requires additional amounts. The City shall approve all policies of insurance required under this chapter as to form and the policies shall contain provisions that they may not be canceled before the expiration of their term, except upon thirty (30) days' notice to the City.

(b) Hangar keepers: Five Hundred Thousand Dollars (\$500,000.00) per occurrence; One Hundred Thousand Dollars (\$100,000.00) per plane is required if only non-owned aircraft are left in operator's care.

(c) The City of Boscobel shall be responsible for liability insurance for the airport.

(4) HOURS. An operator providing service under this chapter shall maintain hours of operation Monday through Friday from 8:00 a.m. to 4:30 p.m., and from 8:00 a.m. to 12:00 p.m. Saturday, except in case of inclement weather, or unless otherwise specified in this chapter.

(5) EMPLOYEES. An operator shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are necessary to meet the minimum standards under this chapter, chapter 26 of this code and rules and regulations of the Bureau of Aeronautics and the FAA. An operator shall arrange for a qualified person to be present on the premises at all times during the required operating hours. All personnel who are required to hold Federal Aviation Administration certificates and ratings shall maintain such certificated and ratings in good standing.

27.03 SPECIFIC REQUIREMENTS OF OPERATORS.

In addition to the general requirements stated in section 27.02 of this chapter, the following are required of specified operators:

(1) Aircraft Fuel Dispensing Service Operator.

(a) An aircraft fuel dispensing service operator shall provide at least two (2) ten thousand (10,000) gallon fuel storage tanks at the Boscobel Municipal Airport and maintain an adequate supply of a recognized brand of aviation fuel as closely related as possible to the popular demand of the general aviation users of the Boscobel Municipal Airport. An aircraft fuel dispensing service operator shall provide at least two (2) metered filter-equipped dispensers, fixed or mobile for dispensing the minimum requirements of two (2) grades of fuels. Separate

dispensing pumps and meters are required for each grade of fuel. The operator shall test all fuel for contaminants.

(b) An aircraft fuel dispensing service operator may obtain and maintain tools, jacks, light aircraft towing equipment, tire-repairing equipment, pre-heaters for servicing of general aviation aircraft that use the Boscobel Municipal Airport. The operator shall maintain and operate all equipment according to local and state industrial codes.

(c) An aircraft fuel dispensing operator shall have on file a suitable fuel spill plan with the airport, the committee, and the City, that has been approved by the committee and the appropriate environmental agencies, and the operator shall be responsible for abiding by all DNR, FAA, and EPA regulations.

(d) The City of Boscobel shall be paid a fuel flowage fee as agreed upon between the City and the operator.

(e) Insurance. An aircraft fuel dispensing service operator is required to carry the following types of insurance in the limit specified, in addition to the coverage required in Section 27.02(3):

1. Products and Completed Operations Liability: One Million Dollars (\$1,000,000.00).

2. The City of Boscobel will file and pay all costs for fuel tank financial responsibility, licenses, maintenance, etc., for the City owned fuel systems.

(2) Aircraft Rental Operator.

(a) An aircraft rental operator shall have available for rent not less than two certified and airworthy aircraft. At least one of these shall be a four place aircraft, and at least one must be equipped for, and capable of, flight under instrument conditions. These aircraft may be either owned by the operator, or under lease to the operator.

(b) An aircraft rental operator shall have at least one (1) person who has a valid commercial certificate with single engine rating and instructor rating on duty during business hours.

(c) An aircraft rental operator shall have the premises open, and services available, Monday through Friday from 8:00 a.m. to 4:30 p.m., and Saturday from 8:00 a.m. - 12:00 p.m.

(d) In addition to the insurance coverage required in Section 27.02(3), an aircraft rental operator is required to carry One Million Dollars (\$1,000,000.00) single limit or equivalent insurance coverage for bodily injury, passenger liability, and property damage.

(3) Aircraft Sales Operator.

(a) An aircraft sales operator shall provide necessary and satisfactory facilities to provide for the repair and servicing of aircraft, or shall arrange to provide for the repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. An aircraft sales operator who is engaged in the business of selling new aircraft shall have available or on call at least one (1) single-engine demonstrator. Servicing facilities may be provided through a written agreement with a repair operator at the Boscobel Municipal Airport. The operator shall provide an adequate inventory of spare parts for the type of aircraft for which sales privileges are granted.

(b) An aircraft sales operator shall have at least one (1) person having a valid commercial certificate with single engine rating on duty during hours that are mutually agreed upon between the operator and the City.

(c) In addition to the coverage required by Section 27.02(3), an aircraft sales operator is required to carry insurance coverage of One Million Dollars (\$1,000,000.00) combined single limit or equivalent for bodily injury, passenger liability, and property damage.

(4) Airframe and Power Plant Repair Operator.

(a) An airframe and power plant repair operator shall provide equipment, supplies, and availability of parts sufficient to meet the requirements of operations to be performed.

(b) An airframe and power plant repair operator shall on duty have at least one (1) person currently certified by the Federal Aviation Administration with ratings appropriate to the work being performed and who holds an airframe, power plant, or aircraft inspector rating.

(c) The operator shall have the premises open and services available Monday through Friday from 8:00 a.m. to 4:30 p.m. and on Saturday from 8:00 a.m. - 12:00 p.m.

(d) Insurance. An airframe and power plant repair operator is required to carry the following types of insurance in the limits specified, in addition to the coverage required in Section 27.02(3):

1. Hangar keepers: Five Hundred Thousand Dollars (\$500,000.00) per occurrence; One Hundred Thousand Dollars (\$100,000.00) per plane.

2. Products and Completed Operations Liability: One Million Dollars (\$1,000,000.00).

(5) Charter Air Taxi Operator.

(a) A charter air taxi operator shall provide at least one multi-engine aircraft that

meets the requirements of the charter air taxi operator's certificate, including instrument operations. This aircraft may either be owned by or under lease to the charter air taxi operator.

(b) A charter air taxi operator shall have less at least one (1) Federal Aviation Administration certified commercial pilot, or otherwise appropriately rated pilot, to permit the flight activity offered by the charter air taxi operator.

(c) In addition to the coverage required by Section 27.02(3), a charter air taxi operator is required to carry insurance coverage of One Million Dollars (\$1,000,000.00) single limit equivalent for bodily injury, passenger liability, and property damage.

(6) Flight Training Operator.

(a) A flight training operator shall have available for rent not less than two certified and airworthy aircraft, at least one of which must be equipped for and capable of use in instrument flight instruction. These aircraft may either be owned by or under lease to the flight training operator.

(b) A flight training operator shall have at least one (1) person who has a current, effective commercial certificate with single engine rating and instructor rating on duty during business hours.

(c) Insurance. A flight training operator is required to carry the following types of insurance in the limits specified, in addition to the coverage required in Section 27.02(3):

1. Combined Single Limit Bodily Injury and Property Damage, One Million Dollars (\$1,000,000.00) aggregate and for each occurrence, with individual passenger liability limited to One Hundred Thousand Dollars (\$100,000.00).

2. Student and renters' liability: One Million Dollars (\$1,000,000.00) for each accident, which the operator shall recommend to all students and all renters. Students and renters must sign a rental agreement that states the flight training operator has informed the student/renter of this recommended level of insurance.

(7) Radio, Instrument, or Propeller Repair Operator.

(a) A radio, instrument, or propeller repair operator shall have at least one (1) person who is a Federal Aviation Administration rated radio, instrument, or propeller repair person on duty during hours as determined by mutual agreement between the City and the operator.

(b) Insurance. A radio, instrument, or propeller repair operator shall carry the following types of insurance in the limits specified, in addition to the coverage required in Section 27.02(3):

1. Hangar keepers: Five Hundred Thousand Dollars (\$500,000.00) per occurrence; One Hundred Thousand Dollars (\$100,000.00) per plane.

2. Products and Completed Operations Liability: One Million Dollars (\$1,000,000.00) per person.

(8) Specialized Flying Service Operator.

(a) No operator may conduct operations as defined in Section 27.01(12) out of the terminal building, or display advertising on airport property, without a written agreement with the committee, the manager, and the City.

(b) In the case of crop dusting, aerial application, or other commercial use of chemicals, a specialized flying service operator shall provide a centrally drained, paved area of not less than one thousand (1,000) square feet for aircraft loading, washing, and servicing. A specialized flying service operator shall also provide for safe storage and containment of noxious chemical materials. Such facilities shall be in a location on the Boscobel Municipal Airport that will provide the greatest safety to the public. In crop dusting or aerial application, a specialized flying service operator shall provide tank trucks for handling of liquid spray and mixing liquids. A specialized flying service operator shall provide adequate ground equipment for safe handling and loading of dusting materials.

(c) A specialized flying service operator shall provide and have based on his leased premises at least one aircraft that is airworthy and complies with FAA and state regulations with respect to the type of operations being performed. This aircraft may either be owned by or under lease to the specialized flying service operator.

(d) A specialized flying service operator shall have at least one (1) person holding a current Federal Aviation Administration commercial certificate, properly rated for the aircraft to be used and the type of operation to be performed and one (1) other person to help in the loading and servicing of aircraft.

(e) A specialized flying service operator shall file a spill plan with the airport committee that is subject to approval by the committee and the appropriate environmental agencies. It shall comply with all DNR, FAA, and EPA regulations.

(f) Insurance. A specialized flying service operator is required to carry the following types of insurance in the limits specified, in addition to the coverage required in Section 27.02(3):

1. Aircraft liability; One Million Dollars (\$1,000,000.00) single limit or equivalent for bodily injury, passenger liability, and property damage.

2. Products liability: a minimum figure to be determined depending upon type of

work being performed.

(9) Multiple Service Provider.

(a) If flight training is one of the multiple services offered, a multiple service provider shall provide classroom and briefing room facilities in that building.

(b) If crop dusting, aerial application, or other commercial use of chemicals are part of the multiple services provided, a multiple service provider shall provide a centrally drained, paved area of not less than one thousand (1,000) square feet for aircraft loading, washing and servicing. A multiple service provider shall also provide for the safe storage and containment of noxious chemical materials. Such facilities will be in a location on the Boscobel Airport that will provide the greatest safety to the public.

(c) A multiple service provider shall comply with the aircraft requirements, including the equipment thereon, for each aeronautical service to be performed, except as hereafter provided. A multiple service provider shall have available and based at the airport at least two certified and airworthy aircraft, unless he is performing combinations of multiple services for which aircraft are not required. These aircraft may either be owned by or under lease to the multiple service provider. These aircraft shall be equipped and capable of flight meeting the minimum standards as provided under this chapter for each aeronautical service to be performed. A multiple service provider shall provide the equipment and services required to meet the minimum standards under this chapter for each aeronautical service the multiple service provider is performing.

(d) A multiple service provider shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards for each aeronautical service operator is performing. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the multiple service provider.

(e) Insurance. A multiple service provider must obtain, as a minimum, insurance coverage that is equal to the highest individual insurance requirement of all the aeronautical services being performed by the operator.

(10) Flying Clubs.

(a) Flying Club Organizations. Each club must be a Wisconsin Corporation or partnership not operated for profit. Each member must be a bonafide owner of the aircraft or a stockholder in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual use of operation, maintenance, and replacement of its aircraft. The club will file and keep current with the airport owner a complete list of the club's membership.

(b) Aircraft. The club's aircraft will not be used by other than bonafide members for rental and by no one for hire, charter, or air taxi. Student instruction can be given by a lessee based on the airport who provides flight training.

(c) Violations. If the club fails to comply with these conditions, the airport manager will notify the club in writing of such violations. If the club fails to correct the violations in fifteen (15) days, the City may take any action deemed advisable by the City.