

CHAPTER 21

AIRPORT

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21.01 REGULATIONS. The Airport Committee is authorized and directed to administer the Ephraim-Fish Creek Airport as follows:

- (1) Adopt rules and regulations for the operation of the airport, pose such regulations at the Ephraim-Fish Creek Airport to provide for a parking fee for motor vehicles and parking tie down and landing fees for airplanes on a daily, weekly, monthly and annual basis and the issuance of permits any payments of such fees.
- (2) Such rules and regulations shall provide for the removal, towing away and sale of motor vehicles and planes so parked or landed for nonpayment of parking, tie down or landing fees.
- (3) Rules, regulations and rates shall have the approval of the Village Board.

21.02 AIRPORT OPERATION ORDINANCE

EPHRAIM - GIBRALTAR MUNICIPAL AIRPORT FISH CREEK, WISCONSIN

Proposed revisions in bold/italics – Aug 2008

An Ordinance Establishing Airport Operation Policies and Land Use within the Boundaries of the Ephraim - Gibraltar Municipal Airport.

The Town of Gibraltar and the Village of Ephraim do ordain as follows:

SECTION 1

A. DEFINITION OF WORDS AND PHRASES.

AIRPORT The Ephraim - Gibraltar Municipal Airport.

CORPORATE HANGAR A building housing one or more aircraft for the personal or business use of the hangar owner or lessee, and wherein no commercial activities are allowed.

~~**FIXED-BASE OPERATOR-MANAGER & FBOM**~~ (or “**FBO**”) - Any person, firm, corporation or association ~~which is leasing the Airport from the owners and is conducting~~ aeronautical business on the Airport **under a written agreement with Owners.**

MANAGER means the person employed by the Owners under SECTION 3.

OWNERS The Town of Gibraltar and the Village of Ephraim.

~~**COMMISSION**~~ ~~A group of three persons~~ **An even-numbered group of persons equally** appointed by the Owners, under **Wis. Stat. 114.14**, which has jurisdiction for the construction, improvement, equipment, maintenance and operation of the Airport.

SECTION 2

A. AIRPORT LAND USE. In order to regulate the development and use of the Airport, the Airport Layout Plan, as revised, depicts those areas dedicated to the specific uses described in SECTION 5 herein.

SECTION 3

A. AIRPORT COMMISSION.

1. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.
2. The Commission shall adopt regulations for the use of the Airport not inconsistent with this Ordinance. Such regulations, fees and charges will become effective when approved by the owners.
3. The Owners may lease to a FBOM whose duties and responsibilities shall be specified in writing.
4. **The Commission may employ a Manager, whose duties and responsibilities shall be specified in writing and whose salary shall be approved by the Owners.**
5. The ~~FBOM~~ **Manager**, under supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances, leases, agreements, rules and regulations.
6. The Commission **and the Manager** and/or the ~~FBOM~~ shall meet at the Airport at least once each calendar quarter to inspect the Airport facilities, review Airport operations and financial matters, and discuss proposed Airport development and other business.
7. The Commission shall, in cooperation with the appropriate municipal departments, establish an Airport accounting system of sufficient detail to enable the Commission and ~~FBOM~~ **the Manager** to accurately establish rates and charges, ~~eliminate inefficient~~ **to make** operations and maintenance practices **self-sustaining** and accomplish sound financial planning.
8. The Commission shall prepare and submit ~~by November 1 of each year,~~ an annual report to the Owners. Such report shall include current information on aircraft operations, airport expenditures and revenues, along with comparative figures for the past year and projections for the coming year, and include other information deemed pertinent.
9. The Commission shall prepare and submit ~~by November 1 of each year,~~ to the Owners an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
10. The Commission shall prepare and submit for adoption by the Owners an ordinance establishing minimum requirements for the conduct of aeronautical services on the Airport and an ordinance regulating vehicle and pedestrian traffic on the Airport.
11. The Commission shall prepare and submit for adoption by the Owners standard leases and agreements for the various types of Airport activities and land uses authorized in this Ordinance.
12. The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the Airport. It shall cooperate with the Wisconsin Division of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities.
13. The Commission shall cooperate with, and receive the cooperation of, all municipal departments providing services or assistance to the Airport.

SECTION 4 AIRPORT OPERATION POLICIES.

The Commission in carrying out its duties and responsibilities shall adhere to the following policies:

1. The Owners shall refrain from engaging in any activity or providing any service, excluding Airport maintenance, using public employees or funds that can be conducted or provided satisfactorily by private parties through proper lease arrangements.
2. The Owners shall encourage the development of the Airport, ~~especially in those areas where substantial building costs are incurred by lessees, by approving long term leases which provides for the re-examination and readjustment of rates and charges at specified periods of time during the term of the lease.~~ **annual reviews of rates and charges.**
3. The owners may provide or participate in the installation of utility service up to a lessee's property line, **at the option of the Owners**. The lessee shall bear such costs on his leased property.
4. No person shall engage in any business or commercial activity whatsoever at the Airport except under the terms and conditions prescribed in a written agreement between the ~~lessee~~ **person** and the Owners. ~~Lessees~~ **Parties approved for engaging in business or commercial activities** shall be selected on the basis of their qualifications, financial capabilities, and services offered, and not solely by bid basis. In determining the use of public building space, first consideration shall be given to public necessity and convenience. The Commission will provide the Wisconsin Division of Aeronautics with one complete copy of each current lease and agreement. Applications shall be made to the Owners.
5. Buildings to be constructed by lessees shall conform to all state and local building codes, and the building plans shall be subject to the approval of the Commission; Wisconsin Department of Industry, Labor, and Human Relations; Wisconsin Division of Aeronautics; and the Federal Aviation Administration.
6. No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except those persons ~~under a lease with the FBOM.~~ **satisfying the requirements as set forth in the Minimum Standards Ordinance.**
7. No person shall engage in the activity of storing or transporting, or dispensing of non-commercial aviation fuels except those persons satisfying the requirements as set forth under Section V and holding a written agreement with the Owners or ~~FBOM~~ **Commission** to do so.
8. **The storage of all aviation fuel shall be in underground tanks only, and the Commission shall encourage the installation of all aviation fuel storage in the Fuel Farm area. No underground storage tank may be installed without the prior written permission of the Commission.**
9. **Aircraft ground access to the Airport property shall not be allowed.**

SECTION 5 - ESTABLISHMENT OF LAND USE AREA.

In order to carry out the purpose and provisions of this Ordinance, the following land use areas are hereby established as depicted on the current Airport Layout Plan:

- A. **MUNICIPAL TERMINAL AREA.**
This area shall be reserved for the public terminal building and other public use facilities.
- B. **UTILITY AND SERVICE AREA.**

This area shall be reserved for utility service, crash, fire, and rescue and maintenance facilities operated by the Owners.

C. COMMERCIAL AVIATION AREAS.

1. This area shall be reserved for commercial aviation business normally conducted by FBO **or businesses under written agreement with the Owners**. Allowable activities include but not limited to: aircraft sales and rental: airframe, power plant, and instrument repair and aircraft fuel and oil dispensing: flight training: and air taxi service.
2. The location of specialized commercial aviation businesses that pose special safety and operational problems, such as agricultural spraying facilities, shall be considered on an individual basis by the Commission.
3. **Lot sizes and setbacks shall be in conformity with the Airport Layout Plan, and building heights shall conform to Part 77 of the Federal Aviation Regulations.**

D. CORPORATE HANGAR AREA.

1. This area shall be reserved for non-commercial hangars, excluding multiple T-Hangars, and the exclusive use of this area shall be aircraft housing. No commercial activities shall be conducted from a corporate hangar. No flammable liquids shall be stored 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.
2. **Lot sizes and setbacks shall be in conformity with the Airport Layout Plan, and building heights shall conform to Part 77 of the Federal Aviation Regulations.**

E. TIE-DOWN AREAS.

These areas are reserved for long-term parking of aircraft based on the Airport, or those transient aircraft remaining overnight. Temporary tie-down areas may be designated by the Commission, **Manager** or **FBOM**.

F. MULTIPLE T-HANGAR AREAS

1. **This Area shall be reserved for the location of multiple unit T-Hangars for the storage of Aircraft. No commercial activities shall be conducted from a multiple T-Hangar. No flammable liquids shall be stored or used in this area, no shall aviation fuel be dispensed into any aircraft while in a hangar. Aircraft, vehicles, and equipment shall be parked in a manner which does not interfere with the movement of aircraft. Aircraft maintenance or repair that creates a fire hazard or dangers other aircraft or property is prohibited.**
2. **Lot sizes and setbacks shall be in conformity with the Airport Layout Plan, and building heights shall conform to Part 77 of the Federal Aviation Regulations.**

G. PUBLIC APRON AREAS.

These areas are reserved for unloading passengers and cargo, refueling aircraft, and temporary parking of aircraft.

H. AUTO PARKING AREAS.

These areas are reserved for automobile parking. Temporary vehicle parking areas may also be designated by the ~~Committee or FBOM~~. **Commission, Manager, or FBO.**

I. AGRICULTURAL AREA

These areas are reserved for agricultural purposes under approved leases until such time as they are designated for aviation purposes by the Commission.

J. FUEL FARM AREA

This area is reserved for the underground storage of fuel used in aircraft with only necessary equipment, such as valves, meters and vents, protruding above ground.

Dispensing trucks, bulk fuel trucks, emergency vehicles and other vehicles approved by the Commission or Manager shall be the only vehicles permitted within the Fuel Farm.

SECTION 6 SEVERABILITY. The several provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Owners would have passed the other provisions of this Ordinance, irrespective of whether or not one or more provisions may be declared invalid. And, if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

21.03 EPHRAIM – GIBRALTAR MUNICIPAL AIRPORT VEHICLE ORDINANCE

Section I. DEFINITION OF WORDS AND PHRASES.

- 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 Town of Gibraltar, and/or the Federal Aviation Administration 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 Ephraim and Gibraltar.

SECTION II. 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 shall be granted authorization by the airport commission or manager or his or her designated representative to operate a vehicle to reach their own aircraft in a tie-down area or hangar annually. Aircraft owners desiring to operate a vehicle for this purpose shall request such authorization in the spring. Any authorization granted shall apply only to a specific need request. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway, or ramp and shall proceed through said

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.

SECTION III. 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 posted speed limit of 10 miles per hour, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicle traffic on or about the Ephraim-Gibraltar Municipal Airport.

SECTION IV. 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 commission or manager or his or her designated representative. Pedestrian traffic is prohibited on taxiway, runways, and outlining areas of the airport except for those employees of the Town, Village, County, State, Federal Government or contractors engaged in airport construction or maintenance.

SECTION V. 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 commission or manager or his or her designated representative may move, or order the removal of, at the vehicle owner's expense, any vehicle improperly parked. Fines or forfeitures may be levied in accordance with Section VII.

SECTION VI. ENFORCEMENT. It shall be the duty of the Town Board and Village Board of the Town of Gibraltar and the Village of Ephraim to enforce the provisions of this Ordinance.

SECTION VII. VIOLATION. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not less than \$25.00 nor more than \$200.00.

SECTION VIII. EFFECTIVE DATE. This Ordinance shall take effect and be in force immediately after the date of its passage and publication.