

AIRPORT OPERATION ORDINANCE
EPHRAIM-GIBRALTAR MUNICIPAL AIRPORT
TOWN OF GIBRALTAR, DOOR COUNTY, WISCONSIN
VILLAGE OF EPHRAIM ORDINANCE NO. _____
TOWN OF GIBRALTAR ORDINANCE NO. _____

AN ORDINANCE Establishing Airport Operation Policies and Land Use within the Boundaries of the Ephraim-Gibraltar Municipal Airport, enacted pursuant to Wisconsin Statutes, including Chapter 114, all as specifically authorized under Sections 114.14 and 114.151, Wis.Stats.

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

SECTION I. DEFINITION OF WORDS AND PHRASES.

- A. "Airport" mean the Ephraim-Gibraltar Municipal Airport.
- B. "Corporate Hangar" means 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.
- C. "Fixed-Base Operator" (or "FBO") means any person, firm, corporation, or association conducting any aeronautical business on the Airport under a written agreement with Owners.
- D. "Manager" means the person employed by the Owners under SECTION III.
- E. "Owners" means the Town of Gibraltar and the Village of Ephraim.
- F. "Commission" means an even numbered group of persons equally appointed by the Owners, under Section 114.14 of Wisconsin Statutes, which has jurisdiction for the construction, improvement, equipment, maintenance and operation of the Airport.

SECTION II. 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 V herein.

SECTION III. AIRPORT COMMISSION

- A. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.

B. The Commission shall adopt regulations for the use of the Airport not inconsistent with this Ordinance. Such regulation, fees, and charges will become effective when approved by the Owners.

C. The Owners may lease to a FBO whose duties and responsibilities shall be specified in writing.

D. The Commission may employ a Manager whose duties and responsibilities shall be specified in writing and whose salary shall be approved by the Owner.

E. The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all Airport ordinances, leases and agreements, and rules and regulations.

F. The Commission and the Manager and/or FBO 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.

G. The Commission shall, in cooperation with the appropriate municipal departments, establish an Airport accounting system of sufficient detail to enable the Commission and the Manager to accurately establish rates and charges to make operations and maintenance practices self-sustaining and accomplish sound financial planning.

H. The Commission shall prepare and submit 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 including other information deemed pertinent.

I. The Commission shall prepare and submit to the Owners an annual budget setting forth anticipated revenues and expenditures, including capital improvements.

J. 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 at the Airport.

K. 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.

L. 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.

M. The Commission shall cooperate with, and receive the cooperation of, all municipal departments providing services or assistance to the Airport.

SECTION IV. AIRPORT OPERATION POLICIES

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

- A. The Owners should generally 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.
- B. The Owners shall encourage the development of the Airport which provides for annual reviews of rates and charges.
- C. The Owners may provide or participate in the installation of utility service up to a lessee's leased property line, at the option of the Owners. The lessee shall bear such costs on lessee's leased property.
- D. 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 person and the Owners. 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.
- E. 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.
- F. No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except those persons satisfying the requirements as set forth in the Minimum Standards Ordinance.
- G. 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 Commission to do so.

H. 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.

I. Aircraft ground access to the Airport property shall not be allowed.

SECTION V. ESTABLISHMENT OF LAND USE AREA

In order to carry out the purposes 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 the 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 operation 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 FBO.

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, nor 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 endangers 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 loading and 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 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 VI 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. 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.

This Ordinance shall be effective on the last date of passage, below.

VILLAGE OF EPHRAIM

_____	_____
President	Trustee
_____	_____
Trustee	Trustee

Trustee	

CERTIFICATION:

The undersigned, Clerk for the Village of Ephraim, hereby certifies that the above is a true and correct copy of an Ordinance that was adopted on the _____ day of _____, 2008, by the Village Board for the Village of Ephraim.

Clerk

TOWN OF GIBRALTAR

_____	_____
Chairman	Supervisor
_____	_____
Supervisor	Supervisor

Supervisor	

CERTIFICATION:

The undersigned, Clerk for the Town of Gibraltar, hereby certifies that the above is a true and correct copy of an Ordinance that was adopted on the _____ day of _____, 2008, by the Town Board for the Town of Gibraltar.

Clerk