

CHAPTER 21

**AIRPORT
ZONING**

- 21.01 Definitions
- 21.02 Zones
- 21.03 Height Limitation Zones
- 21.04 Use Restrictions
- 21.05 Nonconforming Uses
- 21.06 Administration
- 21.07 Permits
- 21.08 Hazard Marking and Lighting
- 21.09 Board of Adjustment
- 21.10 Appeals and Review

OPERATING RULES

- 21.15 Aircraft Sales
- 21.16 Airframe and Power Plant Repair Facilities
- 21.17 Aircraft Rental
- 21.18 Flight Training
- 21.19 Aircraft Fuels and Oil Dispensing Service
- 21.20 Radio, Instrument or Propeller Repair Station
- 21.21 Aircraft Charter and Air Taxi
- 21.22 Specialized Commercial Flying Services
- 21.23 Multiple Services
- 21.24 General Requirements
- 21.25 Mandatory Lease Clauses
- 21.26 Lease Proposal Requirements
- 21.27 Flying Clubs
- 21.28 Traffic on Airport Premises

PENALTY

- 21.35 Penalty

AIRPORT 17.53 AIRPORT HEIGHT LIMITATIONS DISTRICT (AH). This district is intended to regulate the height shown on the map dated 4/15/94 entitled "Height Limitation Zoning Map, Langlade County Airport, Antigo, Wisconsin." This district shall be regulated under Ch. 21 of this Code of Ordinances. This district shall be employed as an overlay district to describe the area in which heights are limited.

AIRPORT 21.01

ZONING

21.01 DEFINITIONS. (Ord. #6-94) As used in this chapter, unless the context otherwise requires:

AIRPORT. The Langlade County Airport located in Sections 21 and 22, T31N, R11E, Langlade County, Wisconsin.

AIRPORT HAZARD. Any structure, object of natural growth or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing or taking off.

HEIGHT. The overall height of the top of a structure, including any appurtenance installed thereon, or the top of any object of natural growth.

NONCONFORMING USE. Any structure, tree or use of land which does not conform to a regulation prescribed in this chapter or an amendment thereto as of the effective date of such regulation.

PERSON. Any individual, firm, partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.

RUNWAY. A level portion of an airport having a surface specially developed and maintained for the landing and take-off of aircraft.

STRUCTURE. Any object constructed or installed by man.

TREE. Any object of natural growth, except farm crops which are cut at least once a year and shrubs, bushes or plants which do not grow to a height of more than 5'.

AIRPORT 21.02

21.02 ZONES. (Ord. #6-94) All zones established by this section are as shown on the map dated 4/15/94 entitled, "Height Limitation Zoning Map, Langlade County Airport, Antigo, Wisconsin," which is adopted as part of this chapter.

AIRPORT 21.03

21.03 HEIGHT LIMITATION ZONES. (Ord. #6-94) Except as otherwise provided in this chapter, no structure shall be constructed, altered, located or permitted to remain after such construction, alteration or location, and no trees shall be allowed to grow to a height in excess of the height limitation indicated on the map referred to in 21.02 above.

AIRPORT 21.04

21.04 USE RESTRICTIONS. (Ord. #6-94)

(1) ACTIVITIES. Notwithstanding the provisions of 21.03 above, no use may be made of land in-any zone in such a manner as to:

AIRPORT ZONING

- (a) Create electrical interference with radio communications between the airport and aircraft.
- (b) Make it difficult for pilots to distinguish between airport lights and others.
- (c) Result in glare in the eyes of pilots using the airport.
- (d) Impair visibility in the vicinity of the airport.
- (e) Otherwise endanger the landing, taking off or maneuvering of aircraft.

(2) EXCEPTIONS. The restrictions contained in State Statutes 21.03 shall not apply to objects which are less than 35' in height above ground level at the object site within 1/2 mile of the airport boundary or to structures less than 50' in height above ground within the area beginning 1/2 mile from the airport boundary and extending to 3 miles from the airport boundary.

AIRPORT 21.05

21.05 NONCONFORMING USES. (Ord. #6-94)

(1) NOT RETROACTIVE. The regulations prescribed in 21.02 and 21.03 shall not be construed to require the removal, lowering or other change or alteration of any nonconforming use or otherwise interfere with the continuance of any nonconforming use, except as otherwise provided by 21.07(2).

(2) CHANGES. Nothing herein contained shall require any change in the construction, alteration or intended use of any structure if the construction or alteration of such was began prior to the effective date of this ordinance, and if such is diligently prosecuted.

(3) REMOVAL. This section shall not interfere with the removal of nonconforming uses by purchase or the use of eminent domain.

21.06 ADMINISTRATION. (Ord. #6-94)

(1) ZONING ADMINISTRATOR. The Zoning Administrator shall administer and enforce the zoning regulations prescribed in this subchapter. Applications for permits and variances shall be made to the Zoning Administrator upon forms furnished by him/her. Upon receipt of said application, the Zoning Administrator shall transmit to the Airport Manager one copy of said application. Applications for action by the Board of Adjustment shall be transmitted by the Administrator to the Board for hearing and decision at their next available meeting.

(2) PERMIT AND VARIANCE FEE SCHEDULE.

(a) The following fees shall be paid by the person requesting the permit or variance to the Zoning Administrator at the time of filing to defray the cost of administration, investigation, advertising and processing of the permits and variances:

	<u>Fee</u>
Zoning Permit	\$ 50.00
Conditional Use Permit	350.00
Variance	350.00
Appeals	350.00

(b) No fee shall be refunded in whole or in part once the application has been received in the office of the Zoning Administrator. If it can be proved that the County was in error, the permit fee

shall be refunded. The Water and Land Use Planning Committee shall decide if an error was made.

21.07 PERMITS. (Ord. #6-94)

(1) **FUTURE USES.** No structure shall hereafter be constructed, erected, or installed, or be permitted to remain in any zone created by 21.02 of this chapter until the owner or his/her agent shall have applied in writing for a permit therefore and obtained such permit from the Zoning Administrator. Structures less than 35' in height above the ground level at the object site within 1/2 mile of the airport boundary or to structures less than 50' in height above the ground within the area beginning 1/2 mile from the airport boundary and extending to 3 miles from the airport boundary are exempt from permit requirements. Said permit shall be posted in a prominent place on the premises prior to and during the period of construction, erection, installation, or establishment. Application for such permit shall indicate the use for which the permit is desired, and shall describe and locate the use with sufficient particularity to permit the Zoning Administrator to determine whether such use would conform to the regulations herein prescribed. If such determination is in the affirmative, the Zoning Administrator shall issue the requested permit.

Langlade County shall have the right to trim, prune, or remove at the owner's expense any tree which was planted after adoption of this ordinance and found to be in violation of the height restriction for the zone in which it is located.

(2) **EXISTING USES.** Before any nonconforming structure may be replaced, altered, or rebuilt, a permit shall be applied for and secured in the manner prescribed by sub. (1) above authorizing such change, replacement, or repair. No such permit shall be denied if the structure will not become a greater hazard to air navigation as referred in 21.04 than it was on the effective date of this ordinance, or than it was when the application for permit was made.

AIRPORT 21.08

21.08 HAZARD MARKING AND LIGHTING. (Ord. # 6-94) Any permit or variance granted under 21.07 or 21.10 may, if such action is deemed advisable by the Board of Adjustment to effectuate the purpose of this chapter and if such is reasonable in the circumstances, be so conditioned as to require the owner of the airport, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to the flyers the presence of an airport hazard.

AIRPORT 21.09

21.09 BOARD OF ADJUSTMENT. (Ord. #6-94) The Board of Adjustment set up pursuant to 17.64 of this Code of Ordinances shall be the Board of Appeals under this chapter as provided by and pursuant to 114.136(4), Wis. Stats.

21.10 APPEALS AND REVIEW. (Ord. #6-94)

(1) **VARIANCES.** Upon appeal in special cases, the Board of Adjustment may, after investigation and public hearing, grant such variance from the terms of this chapter as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and such relief will be substantial justice and be in accord with the spirit of this chapter, and does not create a hazard to the safe, normal operation of aircraft.

(2) **AGGRIEVED PERSON.** Any person aggrieved or affected by any decision or action of the Zoning Administrator made in his/her administration of this chapter may appeal such decision or action to the Board of Adjustment. Decisions by the Water and Land Use Planning Committee which consists of interpretations of the terms of this chapter and which are made in the course of determining whether a permit or approval will be issued by the Zoning Administrator are appealable to the Board of Adjustment. Any

person or persons, jointly or severally, agree by the decision of the Board of Adjustment or any taxpayer, officer, department, board or bureau of the County may present to a court of record, a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality. Such petition shall be presented to the court within 30 days after filing of the decision of the Board of Adjustment.

(3) PROCEDURE. Any appeal taken pursuant to this section shall be in conformity with the procedure established by 62.23(7)(e), Wis. Stats., and 17.64(7), (8) - (10) of this Code of Ordinances.

(4) PENALTY. Except as otherwise provided, any person found to be in violation of the provisions of this chapter shall be subject to a penalty as defined in 25.04 of the Langlade County Code of Ordinances.

(5) SEVERABILITY. If any of the provisions of this ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

(6) EFFECT. This ordinance shall take effect and be in force upon passage and publication.

AIRPORT 21.15

OPERATING RULES

21.15 AIRCRAFT SALES.

(1) STATEMENT OF CONCEPT. An aircraft sales operator is a person engaged in the sale of new or used aircraft through franchises or licensed dealership or distributorship, either on a retail or wholesale basis, of an aircraft manufacturer or otherwise and provides such repair, services and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by him.

(2) MINIMUM STANDARDS.

(a) General Requirements.

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space to provide for outside display and storage of aircraft and on which shall be erected a building to provide at least 3,600 sq. ft. of floor space for aircraft storage and at least 400 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. The operator shall provide auto parking space within the leased area to accommodate at least 6 automobiles.

3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) Repair and Servicing of Aircraft. The operator shall provide necessary and satisfactory arrangements for repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. Servicing facilities may be provided through

written agreement with a repair shop operator at the County airport. The operator shall provide an adequate inventory of spare parts for the type of new aircraft for which sales privileges are granted. The operator who is engaged in the business of selling new aircraft shall have available or on call at least one single engine demonstrator.

(c) **Insurance**. The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Aircraft Liability.
 - a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.
 - b. Passenger liability. \$100,000 each passenger, each accident.
 - c. Property damage. \$300,000 each accident.
2. Comprehensive Public Liability and Comprehensive Property Damage.
 - a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.
 - b. Property damage. \$300,000 each accident.

(d) **Hours**. The operator shall have his premises open and services available 8 hours daily, 5 days a week.

(e) **Personnel**.

1. The operator 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 set forth in an efficient manner, but never less than one person having a current, effective commercial pilot certificate with single engine rating and instructor rating.
2. The operator shall make provision for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.16

21.16 AIR FRAME AND POWER PLANT REPAIR FACILITIES.

(1) **STATEMENT OF CONCEPT.** An aircraft engine and airframe maintenance and repair operator is a person providing one or a combination of airframe and power plant repair services, but with at least one person currently certificated by the Federal Aviation Administration with rating 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.

(2) MINIMUM STANDARDS.

(a) General Requirements.

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space on which shall be erected a building to provide at least 3,600 sq. ft. of floor space for airframe and power plant repair services, including a segregated painting area, all meeting with local and State industrial code requirements, and at least 400 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.
2. The operator shall provide auto parking space within the leased area to

AIRPORT ZONING

accommodate at least 6 automobiles.

3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Equipment and Supplies**. The operator shall provide sufficient equipment, supplies and availability of parts equivalent to that required for certification by the Federal Aviation Administration as an approved repair station.

(c) **Insurance**. The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property Damage. \$300,000 each accident.

2. Hangar Keeper's Liability. \$100,000 each accident.

3. Products Liability. \$100,000 each accident.

(d) **Hours**. The operator shall have his premises open and services available 8 hours daily, 5 days each week.

(e) **Personnel**.

1. The operator 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 set forth in this category of services in an efficient manner, but never less than one person currently certificated by the Federal Aviation Administration with rating appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating and one other person not necessarily rated.

2. The operator shall make provision for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.17

21.17 **AIRCRAFT RENTAL**.

(1) **STATEMENT OF CONCEPT**. An aircraft rental operator is a person engaged in the rental of aircraft to the public.

(2) **MINIMUM STANDARDS**.

(a) **General Requirements**.

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space and on which shall be erected a building to provide at least 3,600 sq. ft. of floor space for aircraft storage and at least 400 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. The operator shall provide auto parking space within the leased area to

AIRPORT ZONING

accommodate at least 10 automobiles.

3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Aircraft.** The operator shall have available for rental, either owned or under written lease to operator, not less than 2 certified and currently airworthy aircraft, at least one of which must be a 4-place aircraft and at least one of which must be equipped and capable of flight under instrument conditions.

(c) **Insurance.** The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Aircraft Liability.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

2. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

3. Student and Renters' Liability. \$100,000 each accident.

(d) **Hours.** The operator shall have his premises open and services available 8 hours daily, 6 days a week.

(e) **Personnel.** The operator 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 in an efficient manner, but never less than one person having a current commercial pilot certificate with appropriate ratings, including instructor rating. The operator shall make provision for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.18

21.18 **FLIGHT TRAINING.**

(1) **STATEMENT OF CONCEPT.** A flight training operator is a person engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved.

(2) **MINIMUM STANDARDS.**

(a) **General Requirements.**

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space and on which shall be erected a building to provide at least 3,600

AIRPORT ZONING

sq. ft. of floor space for aircraft storage and at least 600 sq. ft. of floor space for office, classroom, briefing room, pilot lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. The operator shall provide auto parking space within the leased area to accommodate at least 10 automobiles.

3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Aircraft.** The operator shall have available for use in flight training, either owned or under written lease to operator, not less than 2 properly certificated aircraft, at least one of which must be a 4-place aircraft and at least one of which must be equipped for and capable of use in instrument flight instruction.

(c) **Insurance.** The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Aircraft Liability. a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

2. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

3. Student and Renters Liability. \$100,000 each accident.

(d) **Hours.** The operator shall have his premises open and services available 8 hours daily, 6 days a week.

(e) **Personnel.**

1. The operator shall have on a fulltime basis at least one flight instructor who has been properly certificated by the Federal Aviation Administration to provide the type of training offered.

2. The operator shall have available for call on a part-time basis at least one flight instructor who has been properly certificated by the Federal Aviation Administration to provide the type of training offered.

3. The operator shall make provision for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.19

21.19 AIRCRAFT FUELS AND OIL DISPENSING SERVICE.

(1) **STATEMENT OF CONCEPT.** Line services shall include 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 within the leased area.

(2) MINIMUM STANDARDS.

(a) **General Requirements.**

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space on which shall be erected a building to provide at least 3,600 sq. ft. of floor space for aircraft storage and at least 400 sq. ft. Of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.
2. The operator shall provide auto parking space within the leased area to accommodate at least 6 automobiles.
3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Fuel, Repair Service, Transportation to Operator's Office and Maintenance of Equipment.**

1. Fuel. The operator shall provide at least 2 - 1,000 gal. fuel storage tanks at the County airport and maintain an adequate supply of fuel on hand at all times of at least 2 grades of fuel as closely related as possible to the popular demand of the general aviation users of the airport. The operator shall provide at least 2 metered, filter equipped dispensers, fixed or mobile, for dispensing the minimum requirement of 2 grades of fuel. Separate dispensing pumps and meters are required for each grade of fuel.
2. Repair Service. The operator shall provide such minor repair service that does not require a certificated mechanical rating and cabin services to general aviation aircraft as can be performed efficiently on the ramp or apron parking area, but only within the premises leased to the operator.
3. Transportation to Operator's Office and Terminal Area. The operator shall make provision for the transportation of pilots and passengers of transient general aviation aircraft using the operator's facilities and services from and to the operator's office and the County airport terminal area.
4. Maintenance of Equipment. The operator shall procure and maintain tools, jacks, towing equipment, tire repairing equipment, energizers and starters, heaters, oxygen supplies, fire extinguishers and passenger loading steps as appropriate and necessary for the servicing of general aviation aircraft using the Airport. All equipment shall be maintained and operated in accordance with local and State industrial codes.

(c) **Insurance.** The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Comprehensive Public Liability and Comprehensive Property Damage.
 - a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.
 - b. Property damage. \$300,000 each accident.
2. Hangar Keeper's Liability. \$100,000 each accident.
3. Products Liability. \$100,000 each accident.

AIRPORT ZONING

4. Motor Vehicle Liability. a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$100,000 each accident.

(d) **Hours**. The operator shall have his premises open for aircraft fueling and oil dispensing service 10 hours a day, 7 days a week. The operator shall make provision for such service during 24 hours on an emergency basis.

(e) **Personnel**.

1. The operator 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 set forth in this category of services in an efficient manner.

2. The operator shall make provisions for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.20

21.20 RADIO, INSTRUMENT OR PROPELLER REPAIR STATION. (1) STATEMENT OF CONCEPT. A radio, instrument or propeller repair station operator is a person 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.

(2) MINIMUM STANDARDS.

(a) **General Requirements**.

1. The operator shall lease from the County an area of not less than 20,000 sq. ft. of ground space on which shall be erected a building to provide at least 3,600 sq. ft. of floor space to hangar at least one aircraft, to house all equipment and to provide an office, shop, customer lounge and rest rooms, all properly heated and lighted, and shall provide telephone facilities for customer use.

2. The operator shall provide auto parking space within the leased area and shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

3. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Insurance**. The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

2. Hangar Keeper's Liability. \$100,000 each accident.

3. Products Liability. \$100,000 each accident.

(c) **Hours**. The operator shall have his premises open and services

available 8 hours daily, 5 days each week and 1/2 day on Saturday.

(d) **Personnel**. The operator 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 set forth in this section in an efficient manner, but never less than one person who is a Federal Aviation Administration rated radio, instrument or propeller repairman and one other repairman who need not be rated by the Federal Aviation Administration.

AIRPORT 21.21

21.21 AIRCRAFT CHARTER AND AIR TAXI.

(1) **STATEMENT OF CONCEPT.** An aircraft charter and an air taxi operator is a person engaged in the business of providing air transportation (persons or property) to the general public for hire, either on a charter basis (commercial operation) or as an air taxi operator, as defined in the Federal Aviation Act.

(2) **MINIMUM STANDARDS.**

(a) **General Requirements.**

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space on which shall be erected a building to provide at least 3,600 sq. ft. of floor space for aircraft storage and at least 400 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. The operator shall provide auto parking space within the leased area to accommodate at least 10 automobiles.

3. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

4. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) Aircraft. The operator shall provide, either owned or under written lease to operator, not less than one single engine 4-place aircraft and one multi-engine aircraft, both of which must meet the requirements of the air taxi commercial operator certificate held by the operator, including instrument operations.

(c) Insurance. The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Aircraft Liability. a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Passenger liability. \$100,000 each passenger, each accident.

c. Property damage. \$300,000 each accident.

2. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Property damage. \$300,000 each accident.

(d) **Hours**. The operator shall have his premises open and services available 8 hours daily, 6 days per week. The operator shall provide on-call service during hours other than the aforementioned.

(e) **Personnel**.

1. The operator 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 set forth in this section in an efficient manner, but never less than at least one Federal Aviation Administration certificated commercial pilot and otherwise appropriately rated to permit the flight activity offered by operator.

2. The operator shall make provision for someone to be in attendance in the office at all times during the required operating hours.

AIRPORT 21.22

21.22 SPECIALIZED COMMERCIAL FLYING SERVICES

(1) **STATEMENT OF CONCEPT**. A specialized commercial flying services operator is a person engaged in air transportation for hire for the purpose of providing the use of aircraft for the activities listed below:

(a) Nonstop sightseeing flights that begin and end at the same airport within a 25 mile radius of the airport.

(b) Crop dusting, seeding, spraying and bird chasing.

(c) Banner towing and aerial advertising.

(d) Aerial photography or survey.

(e) Fire fighting.

(f) Power line or pipe line patrol.

(g) Any other operations specifically excluded from Part 135 of the Federal Aviation regulations.

(2) MINIMUM STANDARDS

(a) General Requirements

1. The operator shall lease from the County an area of not less than 40,000 sq. ft. of ground space on which shall be erected a building to provide at least 2,000 sq. ft. of floor space for aircraft and other storage and at least 200 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. In the case of crop dusting, aerial application or other commercial use of chemicals, operator shall provide a centrally drained, paved area of not less than 2,500 sq. ft. for aircraft loading, washing and servicing. Centrally located drain and holding tank must be approved by Department of Natural Resources before installation. Operator shall also provide for the safe storage and containment of noxious chemical materials. Such facilities will be in a location on the County airport which will provide the greatest safeguard to the public.

3. The operator shall provide auto parking space within the leased area to accommodate at least 8 automobiles.

4. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

5. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) **Aircraft and Equipment.**

1. The operator shall provide and have based on his leasehold, either owned or under written lease to operator, not less than one aircraft which will be airworthy, meeting all the requirements of the Federal Aviation Administration and applicable regulations of the State with respect to the type of operations to be performed.

2. In the case of crop dusting or aerial application, operator shall provide tank trucks for the handling of liquid spray and mixing liquids. Operator shall also provide adequate ground equipment for the safe handling and safe loading of dusting materials.

(c) **Storage of Vehicles and Equipment.** All equipment used, trucks, tanks, handling equipment, parts and chemicals shall be stored inside at the end of each days operation or when not in use.

(d) **Insurance.** The operator performing the services under this section will be required to carry the following types of insurance in the limits specified:

1. Aircraft Liability. a. Bodily injury, each accident. \$100,000 each person; \$300,000 each accident.

b. Passenger liability, when applicable. \$100,000 each passenger, each accident.

c. Property damage. \$300,000 each accident.

2. Comprehensive Public Liability and Comprehensive Property Damage.

a. Bodily injury, each accident. \$100,000 each person: \$300,000 each accident.

b. Property damage. \$300,000 each accident.

3. Products Liability. When applicable.

(e) **Point of Contact Required.** The operator must provide by means of an office or a telephone a point of contact for the public desiring to utilize operator's services.

(f) **Personnel.** The operator shall have in his employ and on duty during appropriate business hours, trained personnel in such numbers as may be required to meet the minimum standards herein set forth in an efficient manner, but never less than one 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 other person to assist in the loading and servicing of aircraft.

AIRPORT 21.23

21.23 MULTIPLE SERVICES.

(1) STATEMENT OF CONCEPT. A multiple services operator shall be one who engages in any 2 or more of the aeronautical services for which minimum standards have been provided above.

(2) MINIMUM STANDARDS.

(a) General Requirements.

1. The operator shall lease from the County an area not less than 40,000 sq. ft. of ground space for aircraft storage, parking and other use in accordance with the services to be offered and on which shall be erected a building to provide at least 3,600 sq. ft. for aircraft storage and at least 600 sq. ft. of floor space for office, customer lounge and rest rooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.

2. If flight training is one of the multiple services offered, the operator shall provide classroom and briefing room facilities in the aforementioned building.

3. If crop dusting, aerial application or other commercial use of chemicals are part of the multiple services offered, the operator shall provide a centrally drained, paved area of not less than 2,500 sq. ft. for aircraft loading, washing and servicing. Centrally located drain and holding tank must be approved by the Department of Natural

Resources before installation. Operator shall also provide for the safe storage and containment of noxious chemical matters. All equipment used, trucks, tanks, handling equipment, parts and chemicals shall be stored inside at the end of each days operation or when not in use. Such facilities will be in a location on the County airport which will provide the greatest safeguard to the public.

4. The operator shall provide auto parking space within the leased area to accommodate at least 10 automobiles.

5. The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.

6. The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

(b) Aircraft and Equipment.

1. The operator shall comply with the aircraft requirements, including the equipment thereon, for each aeronautical service to be performed, except as provided below.

2. Multiple uses can be made of all aircraft, except aircraft used for crop dusting, aerial application or other commercial use of chemicals.

3. The operator, except if he is performing combinations of multiple services for which aircraft are not required, shall have available and based at the County airport, either owned by operator or under written lease to operator, not less than 2 certified and currently airworthy aircraft. These aircraft shall be equipped and capable of flight to meet the minimum standards provided above for each aeronautical service to be performed.

4. The operator shall provide the equipment and services required to meet the minimum standards as herein before provided for each aeronautical service the operator is performing.

(c) Insurance. The operator shall obtain as a minimum that insurance coverage

which is equal to the highest individual insurance requirement of all the aeronautical services being performed by the operator.

AIRPORT 21.24

21.24 GENERAL REQUIREMENTS.

(1) BUILDINGS.

(a) The minimum space requirements provided in this chapter shall be satisfied with one building, attached buildings or separate buildings.

(b) Before construction, all buildings and their location shall be subject to approval by the Airport Committee.

(2) CERTIFICATES AND RATINGS. All personnel required to hold Federal Aviation Administration certificates and ratings by this chapter shall maintain such certificates and ratings.

AIRPORT 21.25

21.25 MANDATORY LEASE CLAUSES. The following clauses shall be mandatory in every lease agreement:

(1) PREMISES TO BE OPERATED FOR USE AND BENEFIT OF PUBLIC. Lessee agrees to:

(a) Operate the premises leased for the use and benefit of the public.

(b) Furnish good, prompt and efficient service adequate to meet all the demands for its service at the airport.

(c) Furnish such service on a fair, equal and nondiscriminatory basis to all users thereof.

(d) Charge fair, reasonable and nondiscriminatory prices for each unit of sale or service, provided that the lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions to volume purchasers.

(2) NONDISCRIMINATION CLAUSE.

(a) The lessee, his agents and employees will not discriminate against any person or class of persons by reason of race, color, creed or national origin in providing any services or in the use of any of its facilities provided for the public in any manner prohibited by Part 15 of the Federal Aviation Regulations.

(b) The lessee further agrees to comply with such enforcement procedures as the United States might demand that the lessor take in order to comply with the sponsor's assurance.

(3) AIRCRAFT SERVICE BY OWNER OR OPERATOR OF AIRCRAFT. It is clearly understood by the lessee that no right or privilege has been granted which would operate to prevent any person operating aircraft on the airport from performing any services on its own aircraft with its own regular employees including, but not limited to, maintenance and repair, that it may choose to perform.

(4) NONEXCLUSIVE RIGHTS CLAUSE. It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right.

(5) DEVELOPMENT OF COUNTRY AIRPORT CLAUSE. Lessor reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the desires or view of the lessee and without interference or hindrance. If the physical development of the airport requires the relocation of the lessee, the lessor agrees to provide a comparable location and agrees to relocate all buildings or provide similar facilities for the lessee at no cost to the lessee.

(6) LESSOR'S RIGHTS CLAUSE. Lessor reserves the right, but shall not be obligated to lessee, to maintain and keep in repair the landing area of the airport and all publicly owned facilities of the airport, together with the right to direct and control all activities of lessee in this regard.

(7) WAR OR NATIONAL EMERGENCY. During the time of war or national emergency, lessor shall have the right to lease the landing area or any part thereof to the United States government for military or naval use and, if such lease is executed, the provisions of this chapter insofar as they are inconsistent with the provisions of the lease to the government, shall be suspended.

(8) OBSTRUCTIONS AT COUNTY AIRPORT. Lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent lessee from erecting or permitting to be erected any building or other structure on the airport which, in the opinion of the lessor, would limit the usefulness of the airport or constitute a hazard to aircraft.

(9) SUBORDINATION CLAUSE. This lease shall be subordinate to the provisions of any existing or future agreement between lessor and the United States, relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

(10) GENERAL LEASE PROVISIONS.

(a) All leases between the County and an operator covering the performance by an operator of any aeronautical service as provided in this chapter shall be in writing.

(b) Lessee shall provide a performance bond insuring the completion of the building to be erected on the leasehold.

(c) Lessee shall furnish such evidence as may be reasonably requested by the Airport Committee to show the lessee is financially capable of providing the services and facilities set forth in the lease.

AIRPORT 21.26

21.26 LEASE PROPOSAL REQUIREMENTS. The Airport Committee will not accept an original request to lease land area at the County airport, unless the request is a written proposal which sets forth the scope of operation to be performed and shall include the following:

- (1) The services to be offered.
- (2) The amount of land to be leased.
- (3) The building space to be constructed or leased.
- (4) The plans of the building or buildings to be constructed.

AIRPORT ZONING

- (5) The number of aircraft to be provided.
- (6) The number of persons to be employed.
- (7) The hours of proposed operation.
- (8) The number and types of insurance coverage to be maintained.
- (9) Evidence of financial capability to perform and provide the proposed services and facilities.

AIRPORT 21.27

21.27 FLYING CLUBS. The following requirements pertain to all flying clubs desiring to base their aircraft on the airport and be exempt from the minimum standards:

(1) **FLYING CLUB ORGANIZATIONS.** Each club must be a nonprofit Wisconsin corporation or partnership. Each member must be a bona-fide 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 and investment share held by each member.

(2) **AIRCRAFT.** The club's aircraft will not be used by other than bona-fide 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.

(3) **VIOLATIONS.** If the club fails to comply with these conditions, the airport owner will notify the club in writing of such violations. If the club fails to correct the violations in 15 days, the airport owner may take any action deemed advisable by the owner.

(4) **INSURANCE.** Each aircraft owned by the flying club must have aircraft liability insurance coverage for the following amounts:

- (a) **Bodily Injury.** \$100,000 each person; \$300,000 each accident.
- (b) **Property Damage.** \$300,000 each accident.

AIRPORT 21.28

21.28 TRAFFIC ON AIRPORT PREMISES.

(1) **DEFINITIONS.**

Emergency Equipment. Ambulance, crash rescue and fire fighting apparatus and such other equipment as the County Airport Committee may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Pedestrian. Any person afoot.

Service, Maintenance and Construction Equipment. Equipment normally operated by the County and/or the Federal

Aviation Agency on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and service. This definition shall include equipment owned and operated by a constructor performing work on the airport under a contractual agreement with the County.

Vehicle. Every devise in, upon or by which any person or property is or may be transported excepting, unless specifically included, vehicles used exclusively upon stationary rails or tracks or any vehicle propelled by the use of electricity obtained from overhead trolley structures.

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

(a) No privately owned vehicle shall enter, be driven upon or operated upon any airport runway, taxiway, ramp or tie-down area or any area posted by signs prohibiting the entrance thereon, unless authorized by the Airport Committee.

(b) The provisions of this subsection shall not apply to emergency equipment and/or service, maintenance and construction equipment when engaged in performing official duties.

(c) Aircraft owners will be excluded from the provisions of this subsection relating to tie-down areas, when necessary, to reach their own aircraft, but in doing so they shall not pass over any runway, taxiway or ramp and shall proceed through such tie-down area at a speed not to exceed 10 mph. They shall not at any time park a vehicle on any area used for the movement of aircraft.

(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 at the entrance of the airport or within the boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic on or about the County Airport for the public safety.

(4) PEDESTRIAN TRAFFIC ON AIRPORT. No pedestrian shall be allowed beyond the administration area or to the apron or aircraft tie-down area, unless for the purpose of embarking in or disembarking from the aircraft or unless authorized by the airport manager. Pedestrian traffic is prohibited on the runway and outlying area of the airport, except for those employees of the city, County, State, federal government or contractors engaged in airport construction or maintenance work.

(5) ENFORCEMENT. The Airport Manager and the County Sheriff shall enforce the provisions of this section.

PENALTY

AIRPORT 21.35

21.35 PENALTY. Except as otherwise provided, any person found to be in violation of the provisions of this chapter or any order, rule or regulation made hereunder shall, upon conviction, be subject to a penalty as provided in 25.04 of this Code of Ordinances. Each day that a violation continues to exist shall constitute a separate offense.