

Preamble

The City of Wisconsin Rapids, Village of Port Edwards, and Town of Grand Rapids, through contract, have assumed ownership of property and facilities now known as Alexander Field, South Wood County Airport, Wisconsin Rapids, Wisconsin, and have bound themselves to jointly own, regulate, operate, and maintain said airport in accordance with existing federal, state, and municipal law. Each municipality shall have equal rights and the regulation, operation, and maintenance of the airport shall be through an airport commission, known as Municipal Airport Commission for Alexander Field, South Wood County, with the commission consisting of one representative from each municipality.

The commission is charged with the responsibility of submitting to each municipality a budget and the municipalities shall, through appropriation, make available to the commission necessary funds to implement the said budget. Any one of the municipalities may veto or alter any portion of the budget which they feel is not in the best interest of their community, thus changing the budget and resulting in appropriations made accordingly.

The commission shall have the authority to enter into any contract or contracts which can be fulfilled through expenditures authorized in the approved budget and which said contracts pertain to the operation and maintenance of the said airport. The commission also has the authority to reallocate funds within the approved budget.

The commission, in an effort to carry out its responsibilities with respect to regulating, operating, and maintaining Alexander Field and further, to insure adequate facilities are provided within the means set forth in appropriations from the municipalities, and further to promote safe air transportation for aircraft owners and the public, the commission has set forth in writing, ordinances which it believes necessary to meet the criteria established above. These ordinances are set forth in booklet form, bear the approval of municipalities jointly owning Alexander Field, with enforcement through law enforcement agencies of said municipalities.

21.01 Height of Structures and Trees and Use of Property in Vicinity of Airport

21.02 Minimum Standards Flight Training

21.03 Aircraft and Ultralight Sales Minimum Standards

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21.05 Ultralight Vehicles and User Fees

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21.07 Vehicle and Pedestrian Traffic on Airport Property

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21.10 Use, Transportation, or Handling of Hazardous Materials or Chemicals on Alexander Field

21.11 Airport Pedestrian Trail

21.01 HEIGHT OF STRUCTURES AND TREES AND USE OF PROPERTY IN VICINITY OF AIRPORT (MC#1009)

(1) Definitions. As used in this ordinance, unless the context otherwise requires:

- (a) "Airport" means the Alexander Field – South Wood County Airport located in Section 30, Township 22 North, Range 6 East, Wood County, Wisconsin.
- (b) "Airport hazard" means any structure, object of natural growth, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing or taking off.
- (c) "Non-conforming use" means any structure, tree, or use of land, which does not conform to a regulation prescribed in this ordinance or an amendment thereto, as of the effective date of such regulation.
- (d) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

- (e) "Runway" means a level portion of an airport having a surface specially developed and maintained for the landing and take-off of aircraft.
 - (f) "Structure" means any object constructed or installed by man.
 - (g) "Tree" means any object of natural growth, except farm crops which are cut at least once a year, and except shrubs, bushes, or plants which do not grow to a height of more than twenty (20) feet.
 - (h) "Zones" means an area of land with a single height limitation, the boundaries of which are section lines and subdivisional lines of sections, except for those parts of the City of Wisconsin Rapids where street centerlines are used for zone boundaries.
 - (i) "Joint Board of Appeals" means the South Wood County Airport Height Limitation Joint Board of Appeals.
 - (j) "Height Limitation Map" means the HEIGHT LIMITATION ZONING MAP, South Wood county Airport, Wisconsin Rapids, Wisconsin, dated April 30, 2004.
 - (k) "Airport elevation" means 1010 feet above Mean Sea Level. (MSL)
- (2) Zones. All zones established by this section are as shown on the map dated April 30, 2004 entitled "Height Limitation Zoning Map , South Wood County Airport, Wisconsin Rapids, Wisconsin," which is attached hereto and adopted as part of this ordinance. A full sized map is available for inspection at the office of the South Wood County Airport Commission, Wisconsin Rapids City Hall.
- (3) Height Limitation Zones. Except as otherwise provided in this ordinance, no structure shall be constructed, altered, or relocated which is in excess of the height limit indicated on the map referred to in 21.01(2), and no trees planted after the adoption of the original ordinance shall be allowed to grow to a height in excess of the height limit indicated on said map.
- (4) Use Restrictions. Notwithstanding the provisions of 21.01(3) of this ordinance, no use may be made of land in any zone in such a manner as to create electrical interference with radio communication between the airport and aircraft, or make it difficult for pilots to distinguish between airport lights and other lights, or result in glare in the eyes of pilots using the airport, or impair visibility in the vicinity of the airport, or otherwise endanger the landing, taking off, or maneuvering of aircraft.
- (5) Non-conforming Uses.
- (a) Not retroactive. The regulations prescribed in 21.01(2) and 21.01(3) of this ordinance shall not be construed to require the removal, lowering, or other change or alteration of any nonconforming use, except as otherwise provided by 21.01(7)(e).
 - (b) 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 begun prior to the effective date of this ordinance, and if such is diligently prosecuted.
 - (c) Removal. This section shall not interfere with the removal of nonconforming uses by purchase or the use of eminent domain.
- (6) Administration. It shall be the duty of the Airport Administrator to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Airport Administrator or his designee upon a form furnished by him. Applications which are, by this ordinance, to be decided by the Airport Administrator shall be granted or denied within thirty (30) days of the date of filing of the application. Applications for action by the Board of Appeals shall be forthwith transmitted by the Airport Administrator to the Board of Appeals for hearing and decision. There shall be no charge for applications or permits.
- (7) Permit.
- (a) FAA Statement. Proponents shall include with their permit application a letter of final determination from the Federal Aviation Administration (FAA) saying the structure would be "No Hazard to Air Navigation." Proponents may ask the FAA to perform an aeronautical study and issue a determination by submitting to the FAA a Form 7460-1, Notice of Proposed Construction or Alteration. The FAA aeronautical study is free of charge, but may take as long as 60 days to complete. The Airport Administrator will not accept an application without an FAA determination.
 - (b) Future Uses. No structure shall hereafter be constructed, erected, or installed or be permitted to remain in any zone created by 21.01(2) of this ordinance until the owner or his agent shall have applied in writing for a permit therefor and obtained such permit from the Airport Administrator, except: Structures less than thirty-five (35) feet in height above the Airport Elevation (or 1045 ft. MSL) within one-half mile of the airport boundary; or structures less than fifty (50) feet in height above Airport Elevation (or 1060 ft. MSL) within the area beginning one-half mile from the airport boundary and extending to one mile from the airport boundary; or structures less than one hundred (100) feet above the Airport Elevation (or 1110 ft. MSL)

- within the area beginning one mile from the airport boundary and extending to three miles from the airport, as shown on the Height Limitation Map.
- (c) Exceptions. The parcel of land shown as "E" on the Height Limitation Map, south of and adjoining the airport, will limit the height of structures, poles, and trees according to the Avigation Easement established August 13, 1982, recorded September 17, 1982, in Volume 516, page 41, Wood County Register of Deeds. Exercising the rights of this easement will be the responsibility of the South Wood County Airport Commission. A complete copy of the easement is available for examination at the office of the South Wood County Airport Commission, Wisconsin Rapids City Hall, or the Grand Rapids Town Hall, or the Village of Port Edwards Municipal Building.
 - (d) Permit display and issuance. Said permit shall be posted in a prominent place on the premises, prior to and during the period of construction, erection, 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 Airport Administrator to determine whether such use would conform to the regulations herein prescribed. If such determination is in the affirmative, the Airport Administrator shall issue the permit applied for.
 - (e) Existing Uses. Before any non-conforming structure may be replaced, altered, or rebuilt, a permit shall be applied for and secured in the manner prescribed by paragraph (a) authorizing such change, replacement or repair. No such permit shall be denied if the structure will not become a greater hazard to air navigation than it was on the effective date of this ordinance, or than it was when the application for permit was made. It will not be necessary to apply for a permit under this section for the construction of any new structure or the modification or reconstruction of any existing structure located within 660 (six hundred sixty) feet of existing structures of industrial plants located within the area affected by this ordinance providing they are of a height equal to or less than the maximum height of the present structures.
 - (f) Trees. In the event the Airport Administrator determines that a tree, planted after the adoption of the original ordinance, is in violation of the height restriction for the zone in which it is located, he shall give written notice by certified mail to the land owner to take such steps as are necessary to bring said tree in compliance with this ordinance within ten (10) days of said notice. Should the land owner fail to comply with said notice, the Airport Administrator or his designated agent or employee shall have the right to trim, prune, or remove said tree at the land owner's expense.
- (8) Hazard Marking and Lighting. Any permit or variance granted under Sections VII or IX, may, if such action is deemed advisable by the Airport Administrator to effectuate the purpose of this ordinance and if such is reasonable in the circumstances, be so conditioned as to require the owner of the structure or trees in question to permit 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.
- (9) Joint Board of Appeals. There is hereby created a Joint Board of Appeals, consisting of three (3) members. The chief executive officer of each of the three municipalities will appoint one member to the board and that appointee will serve at the pleasure of the respective chief executive officer. Such board shall be constituted and have all the powers, duties and functions as provided in s. 62.23, (7) (e) of the Wisconsin Statutes, but not more than 2 members of such board shall be owners or occupants of the area affected by the ordinance
- (10) Appeals and Review.
- (a) Variances. Upon appeal in special cases the Board of Appeals may, after investigation and public hearing, grant such variance from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of this ordinance would result in unnecessary hardship, and such relief will do substantial justice and be in accord with the spirit of this ordinance, and does not create a hazard to the safe, normal operation of aircraft.
 - (b) Aggrieved Person. Any person aggrieved or affected by any decision of action of the Airport Administrator made in his administration of this ordinance may appeal such decision or action to the Board of Appeals.
 - (c) Procedure. Any appeal taken pursuant to this section shall be in conformity with the procedure established by Section 62.23, (7) (e) of the Statutes.
- (11) Penalties. Any person violating any of the provisions of this ordinance shall, upon conviction, forfeit not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for such offense, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not to exceed thirty (30) days for each violation. Each day that a violation continues to exist shall constitute a separate offense.

- (12) Severability. If any of the provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of this ordinance and the invalid provisions or application are declared to be severable.

21.02 MINIMUM STANDARDS FLIGHT TRAINING

- (1) Purpose. The purpose of this ordinance is to establish minimum standards for the orderly development and growth of the airport, and to provide various aeronautical service standards. The intent of these standards are to be fair and reasonable and to encourage rather than prohibit the development of needed aviation services that are operated in a responsible, safe and efficient manner.

- (2) Statement of Concept. A flight training operator is a person, firm, partnership, corporation, association or group engaged in instructing student pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, in ultralight vehicles, and provides such related ground school instruction as is necessary to prepare for the taking of a written examination and flight check ride for the categories of pilots' licenses and ratings, if applicable.

- (3) Minimum Standards

- (a) The operator shall conduct their activities and render their services in a safe, responsible and efficient manner, and the operator shall be solely responsible for all of the acts of their agents and/or employees.

The operator shall lease from the Municipal Airport Commission an area of not less than 8,000 square feet of ground space which shall include a building of at least 2,000 square feet of floor space, including office, with telephone and restrooms.

The operator shall be required to instruct student pilots or operators in any one or all of the following:

- (1) dual and solo flight in fixed wing aircraft
- (2) rotary wing aircraft
- (3) ultralight vehicles

The operator shall also provide, by himself or through a nominee acceptable to the Municipal Airport Commission, such related ground school instruction as is necessary to prepare the student to take a written examination and flight check ride for a private pilot's license or appropriate rating from the Federal Aviation Administration, if applicable.

The operator shall insure that their operation will meet the continuing requirements for certification by the Federal Aviation Administration and applicable state and local requirements.

The operator shall maintain at least one aircraft or ultralight or a sufficient number to adequately handle the number of students contemplated.

The operator shall employ currently certificated instructors, if FAA required, to meet the demands of the number of students engaged in such flight training. Never less than one.

The operator must be able to demonstrate to the satisfaction of the Municipal Airport Commission that he has had experiences in flight training. This information must be included in the statement of the operator's qualifications.

The operator shall be available for business, or "on call", as a minimum, at least eight hours daily, five days a week.

- (4) Authorization. No operator shall be permitted to operate at the Airport (Alexander Field) without a fully executed lease agreement with, or permit, license or written authorization from the Municipal Airport Commission containing provisions for strict compliance with the minimum standards as adopted and all rules and regulations, and containing such other provisions as may be determined by the Municipal Airport Commission which may be required under such lease, or any other special circumstances which may be applicable to any such particular operator.

The location of the Flight Training Operation shall be at a site or location as determined by the Municipal Airport Commission in keeping with existing plans, suitable space and the orderly development of Alexander Field.

The Municipal Airport Commission must approve the location, size, and height of any signs that may be used to promote the business or operation and retains the right to reject or order the removal of any signs that become unsightly.

- (5) Insurance Requirement. An operator shall demonstrate to the Municipal Airport Commission satisfactory evidence that they have in force, insurance coverage in the amount stipulated below:

- (a) Ultralight or Aircraft Liability
- (1) Bodily Injury (each accident)
 - (a) \$100,000 each person

- (b) \$300,000 each accident
- (2) Passenger Liability
 - (a) \$100,000 each person, each accident
- (3) Property Damage
 - (a) \$300,000 each accident
- (4) Comprehensive Public Liability & Comprehensive Property Damage
 - (a) Bodily Injury (each accident)
 - (1) \$100,000 each person
 - (2) \$300,000 each accident
- (5) Property Damage
 - (a) \$300,000 each accident
- (6) Assignment. It is to be understood by all operators, that the agreement entered into as a result of these standards, or any part thereof, may not be sub-let or assigned without the written consent of the Municipal Airport Commission.
- (7) Penalty. Any person who shall violate any of the provisions of this ordinance may face revocation of the authorization to operate on Alexander Field and/or shall upon conviction thereof forfeit not less than \$200.00 nor more than \$500.00 together with the costs of prosecution and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days. Each day that the provisions of this ordinance are violated shall constitute a separate offense.

21.03 AIRCRAFT AND ULTRALIGHT SALES MINIMUM STANDARDS

- (1) Purpose. The purpose of this ordinance is to insure that the Municipal Airport Commission is aware of all aircraft sales activities taking place on Alexander Field; to insure that an adequate degree of service is provided and that necessary facilities are available to support the activity. The intent of these standards is to be fair and reasonable and to encourage rather than prohibit the orderly growth of aeronautical activity at the airport. At the same time, it is desirous to have structures, facilities, and services well planned, located and operated so as to become an asset to the facility, community and surrounding area.
- (2) Statement of Concept. An aircraft or ultralight sales operator is a person or persons, firm, or corporation engaged in the sale of new or used aircraft or ultralights through franchises or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft or ultralight manufacturer or otherwise; and provides such repair, services, and parts as necessary to meet any guarantee or warranty on new or used aircraft or ultralights sold by him.
- (3) Minimum Standards.
 - (a) Building Requirements: The operator shall lease from the Municipal Airport Commission an area of not less than 8,000 square feet of ground space on which shall be erected a building to provide 2,000 square feet of floor space for aircraft storage, office, and restrooms which shall be properly heated and lighted, and shall provide telephone facilities for customer use.
 - (b) Parking Requirements: The operator shall provide auto parking space within the leased area to accommodate at least three automobiles.
 - (c) Apron Requirements: 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.
 - (d) Repair or Servicing Requirements: 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 Alexander Field and a copy of such agreement must be made available to the Municipal Airport Commission. The operator shall provide an adequate inventory of spare parts for the type of new aircraft or ultralight for which sales privileges are granted. The operator who is engaged in the business of selling new aircraft or ultralights shall have available or on call at least one single engine demonstrator.
- (4) Insurance Requirements. The operator performing services as outlined above will be required to carry the following types of insurance in the limits specified. Evidence of insurance coverage must be provided the Municipal Airport Commission.
 - (a) Aircraft or Ultralight Liability
 - (1) Bodily Injury (each accident)
 - (a) \$100,000 each person
 - (b) \$300,000 each accident

- (2) Passenger Liability
 - (a) \$100,000 each passenger, each accident
- (3) Property Damage
 - (a) \$300,000 each accident
- (b) Comprehensive Public Liability and Comprehensive Property Damage
 - (1) Bodily Injury (each accident)
 - (a) \$100,000 each person
 - (b) \$300,000 each accident
 - (2) Property Damage
 - (a) \$300,000 each accident
- (5) Hours of Operation and Personnel. The operator shall have his premises open and services available eight hours daily, five days a week, or they must be able to be contacted within a reasonable time (24 hours) through use of an answering service or other device.

The operator shall have in his employ, 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.
- (6) Authorization. No operator shall be permitted to operate at the airport (Alexander Field) without a fully executed lease agreement with, or permit, authorization or license from the Municipal Airport Commission containing provisions for strict compliance with the minimum standards adopted and all rules and regulations, and containing such other provisions as may be determined by the Municipal Airport Commission which may be required under such lease, or any other special circumstances which may be applicable to any such particular operator. All requests made by potential operators shall be in writing and shall contain information and/or evidence as to how the minimum standards will be met and the names and addresses of corporation officers, principals or owners and operators of the firm or business.
- (7) Penalty. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not less than \$200.00 nor more than \$500.00 together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days. Each day that the provisions of this ordinance are violated shall be considered a separate offense.

21.04 FUELING OF AIRCRAFT

- (1) Purpose. The purpose of this ordinance is to insure that any fuel systems that exist on Alexander Field are installed in such a manner that contamination of ground water or pollution does not occur and that the potential for accidents or fire involving property of the commission and others does not occur. Furthermore, the Municipal Airport Commission desires to eliminate the possibility of any liability and/or the high cost of clean-up, should a spill occur.
- (2) Installation of Private Fuel Systems. Prior to the installation of any private fuel system on Alexander Field, authorization in writing must first be obtained from the Municipal Airport Commission. The Municipal Airport Commission may or may not grant permission based on location, need, future development of the airport, size of storage and other pertinent facts.

As of April 1 of each year, all owners of private fuel systems previously located and authorized on Alexander Field will submit a report to the Municipal Airport Commission which will contain the following information:

- (a) Age of System
- (b) Monitoring or Leak Detection Devices Present
- (c) Size of Tanks and Number
- (d) Type Fuel Stored
- (e) Name of Owner and Address
- (f) Anticipated Upgrading (if applicable)
- (g) Type Tank or Tanks (double lined-fiberglass steel, etc.)
- (h) Last Date Tanks Tested for Leakage
- (i) Any Problems or Maintenance Performed Since Last Report

Any private fuel systems authorized to be installed on airport property are subject to inspection by a designated representative of the commission and person, persons or contractor performing the installation must furnish the commission with a signed, notarized statement that the installation was completed in accordance with plans, specifications-and requirements of all state and local laws and ordinances.

- (3) Permits. The Building Inspector, Town of Grand Rapids, will only issue a permit for fuel storage (underground or

above) after receiving written authorization from the Municipal Airport Commission. The Municipal Airport Commission and Building Inspector will not issue a permit or give authorization unless all requirements with respect to leak detection, monitoring, control of spills and proper installation in accordance with local and State of Wisconsin directives are met.

- (4) Refueling Area. The Municipal Airport Commission does not have adequate facilities with which to develop a refueling area using standard one to six gallon gasoline containers that will eliminate all possibilities for contamination or pollution, and therefore has restricted or prohibited their use on Alexander Field. Refueling at other than the FBO facilities may be done by use of self-contained fuel delivery vehicles provided such refueling vehicles have proper safety devices for refueling aircraft and are registered and approved by the Department of Industry, Labor and Human Relations and the Department of Natural Resources.
- (5) Unauthorized Fuel Systems. Fuel systems installed without the Municipal Airport Commission's knowledge or authorization and fuel stored on airport property in volumes of more than six U.S. gallons are considered in violation of this ordinance and must be removed from airport property.
- (6) Bond and/or Liability Insurance. The Municipal Airport Commission, in an effort to eliminate possible liability on its part, may require a bond or liability insurance of the owner of the fuel system in an amount deemed adequate to protect the commission and taxpayers of communities jointly owning Alexander Field.
- (7) Penalties. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof, forfeit not less than \$200.00 nor more than \$1,000.00 together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.

21.05 ULTRALIGHT VEHICLES AND USER FEES

- (1) Purpose. The Municipal Airport Commission desires to establish a system to assess a fee to ultralight vehicles hangared at Alexander Field for the utilization of the facilities there upon used, as well as establishing traffic patterns and altitude considerations to conform to safe procedures for all aeronautical operations in the confines of Alexander Field airspace; herein referred to as a user fee.
- (2) References.
 - (a) Part 103 FAA Rules
 - (b) Airport Compliance Requirements FAA 5190.6A
 - (c) Part 91 - General Operating and Flight Rules
 - (d) Part 101 - Moored balloons, kites, ultralight vehicles, unmanned rockets, and unmanned free balloons
 - (e) FAA Airmans Information Manual
 - (f) FAA Advisory Circular 90-66 - Recommended Standard Traffic Pattern for Airplane Operations at Uncontrolled Airports
- (3) Registration Forms. All ultralight owners who have ultralights hangared at Alexander Field will be required to register their ultralight with the Municipal Airport Commission as of April 1 of each year. (A sample of the registration form is on file in the city clerk's office.) Said registration form will be completed in three copies by the ultralight owner. Forms are available from the designated fixed base operator and distribution of completed forms will be one to the Municipal Airport Commission, one to the fixed base operator, and one to the owner.
- (4) Flight Rules and Operating Procedures. At the time of registration, the fixed base operator will furnish the owner of the ultralight vehicle a copy of flight rules and operating procedures for ultralights hangared at Alexander Field, and such will be verified by signature of the owner on the registration form.

These flight rules and procedures may be changed, altered, or revised as conditions at Alexander Field dictate. Ultralight and general aviation owners hangared at Alexander Field will be furnished copies for their information and compliance within FAS guidelines.

All ultralight and general aviation owners and operators hangared at Alexander Field are responsible for becoming familiar with the flight rules and operating procedures and to operate their vehicle in accordance with such rules and procedures.

Ultralight activities (landings, take-off, and "touch and go") are to take place on the grass strip developed for use by the ultralights whenever weather conditions permit.
- (5) User Fees. There is hereby established a yearly user fee in the sum of \$10.00 to be payable to the Municipal Airport Commission through the designated fixed base operator. Such user fee is to be paid on or before April 1 of each year.

The fee is based on a \$.05 per gallon fuel flow fee, with an ultralight vehicle estimated to fly 100

hours/year at a two gallon an hour fuel burn. (100 x 2 = 200 x \$.05 = \$10.00) User fee to be consistent upon 100 hours/year calculation with a two hour fuel burn. If fuel flow fee goes to \$.10/gallon, user fee would fluctuate accordingly.

If not paid by April 1, a statement will be sent out and a late fee of \$9.00 will be added.

- (6) Violations.
- (a) Failure to register ultralights or pay user fee on or before April 1 of each year. Any ultralight owner hangared at Alexander Field and utilizing same facility for the purpose of take-off or landing, who has failed to make available to the fixed base operator, the registration form, and pay the user fee, shall be in violation of this ordinance. Each day Alexander Field is used for the above purpose shall be considered a separate offense and subject to penalties in accordance with this ordinance upon conviction.
- (7) Penalties. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof, forfeit not less than \$50.00 nor more than \$200.00 together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.

21.06 FUEL FLOWAGE FEE

- (1) Purpose. The purpose of this ordinance is to increase revenue and insure that users of Alexander Field assist in defraying some of the cost of operation of Alexander Field, and further that the investment of funds for improvements from the local communities, state and federal agencies are not lost because of inadequate maintenance of facilities.
- (2) Amount of Fees. There is hereby established a fuel flowage fee of \$.05 per gallon on all aviation fuel used or dispensed on Alexander Field. This fee pertains to all fuel entering Alexander Field, be it by trailer mounted tank, truck deliveries, tanker deliveries, or above ground fuel contained in storage tank(s).
- (3) Payments Due. Payment of the fuel flowage fee shall be made directly to the Municipal Airport Commission within 10 days of any fuel delivery to a storage tank(s) existing now or in the future on airport property. Direct delivery of aviation fuel to an aircraft by a motorized vehicle is hereby prohibited unless approval is first obtained from the Municipal Airport Commission.
- (4) Method of Computation. Amount of fuel flowage fee due shall be based on delivery invoice from supplier or Jobber and a copy of such invoices shall accompany the fuel flowage fee due.
- (5) Verification and Audit. The Municipal Airport Commission may, at its discretion, require verification of all fuel deliveries, to include date, supplier, type of fuel and amount, and may cause the same to be accomplished by an auditor of its choice. Owners of fuel storage facilities shall make its records available to any auditor employed by the Municipal Airport Commission and the commission shall insure all records are kept confidential.
- (6) Penalty. Non-compliance with the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$200.00 together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.

21.07 VEHICLE AND PEDESTRIAN TRAFFIC ON AIRPORT PROPERTY

- (1) Purpose. The purpose of this ordinance is to ensure pedestrian and vehicular traffic on airport premises owned and operated by the Municipal Airport Commission for Alexander Field is regulated so as to provide safety of aircraft, aircraft passengers, and the general public.
- (2) Definition of Words and Phrases.
- (a) Pedestrian: any person afoot
- (b) Vehicle: every device in, upon, or by which any person may be transported or drawn upon a public highway. Examples are bicycles, motorcycles, mopeds, cars, trucks, tractors, buses, etc.
- (c) Recreational or off-road vehicles: defined as snowmobiles, three or four wheel ATVS, stock or racing cars, or off-road dirt or racing bikes.
- (d) Emergency equipment: defined as ambulances, crash rescue, fire-fighting apparatus, and such other equipment as the Municipal Airport Commission for Alexander Field may designate as necessary to safeguard buildings, facilities, or equipment, or to protect persons or property.
- (e) Service, maintenance, and construction equipment: equipment normally operated by the Municipal Airport Commission for Alexander Field, Federal Aviation Agency, or Wisconsin Bureau of Aeronautics on landing areas, runways, taxiways, and peripheral roads for the servicing, maintenance, and construction of airport

facilities, navigational equipment, clearance lights, or weather equipment. This definition shall include equipment owned and operated by contractors performing work on the airport under a contractual agreement with the Municipal Airport Commission, F.A.A., Wisconsin Bureau of Aeronautics, or the U.S. Department of Commerce.

- (3) Operation of Vehicles on Runways, Taxiways and Ramps: No privately owned vehicle, recreational, or off-road vehicle shall enter, be driven upon, or operated upon any airport runway, taxiway, or ramp, or tie-down area, or any area posted by signs prohibiting the entrance thereon.

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

Aircraft users will be excluded from the provisions of this section relating to tie-own areas, when necessary to reach their own aircraft, but on doing so, they shall not pass over any runway and shall proceed through said tie-down area at a speed not to exceed 10 miles per hour.

- (4) Vehicle Parking. All vehicles parked on airport property shall be parked in designated areas and in accordance with posted signs or other markings. The Municipal Airport Commission, or designated representative, may move, or order the removal of, at the owner's expense, any vehicle improperly parked. Owners of aircraft housed in private or Commission-owned T-hangars are prohibited from parking private vehicles in front or on the taxiway side of such structures. All such vehicles must be parked behind the 25 foot setback from the taxiway, or in the T-hangars after the aircraft is removed.

- (5) Speed of Vehicles. No vehicle, recreational or off-road vehicle, shall be driven upon any road within the perimeter of Alexander Field, or upon other airport areas in excess of the speed limit posted at the entrance of said airport, or within the boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any such vehicles fail to adhere to any sign posted to regulate vehicular traffic on or about Alexander Field for the public safety.

- (6) 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, an 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 Airport Commission, state and federal employees of F.A.A. and Bureau of Aeronautics, or contractors engaged in airport construction or maintenance work.

- (7) Exceptions. Persons who are lawfully using the Airport Pedestrian Trail. The municipal Airport Commission may grant approval for recreation or off-road vehicles to use the perimeter of airport property for trails or for seasonal use, provided the commission feels adequate signage and markings are in place and such use will not create a hazard to the public or aircraft using Alexander Field. Such use will be considered temporary or seasonal and subject to revocation should conditions dictate. Furthermore, the commission may, from time to time, issue permits for aviation oriented activities to hold special events on airport property. In such event, an area will be posted, barricaded, flagged or roped to insure vehicle and pedestrian traffic is controlled. (MC #904)

- (8) Notification. Operators of service, maintenance, and construction equipment used for the purpose of repairing, maintaining, or constructing airport facilities will notify the designated fixed base operator whenever it is necessary for them to operate on airport property. The designated fixed base operator will use the above information when issuing advisories and shall determine if it will be necessary to notify U.S. Flight Service, in order that a NOTAM can be posted by that service.

- (9) Penalties: Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$1.00, nor more than \$200.00, together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.

21.08 AIRCRAFT HANGARS

- (1) Purpose. The Municipal Airport Commission, having the responsibility for the administration of Alexander Field, wishes to develop standards for the construction, lease and operation of hangars at Alexander Field. Furthermore, it is the intent of these standards to be fair and reasonable and to encourage rather than prohibit the orderly growth of aeronautical activity at the airport.
- (2) Statement of Concept. An aircraft storage operation is a business to be operated by a person, firm, partnership, association, corporation or group in the rental of conventional and/or T-type hangars.

- (3) Minimum Standards.
- (a) The Municipal Airport Commission has the right to develop or improve areas of the airport as it sees fit, regardless of the desires or views of any operator, and without any interference or hindrance from any such operator or operators. The location of any operation shall be at a site or location as determined by the Municipal Airport Commission in keeping with established plans and the Commission shall have the prerogative to determine the availability of suitable space for the type of operation to be performed.
 - (b) The operator, who is to provide a conventional hangar and/or T-type hangars, shall do so in accordance with design and construction standards required and established by the Municipal Airport Commission for the activity involved.
 - (c) The operator shall lease from the Municipal Airport Commission adequate ground area to provide for the hangar, parking area, apron and taxiway, and shall at their own expense, pay all taxes and assessments against any buildings or any other structures placed on the premises by them, as well as all taxes and assessments against the personal property used by them in their operation. Minimum space and area requirements for this type of operation are as follows:
 - (1) Conventional hangar shall be of a size as determined by the Municipal Airport Commission, but must, as a minimum, be of sufficient size to accommodate at least four single engine aircraft.
 - (2) The operator shall lease from the Municipal Airport Commission sufficient ground area adequate to meet the hangar requirements.
 - (d) The operator must provide a hard surfaced (bituminous) apron and/or taxiway by which tenants can move their aircraft to an existing Commission-owned taxiway or runway.
 - (e) The operator must provide, as a minimum, such services as snow removal and maintenance of grounds to include mowing of grass.
 - (f) The operator must be able to demonstrate to the satisfaction of the Municipal Airport Commission that he has experience in aircraft storage. This requirement may be waived in lieu of other comparable experience.
 - (g) Adequate vehicle parking must be provided for tenants' vehicles in an area which does not conflict with aviation activities.
 - (h) No outside storage will be allowed about the hangar complex.
- (4) Insurance. The operator must produce for the Municipal Airport Commission satisfactory evidence that the following coverages will be in existence upon completion of the construction phase:
- (a) comprehensive liability and comprehensive property damage, including vehicular \$1,000,000.00
 - (b) hangar - keepers liability \$1,000,000.00
 - (c) fire and extended coverages \$1,000,000.00
- The operator shall not allow the above insurance coverage to elapse and will furnish additional certification as evidence of changes.
- (5) Availability to Tenants. The conventional hangar operator shall have his facilities available for the tenants' aircraft removal and storage 24 hours per day, seven days a week, 52 weeks per year. Exception to this is acts of God involving excessive snow accumulations.
- (6) Authorization and Penalty. Upon meeting all the provisions of this ordinance, an operator may be granted authorization in writing by the Municipal Airport Commission to operate an aircraft storage facility.
- If during the course of the operation of the aircraft storage facility, it is determined by the Municipal Airport Commission that the provisions of this ordinance are not being complied with, the commission shall forward by registered letter, notification to the operator of any violations and the need for compliance.
- The operator will have 30 days with which to bring the business or operation in compliance with the provisions of the ordinance. Failure to do so will result in the authorization to operate on Alexander Field being revoked and continued operation by the operator will be considered a violation of the ordinance, and upon conviction thereof shall be subject to a \$200.00 a day forfeiture for each and every day the operator remains in operation or open for business. In addition to the \$200.00 a day forfeiture, the operator shall pay the cost of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days.

21.09 AIRCRAFT, ENGINE AND ACCESSORY MAINTENANCE AND REPAIR STANDARD

- (1) Purpose. The Municipal Airport Commission, being in a position of responsibility for the administration of Alexander Field, wishes to insure adequate aeronautical services and facilities are available for those patrons needing maintenance or repair of their fixed wing aircraft, rotary wing aircraft or ultralight vehicles, and that these patrons

- are protected from irresponsible, unsafe or inadequate service. It is the intent of these standards to be fair and reasonable and to encourage, rather than prohibit the orderly growth of aeronautical activity at the airport.
- (2) Statement of Concept. An aircraft engine and accessory maintenance and repair operator is a person, firm, partnership, corporation, association or group engaged in a business capable of providing one or more Federal Aviation Administration approved airframe, power plant and accessory overhaul and repair services on general aircraft up to and including (within the scope of the certificates) executive- type jet aircraft and helicopters.
- (3) Minimum Standards.
- (a) The operator shall lease from the Municipal Airport Commission an area of not less than 5,000 square feet of ground space on which shall be located a building of at least 3,500 square feet of floor space, including an office, shop and restrooms; all property to be heated and lighted. All operators shall, at their own expense, pay all taxes and assessments against any buildings or any other structures placed on the premises by them, as well as all taxes and assessments against the personal property used by them in their operation.
 - (b) The operator shall perform all maintenance by FAA certified mechanics and inspectors. These certificates are the minimum requirements for any and all operators who are to perform these services.
 - (c) Any construction required of any operator shall be in accordance with design and construction requirements of the Municipal Airport Commission and state, federal and local codes. Plans and specifications shall be submitted to the Municipal Airport Commission for approval and shall be commensurate with any construction required under the standards set forth for aircraft, engine and accessory maintenance and repair operation.
 - (d) All operators shall conduct their activities and render their services in a safe, responsible and efficient manner, and the operator shall be solely responsible for all of the acts of their agents, and/or employees.
 - (e) The operator shall demonstrate that it either presently owns the minimum equipment necessary to meet the certificate requirements, or is financially able to and will purchase such equipment.
 - (f) The location of any operation shall be at a site or location as determined by the Municipal Airport Commission in keeping with present plans and the orderly growth and development of Alexander Field. It shall also be the prerogative of the Municipal Airport Commission to determine the availability of suitable space in keeping with the type of operation to be performed.
 - (g) The operator must be able to demonstrate to the satisfaction of the Municipal Airport Commission, that it has the experience in aircraft, engine and accessory maintenance and repair. This information must be included in the statement of the operator's qualifications. The operator shall demonstrate that it can provide sufficient personnel trained to meet all requirements for the repair and maintenance of aircraft, engines, parts and accessories.
- (4) Insurance. The operator must produce for the Municipal Airport Commission evidence of insurance coverage in the following amounts:
- (a) comprehensive public liability and comprehensive property damage, including vehicular \$1,000,000
 - (b) hangar-keepers' liability \$1,000,000
 - (c) products liability \$1,000,000
 - (d) fire and extended coverages \$300,000
- The operator shall not allow the above insurance coverage to elapse and will furnish additional certificates as evidence of changes.
- (5) Sub-letting, Assignment or Sale of Business. The Commission must be assured that all the provisions of this ordinance are in force and effect, and therefore, no operator may sub-let, assign or sell their operation or business without first obtaining, in writing, the consent of the Municipal Airport Commission.
- (6) Hours of Operation. As a minimum, an operator shall be required to remain open eight hours daily, five days a week, excluding holidays.
- (7) Signs. Signs promoting or depicting the location of an aircraft, engine and accessory maintenance and repair operation or business, must be authorized by the Municipal Airport Commission and must meet the following criteria:
- (a) be attached to the gable end of the hangar
 - (b) be professionally constructed and painted
 - (c) may be up to 8' x 10' in size provided the sign does not protrude above the peak of the hangar roof
- An operator must provide the Municipal Airport Commission with a sketch of the sign and its location prior to approval by the commission.

- (8) Authorization and Penalty. Upon meeting all the provisions of this ordinance, an operator may be granted authorization in writing by the Municipal Airport Commission to operate an aircraft, engine and accessory maintenance and repair business on Alexander Field.

If, during the course of the operation of aircraft, engine and accessory maintenance and repair business, it is determined by the Municipal Airport Commission that the provisions of this ordinance are not being complied with, the commission shall forward by registered letter, notification to the operator of any violations and the need for compliance.

The operator will have 30 days with which to bring the business or operation in compliance with the provisions of the ordinance. Failure to do so will result in the authorization to operate of Alexander Field being revoked, and continued operation by the operator will be considered a violation of the ordinance, and upon conviction thereof, shall be subject to a \$200.00 a day forfeiture for each and every day the operator remains in operation or open for business. In addition to the \$200.00 a day forfeiture, the operator shall pay the cost of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days.

21.10 USE, TRANSPORTATION OR HANDLING OF HAZARDOUS MATERIALS OR CHEMICALS ON ALEXANDER FIELD

- (1) Purpose. The Municipal Airport Commission is concerned about the environment and the fact certain aeronautical activity involving hazardous materials and chemicals could contaminate the environment and adversely affect operations at Alexander Field. Furthermore, the commission desires to eliminate the possibility of liability claims and to provide adjacent private property owners with the assurance they will not be subjected to possible health threatening materials and/or chemicals.
- (2) List of Hazardous Chemicals or Materials. A list of hazardous chemicals and materials is on file in the city clerk's office. This list may be updated, revised or altered periodically by the State of Wisconsin Department of Natural Resources or the United States Environmental Protection Agency.
- (3) Restriction on Alexander Field. The Municipal Airport Commission desires to regulate all activities on Alexander Field involving hazardous chemicals and materials whether it be hand carried, transported by vehicle, carried by aircraft or dropped or sprayed by aircraft, and therefore requires a permit prior to any chemicals or materials entering onto the property known as Alexander Field.
- (4) Washing Facilities. Washing of aircraft, vehicles, containers, or any type of equipment or device used to transport, store, spray, spread or apply hazardous chemicals or materials on Alexander Field is prohibited. Furthermore, any aircraft contaminated or coming in contact with hazardous materials or chemicals and which lands at Alexander Field, will, upon receipt of information by the fixed base operator that contamination or contact with hazardous materials or chemicals has occurred, cause the aircraft to be parked on the paved apron west of the main hangar. Immediately thereafter, the Wisconsin Department of Natural Resources will be notified so that appropriate action and directives can be issued to insure decontamination efforts are placed into effect, and that Alexander Field will not be adversely affected.
- (5) Request for Variance and/or Permits. All requests for a variance to transport or handle hazardous materials or chemicals on Alexander Field must be submitted in the format, as shown on file in the city clerk's office. Such format must be completed in three copies and forwarded to the fixed base operator or airport administrator for review and/or approval. No hazardous materials or chemicals will be allowed on Alexander Field until the request is approved. The firm, person(s), corporation, owner, operator or individual requesting the variance must provide written information on how the hazardous chemicals or materials will be contained and how it is intended to insure no contamination of airport property occurs.
- (6) Variance Requests or Permit Fees. Each request for a variance or permit will be accompanied by a check or money order in the amount of \$25.00 made payable to the Municipal Airport Commission. The fee is not returnable and covers the cost of research, administration and processing of the request or permit.
- (7) Insurance. The Municipal Airport Commission may require, depending on the circumstances, that the firm, person(s), corporation, owner, operator or individual requesting a variance or permit to bring hazardous materials or chemicals on Alexander Field, to show evidence of adequate liability insurance covering all claims resulting from improper use of chemicals or materials, contamination, over spray or pollution, and shall name the Municipal Airport Commission as an additional insured. The amount of such coverage will be determined by the Municipal Airport Commission based on the circumstances, but in no event less than \$100,000.00.
- (8) Penalty. Any person, firm, corporation, owner, operator or individual who shall violate any of the provisions of this ordinance shall, upon conviction thereof, forfeit not less than \$200.00 or more than \$1,000.00 plus cost of any

clean-up or damage to the environment together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution, shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 120 days.

21.11 AIRPORT PEDESTRIAN TRAIL (MC #904)

- (1) Purpose The purpose of this ordinance is to establish procedures to be followed by pedestrians using the airport trail which is located on a portion of the perimeter of Alexander Field. It is the desire of the Airport Commission to insure all aeronautical activity taking place at Alexander Field is not adversely affected by the trail or those persons using it and that no interference with airplanes or the use of the Airport results from activity taking place on the trail.
- (2) Use of Airport Trail The airport trail is for the public use; however, it is restricted to walking, jogging, snow shoeing and cross-country skiing only. No motorcycles, mopeds, snowmobiles, ATV's, or any other piece of equipment, or device propelled by motor and which is used as a conveyance, will be allowed on the trail, except for wheelchairs.
- (3)
 - (a) Location of Trail. The airport trail starts at the north side of the terminal building, 3620 1st Street South, Wisconsin Rapids, Wisconsin, by heading north along the tree line and follows the perimeter of Airport property. At various points the trail leaves Airport property and is either located on road right-of-way or on private property; however, the trail is marked and the trail returns to the point of beginning by following Sampson Street and Two Mile Avenue. A map of the trail, attached hereto and incorporated by reference herein, is posted at the Informational bulletin board located at the beginning of the trail, just north of the Terminal Building. A copy of this map is on file with the clerk of this commission and the clerks of the City of Wisconsin Rapids, Village of Port Edwards and the Town of Grand Rapids.
 - (b) The airport trail is approximately twelve (12) feet wide, is marked with posts and signs; has distance markers every one-fourth (1/4) mile; has been graded and leveled and portions are covered with wood chips after having the sod and grass removed.
 - (c) At various locations along the trail permanent benches have been cemented and anchored in the ground. These are for the use and enjoyment of the public and can be used to observe aircraft utilizing Alexander Field; to observe wild flowers and vegetation; to observe wild animals and birds in the area; or to rest and relax. Flowers and berry producing plants along and adjacent to the trail are identified and background information is displayed on small pedestals under clear plastic.
- (4) Restrictions. It is believed that by strict adherence to the following restrictions the Airport Trail can be safe; that it would not impede the use of Alexander Field by aircraft; that pedestrians will see the value of the Airport and the activity generated by it; and that the public can see to what use their tax dollars are being put. It is imperative, however, that users of the Airport Trail follow directives and signs for their safety and that of others.
 - (a) Designated Activities. It shall be unlawful for anyone using the trail to stray outside of an area designated as twenty (20) feet on either side of the center line of the trail or to climb any airport fencing.
 - (b) Supervision of Minors and Pets. Any person of adult age who has a minor child or pet with them while using the Airport Trail must insure that said minor or pet abides by all rules, regulations, signs, or directives pertaining to the trail. All pets shall be on a leash.
 - (c) Property. It shall be unlawful for any person to obstruct, deface, damage, destroy, carve, or remove the Airport Trail or any of the signs, benches, mile markers, or pedestals beside, adjacent, or along the Airport Trail.
 - (d) Weapons. It shall be unlawful for any person to carry or use any air rifle, pellet gun, BB gun, sling shot, rifle, shot gun, pistol, knife, or bow and arrow on the Airport Trail, other than law enforcement officials in the course of their duties as such.
 - (e) Hours Airport Trail is Open for Use. It shall be unlawful for any person or persons to use the Airport Trail other than during daylight hours from sunrise to sunset.

If repeated offenses or violations of this ordinance occur resulting in the apprehension of persons, issuance of citations, and conviction, the Airport Commission may and can declare the Airport Trail closed permanently.

If an emergency arises which, in the opinion of the Airport Commission, warrants the closing of the Airport Trail, a public notice will be placed in the local daily newspaper and over the local radio station advising the public that the trail is closed. In addition, a sign will be posted at the entrance to the trail.
- (5) Violations. All violations of this Ordinance shall be documented and reported immediately to one of the following law enforcement agencies who shall cause the matter to be investigated and, where warranted, a citation issued:

Town of Grand Rapids Police	424-1821
Village of Port Edwards Police	887-3030
City of Wisconsin Rapids	423-4444
Wood County Sheriff's Department	421-8700

- (6) Penalty. Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit not less than Twenty Dollars (\$20) nor more than Two Hundred Dollars (\$200), together with the costs of prosecution, and in default of payment of the forfeiture and costs of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding ninety (90) days.
- (7) Effect. This ordinance shall take effect from and after its passage, its approval by the City of Wisconsin Rapids, Village of Port Edwards, and Town of Grand Rapids, and its publication as required by law.