

Date: Wednesday, January 27, 2015

Time: 5:00 pm

Place: Monroe Municipal Airport

AIRPORT BOARD OF MANAGEMENT

- A. CALL TO ORDER AND ROLL CALL
- B. CORRECTION OF MINUTES
- C. PUBLIC APPEARANCES
- D. APPROVE BILLS
- E. FUEL SALES REPORT
- F. REVIEW FINANCIAL STATEMENT
- G. APPOINT AIRPORT MANAGER FOR 2016

Individual Requesting Item	Airport Board
Expected Length of Discussion	5 min.

- H. AGRICULTURAL AGREEMENT (FARM LAND LEASE)

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	5 min.

- I. CODE REVISIONS FOR TITLE 11: PUBLIC WAYS AND PROPERTY CHAPTER 6
MUNICIPAL AIRPORT

Review and possible recommend to the Judiciary & Ordinance Review Committee

Individual Requesting Item	City Clerk/DOGG
Expected Length of Discussion	15 min.

Documents: [Ordinance - Chapter 11-6 Monroe Municipal Airport 2016-01-21 compared to 2015-12-09.pdf](#)

- J. BUSINESS PRESENTED BY MEMBERS

May make brief informative statements or bring up items to be discussed at a future meeting.

- K. ADJOURNMENT

This Board may take any action it considers appropriate related to any item on this agenda.

Request from persons with disabilities who need assistance to participate in this meeting, including need for an interpreter, materials in alternate formats, or other accommodations, should be made to the Office of the City Clerk at (608) 329-2564 with as much advance notice as possible so that proper arrangements can be made.

Members: Chairperson Tom Miller, Louis Armstrong, Clarence Peters, Thomas Kelly, Mike Lambert

**ORDINANCE REPEALING AND RECREATING CHAPTER 11-6
OF THE MONROE CITY CODE: MUNICIPAL AIRPORT**

THE COMMON COUNCIL of the City of Monroe do ordain as follows:

SECTION 1: Chapter 11-6 of the Monroe City Code is hereby repealed and recreated to read as follows:

Chapter 6: MUNICIPAL AIRPORT

- 11-6-1 Declaration of purpose
- 11-6-2 Zones designated
- 11-6-3 Zoning maps
- 11-6-4 Definitions
- 11-6-5 Airport manager
- 11-6-6 Commercial activities
- 11-6-7 Operator licenses; classification and description
- 11-6-8 Operator license application
- 11-6-9 Leases
- 11-6-10 Airport operation
- 11-6-11 Aircraft operation
- 11-6-12 Flying clubs
- 11-6-13 Airport activity clubs
- 11-6-14 Civil ~~air patrol~~Air Patrol
- 11-6-15 Vehicular traffic regulation
- 11-6-16 Pedestrians
- 11-6-17 Building regulations
- 11-6-18 Schedule of charges
- 11-6-19 Appeals and review
- 11-6-20 Penalties:
- 11-6-21 Precedence
- 11-6-22 Severability

11-6-1: Declaration of purpose: The purpose of this chapter is to facilitate a sound economic base upon which the airport will thrive and grow and to insure the public receives reliable, safe and nondiscriminatory treatment in the conduct of authorized activities at the airport. This chapter is also intended to protect the public health, safety and welfare and to foster and promote the continued development of the airport in a safe and efficient manner.

11-6-2: Zones designated:

(A) Zones: All zones established by this section are as shown on maps entitled "Height limitation zoning map-Monroe municipal airport-Monroe, Wisconsin" and dated January 17, 1989, and shall be and remain on file in the office of the city clerk.

(B) Authority: All other titles and chapters of this code are incorporated in this chapter by reference. Whenever any provision of this chapter conflicts with any other provisions of this code, the provision in this chapter shall apply.

11-6-3: Zoning maps: The board shall identify the zoning areas it adopts and note the boundaries of each area upon zoning maps which shall be made a part of this chapter. The maps shall be identified as "Zoning map A – Monroe municipal airport", and "Zoning map B - Monroe municipal airport". These maps shall be filed with the city clerk. The maps and all notations, references, and other information shown upon the maps shall be as much a part of this chapter as if the matters and information set forth on the maps were fully described in this chapter. The maps may be amended from time to time by resolution of the board.

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11-6-4: Definitions: In this chapter:

"Above ground level" means the vertical distance between any aircraft and the ground beneath the aircraft as measured in feet. The elevation of the ground shall be the highest ground surface or top of any structure or obstruction within a 2,000 foot horizontal distance of the aircraft.

"Activity license" means any license, permit or other authorization that is required by the United States government or the state for the conduct of a person's business.

"Aeronautical activities" means all activities that involve, make possible, or are required for the operation of aircraft, or which contribute to or are required for the safety of such operation.

"Aircraft" means all contrivances used for flight in air or space, including, but not limited to, airplanes, airships, dirigibles, helicopters and gliders.

"Airport" means the land, developments, and improvements that are owned, leased, or otherwise controlled by the city and operated as the Monroe municipal airport.

"Airport activity club" means any nonprofit Wisconsin corporation, nonprofit limited liability company or nonprofit partnership ~~of 50 or more individuals,~~ organized for: a) sky diving; b) parachuting; c) balloon flights; d) operation of ultra-light aircraft; e) operation of model or radio controlled aircraft flights; f) any other purpose related to the airport that is not otherwise addressed in a classification of an airport user under this chapter.

"Airport hazard" means any structure, object of natural growth, use of land, or other activity that obstructs the air space required for the flight of aircraft landing, taking off, or otherwise using the Airport.

"Applicant" means a person that makes application for an operator license, a lease authorizing use of a portion of the airport, or both.

"Apron areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "apron".

"Board" means the airport board of management as established by the city.

"Certified air carrier" means any carrier conducting any aeronautical activity operating under federal aeronautical regulations part 121 or 135.

"Club aircraft" means an aircraft that is owned and operated by a flying club or an airport activity club.

"Commercial activity" means any activity conducted at, on, or from the airport, that is intended to ~~result in financial gain~~produce revenue payable to the person conducting such activity.

"Commercial aviation areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "commercial aviation areas".

"Commercial carrier" means any nonscheduled fare generating aircraft.

"Commercial hangar area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "commercial hangar area".

"Commercial hangar" means any hangar, other than an industrial hangar, that used or intended to be used either directly or indirectly for any commercial activity.

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"Concession" means any nonaeronautical revenue producing facility or service for the convenience of the public using the airport.

"Crop dusting" means the spraying of powdered or liquid insecticide or fertilizer on crops from the air.

"Emergency equipment" means ambulances, crash rescue and fire fighting apparatus and such other equipment as is necessary to safeguard airport runways, taxiways, structures, ramps, and other property in emergency situations.

"FAA" means the federal aviation administration of the United States government.

"FCC" means the federal communications commission of the United States government.

"Flying club" means a nonprofit Wisconsin corporation, nonprofit limited liability company or nonprofit partnership of five or more individuals, organized for the purpose of making aircraft available to its stockholders, members or partners.

"Gross income" means the monthly gross income of the relevant person derived from the use of airport facilities, calculated by generally accepted accounting methods.

"Hangar" means any structure designed or used for aeronautical purposes, or in which space is provided for aircraft storage or service.

"Hangar approach apron" means the developed area between a taxiway and any hangar over which aircraft may be moved.

"Height zones" means those areas represented on zoning map A - Monroe municipal airport.

"Industrial aircraft" means an aircraft that is owned by a business entity, and operated for free transportation of owners and other individuals or property.

"Industrial hangar areas" means those areas of the airport represented on zoning map B - Monroe municipal airport labeled "industrial hangar areas".

"Industrial hangar" means any hangar owned by a person that is ~~not~~ used ~~either directly or indirectly~~ exclusively for ~~commercial activity~~ storage or maintenance of industrial aircraft.

"Lease" means a contract for the letting of land or tenement for a specified period of time. For an operator engaged in a short term commercial activity the term of a permit license issued to such operator authorizing use of airport property for a specified period of time shall be considered a lease of such property for the period of time set forth in the permit license.

"Leasehold improvements" means any modification, alteration or repair, either structural or nonstructural in nature, performed by or at the direction of a tenant.

"Manager" means the individual empowered by the board to administer, oversee, and control the construction, operation, and maintenance of the airport.

"Municipal hangar" means any hangar owned, leased or otherwise controlled by the city.

"Municipal terminal area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "municipal terminal area".

"Nonconforming use" means a structure, tree, or use of land that does not conform with the use regulations covering the area in which it is situated as of the effective date of this chapter.

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"NFPA" means national fire protection association.

"NOTAM" means a notice containing information concerning the establishment, condition or change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

"NTSB" means the national transportation safety board of the United States government.

"Operating privileges" means the privilege or right to use the airport or airport facilities for private, commercial, or any other purpose.

"Operator" means any person that has received an operator license.

"Operator license" means written authority, granted by the city, allowing a person to conduct commercial activity on or from the airport.

"Parking space" means a space designated for the parking of a single vehicle by lines painted or otherwise durably marked.

"Private aircraft" means an aircraft owned by an individual and operated for noncommercial purposes by such owner. "Private aircraft" includes an aircraft used in the owner's business, so long as such use is incidental to the business, and no income is directly attributable to the use of the aircraft.

"Private hangar area" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "private hangar areas".

"Private hangar" means any hangar other than a Mmunicipal hangar, industrial hangar, or commercial hangar.

"Public area" means any area of the airport open to the public, including the terminal, vehicle parking, and park areas, as designated on zoning map B - Monroe municipal airport.

"Public thoroughfare" means all public areas designed and used for the passage of pedestrians or vehicles.

"Radio hazard" means any use of land or other activity that creates electrical interference with radio communication between the airport and aircraft.

"Ramp" means that area of the airport represented on zoning map B - Monroe municipal airport labeled "ramp".

"Rotorcraft" means all aircraft supported in flight partially or wholly by rotating airfoils.

"Runway" means any sod or hard-surfaced area designated for the taking off and landing of aircraft.

"Shop" means any structure capable of housing one or more aircraft while same are being repaired.

"Short term commercial activity" means a commercial activity that is operated for not more than 30 consecutive days or more than a cumulative total of 60 days in any calendar year.

"Standard construction specifications" means a) FAA "Standards for specifying construction of airports" and b) all other federal, state and city building codes and other rules or regulations controlling construction on public airports.

"State" means the state of Wisconsin and all subdivisions thereof, including, but not limited to, the state department of transportation, bureau of aeronautics.

"Structure" means any object constructed or installed by any person.

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"Supervisor" means the operator responsible for the daily operation and management of the airport, under the supervision of the manager with duties as specified a contract between the operator and the ~~board~~city.

"T-hangar" means a T-shaped area within a hangar capable of housing one airplane, whether such area is demarcated by walls or other means.

"Taxiway" means the sod and paved areas designated solely for the taxiing of aircraft, represented by the area on zoning map B - Monroe municipal airport labeled "taxiway".

"Tenant" means any person that has entered into a written lease with the city for use of facilities at the airport.

"Tie down area" means that area designed for the parking, tying down, and storage of aircraft, and represented by the area on Zoning map B - Monroe municipal airport labeled "tie downs".

"Transient aircraft" means an aircraft not using the airport as a base of operations.

"Tree" means any object of natural growth that will grow to a height of more than five feet, excluding farm crops that are cut to the ground at least once each year.

"Ultra-light aircraft" means any aircraft used or intended to be used for manned operation for recreation or sport purposes that does not have any United States or foreign airworthiness certificate and that: a) If unpowered, weighs less than 155 pounds; or b) If powered 1) weighs less than 254 pounds empty weight, excluding floats and safety devices that are intended for deployment in potentially catastrophic situations; and 2) has a fuel capacity not exceeding five U.S. gallons; and 3) is not capable of more than 55 knots calibrated airspeed at full power in level flight; and 4) has a power-off stall speed which does not exceed 24 knots calibrated airspeed.

"User" means any person that uses any portion of the airport for any purpose.

"Utility and service area" means those areas of the airport represented by zoning map B - Monroe municipal airport labeled "utility and service area".

"Vehicle" means every device, excluding aircraft, in, upon, or by which any individual or property may be transported, including snowmobiles and any other recreation device.

11-6-5: Airport manager:

(A) The manager shall be appointed by the board annually ~~before the second day of~~in January. The manager shall serve a one year term, unless removed by the board for violation of this chapter.

(B) The manager shall act within the scope of authority granted to him or her by the board. In addition to the general management of the airport, the manager shall be responsible for all duties delegated to him or her by the board.

(C) The manager or his or her ~~delegated~~designee shall have the authority to issue a NOTAM closing the entire airport or any part thereof, if, in the manager's opinion, conditions of the airport or any part thereof are unsafe for landing or take-off. The manager shall notify the FAA flight service station ~~and the control tower~~ of the NOTAM in writing immediately following its issuance. When the manager determines that the airport is again safe, he or she shall provide written notice of that determination to the FAA flight service station and the control tower in writing.

~~(D) The manager may refuse to allow an aircraft to depart from the airport if any fees, rent or other remuneration are then due or past due to the city. No person shall remove an aircraft from the airport after the manager has refused to allow departure of such aircraft.~~

~~(E)~~

(D) The manager shall have the authority to authorize uses of the airport within the authority granted to him or her, so long as such uses do not interfere with the safe and efficient operation of the airport.

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(~~FE~~) The manager shall be responsible for the safekeeping of all lost items given to him or her for 60 days. If such items are not claimed within 60 days after the manager obtains custody of such item, the manager may dispose of such item as he or she sees fit, without liability to any person. The manager shall be under no duty to determine the owner or other person entitled to possession of such item.

(~~GF~~) The manager shall attend all meetings of the board, unless excused by the chairperson of the board.

11-6-6: Commercial activities:

(A) License required. No person shall conduct any commercial activity before obtaining an operator license from the city that authorizes such activity. The city may require that a lease be signed by an applicant before issuing an operator license to such applicant.

(B) Other approvals. Every person conducting a commercial activity shall maintain in good standing all necessary state and federal certificates and activity licenses required for the conduct of such commercial activity during the term of any lease or operator license issued under this chapter and shall maintain at all times insurance coverage for such commercial activity conforming to the minimum requirements established from time to time by the board.

(C) Term of license. An operator license issued under this chapter shall be for a term ending on the next June 30 following the date of issuance.

11-6-7: Operator licenses; classification and description:

(A) There shall be 11 categories of operator licenses:

(1) Operator license category I; line services:

A) The operator shall be authorized to sell and dispense aviation fuels, lubricants, or other aviation petroleum products. The operator shall provide all necessary ramp assistance in the parking of aircraft as is necessary to provide such services.

B) The operator shall operate under contract with the city. The terms of this contract and services to be performed shall be negotiated annually.

C) The operator shall have available such emergency aircraft starting equipment, fire extinguishers, aircraft engine heaters, portable pressure tanks, towing equipment, and other service equipment as is necessary for the proper conduct of the operator's duties. The board shall provide an itemized list of such required equipment to any applicant for a category I operator license.

D) The operator shall make available all generally used aviation fuel and shall provide parking and tie down services for aircraft. The operator may provide services for washing aircraft, inflation of tires, changing of aircraft engine oil, and other minor repairs not requiring a certified mechanics rating.

E) The operator may be required to operate the unicom, and to make available pilots' aeronautical maps, weather information, current issues of the "Airman's guide and flight information manual".

(2) Operator license category II; flight instruction:

A) The operator shall be authorized to provide flight training, including, but not limited to, flight review, biannual flight check, advanced rating and ground school instruction, necessary to prepare an individual to take all examinations required to obtain a pilot's license or rating.

B) The operator shall have available at least one FAA certified flight instructor to cover the type of training offered. Such instructor shall be an employee of the operator, or shall have a category II operator license

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from the city.

C) The operator shall comply with relevant sections of FAA part 141 regulations.

(3) Operator license category III; aircraft charter and air taxi:

A) The operator shall be authorized to provide air transportation of individuals or property to the general public for hire, including charter and commercial operations as defined in the federal aviation act and FAA part 135 regulations as amended or replaced.

B) The operator shall have available at least one pilot rated by the FAA to permit the flight activity offered by the operator. Such pilot shall be an employee of the operator or shall have a category III operator license from the city.

(4) Operator license category IV; aircraft sales:

A) The operator shall be authorized to sell new or used aircraft through franchises, licensed dealerships, or distributorships.

B) The operator shall provide adequate arrangements for repair and servicing of aircraft during any sales guarantee or warranty period. The operator shall not conduct any repair or servicing of aircraft beyond the sales guarantee or warranty period.

C) The operator shall have available at least one individual having a current private pilot certificate and hour requirements as specified by the FAA for the type and category of aircraft to be demonstrated for sale. Such pilot shall be an employee of the operator or shall have a category IV operator license from the city.

D) An applicant must file proof that it holds a valid sales or distributorship franchise with the city clerk before being granted a category IV operator license.

(5) Operator license category V; aircraft rental:

A) The operator shall be authorized to rent aircraft for operation by student pilots or other pilots not employed by the operator.

B) The operator shall have properly certificated airworthy aircraft available for rental. The operator shall either own such aircraft, or shall rent such aircraft under a written lease. The operator shall provide all documentation regarding the ownership or lease of the aircraft to the city upon demand.

C) The operator shall have on hand, at all times, proper checklists and operating manuals for every aircraft available for rental.

D) Before entering into an agreement to rent or lease an aircraft to any person, the operator shall deliver to such person written notice which contains all of the following information:

1) Whether the operator maintains insurance coverage for liability arising from the use or maintenance of the aircraft.

2) If liability coverage is provided, the limits of such coverage, the amount of any deductible and a statement that the lessee may obtain from the lessor or the lessor's insurance agent a copy of a certificate of coverage that provides further information about any limitations of coverage or other terms of coverage.

E) The operator shall have available at least one FAA certified flight instructor having a current commercial pilot license. This flight instructor shall either be an employee of the operator or shall have a category II operator license from the city.

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(6) Operator license category VI; Aircraft airframe and power plant repair and maintenance:

A) The operator shall be authorized to maintain and repair aircraft, power plants, and accessories, and may sell aircraft parts and accessories.

B) The operator shall have available at least one individual who is certified by the FAA with ratings appropriate for the work being performed, who shall hold either an airframe or a power plant rating, or both. This individual shall be an employee of the operator or shall hold a category VI operator license from the city.

C) The operator shall have available the equipment, supplies and parts, sufficient to perform all maintenance and repairs upon airframes or air power plants under manufacturer's recommendations of the aircraft being serviced. If such equipment, supplies and parts are not immediately available, the operator shall have a source of supply from which the same can be obtained upon a reasonable notice.

D) The operator shall file with the city clerk all FAA certifications required to operate its business under this operator license category.

(7) Operator license category VII; Aircraft painting ~~or~~ repair of interiors:

A) The operator shall be authorized to paint aircraft and repair, rehabilitate, and renovate aircraft interiors.

B) The operator shall provide the building necessary for painting operations, if the operator provides that service. Such building shall include a segregated painting area meeting all applicable federal, state and local code requirements.

C) The operator shall have at least one individual available during normal hours of operation who is qualified to do repairs for which the operator is licensed. Such individual shall be an employee of the operator or shall hold a category VII operator license from the city.

(8) Operator license category VIII; FAA authorized repair station for avionic sales and services:

A) The operator shall be authorized to engage in the operation of an FAA authorized repair station to repair aircraft radios, instruments and accessories for general aviation aircraft, and to sell new or used aircraft radios, instruments and accessories.

B) The operator shall have available at least one individual who is a FCC rated repair technician. Such individual shall either be an employee of the operator or shall hold a category VIII operator license from the city.

C) The operator shall file its FAA license and its FCC rating with the city clerk.

(9) Operator license category IX; Aircraft parking and storage: The operator shall be authorized to engage in the temporary or permanent parking or storage of aircraft.

(10) Operator license category X; Specialized commercial flying services:

A) The operator may provide air transportation for only those activities that are expressly authorized by the operator license issued to such operator.

B) The operator shall lease from the city an area of sufficient size from which to safely conduct business.

C) Each operator engaged in the business of crop dusting or other commercial use of chemicals shall:

1) Except as otherwise authorized by the manager, provide a centrally drained, paved area of not less than 2,500 square feet for aircraft loading, washing and servicing.

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2) Abide by all state and federal regulations relating to safe storage and containment of noxious and hazardous waste and stored chemicals. Where no such regulations exist, the operator shall follow all reasonable procedures for handling such materials as are required by the manager.

3) Provide the city with copies of all applicable permits and approvals required by the Wisconsin department of agriculture, trade and consumer protection and any other applicable regulatory agency.

4) Place facilities related to such operations in a location on the airport which will provide the greatest safeguard to the public, as directed by the manager.

5) Provide tank trucks or similar facilities for the handling of liquid spray and mixing liquids.

6) Provide adequate ground equipment for the safe handling and safe loading of dusting materials.

D) The operator shall have at least one individual on duty during appropriate business hours who holds a current FAA commercial certificate properly rated for the aircraft to be used and the type of operation to be performed.

(B) No operator license shall be transferred without the prior approval of the board. The board may require a complete application from the intended transferee before considering any transfer.

(C) Nothing in this chapter shall be interpreted to give any operator or applicant a right to an exclusive license or right of operation.

11-6-8: Operator license application:

(A) Application requirements: An applicant shall make a written application on forms prescribed by the city. The application shall contain the following information:

(1) Applicant's legal name, business address and business telephone number.

(2) If applicant is other than a natural person, the following information:

A) The legal basis upon which the applicant exists, including the home state of the applicant and if the home state is other than Wisconsin the basis upon which the applicant is authorized to do business in Wisconsin.

B) The legal name, home and business addresses, telephone number and e-mail addresses [if any] of each officer, director or other person possessing authority to act on behalf of the applicant and the nature of such authority.

(3) The business that the applicant intends to conduct at the airport.

(4) A description of the space or area on the airport needed to conduct the commercial activity and a request to use such space or area.

(5) Applicant's intended use of airport land, buildings, and other facilities.

(6) The legal name, home and business address, telephone number and e-mail address [if any] of each person who will be responsible for the operator's day to day operations at the airport.

(7) Proof of compliance with all applicable state and federal requirements. Such proof shall include, but shall not be limited to, proof that the applicant holds current licenses for the business that applicant intends to conduct or proof that the applicant has the qualifications necessary to obtain and maintain such licenses.

(8) Proof of insurance with coverage limits that comply with the minimum requirements established from time

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to time by the board.

(B) Documents: As a part of the application, the applicant shall provide:

- (1) Copies of the owner's aircraft registration and aircraft lease documents.
- (2) Copies of all activity licenses, permits, and certificates needed for the type of operation to be performed.

(C) Fees: The fee for processing an application for any license required by this chapter shall be set by the board. Such fee shall be tendered at the time the application is submitted.

(D) Action on the application:

(1) No application shall be considered until the complete application is submitted to the ~~managerboard~~ or ~~his or her~~ the board's designee and the required application fee has been paid. An application that meets all the requirements of subsections 11-6-8(A) and (B) of this chapter shall be considered complete.

(2) The ~~managerboard~~ or ~~his or her~~ the board's designee shall review each complete application to determine whether the applicant has adequately demonstrated that the applicant has complied with those items set forth in this chapter. The ~~managerboard~~ or ~~his or her~~ the board's designee may conduct such investigation into the content of the application as ~~he or she considers~~ considered necessary ~~and may administratively approve or deny such application or refer to the board~~ an application for which approval authorization has been delegated by the board within 30 days following the filing thereof shall be deemed to be a denial thereof as of the 30th day following the filing of such application. ~~If the manager or his or her designee elects to refer unless such application has been referred to the board for final action. The board shall consider an application referred to the board for action then such referral shall be made within 30 days following receipt of the application and the board shall consider such application within 30 days following the referral from the manager or his or her designee.~~ the referral. Failure of the board to act upon an application within 30 days following the referral ~~from the manager or his or her designee~~ shall be deemed to be a denial thereof as of the 30th day following such referral.

(3) The manager, his or her designee, or the board if an application is referred to the board for final decision, may condition approval of the application upon the addition of such terms and conditions as may be considered necessary to protect the public, ensure safe operation of the airport, and ensure appropriate development of the business and of the airport.

(4) A final decision on the application shall be made within 60 days following submission of a complete application, including a decision approving or denying any request for the lease of a municipal hangar. If an application is denied, the reasons for such denial shall be given to the applicant in writing and the application fee shall be refunded to the applicant.

(E) The applicant shall be under a continuing duty to report changes in the information on the approved application to the city clerk.

(F) Issuance of permit~~license~~: Each approved permit~~license~~ shall be issued by the city clerk within 10 days following approval thereof. No activity for which a permit~~license~~ is required shall be undertaken by an applicant until a permit~~license~~ authorizing such activity has been issued.

(G) Other approvals: Issuance of a permit~~license~~ shall not relieve the applicant from obtaining other permits~~licenses~~ and approvals required by the city or other governmental authority having jurisdiction.

11-6-9: Leases:

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(A) Application. Any person that wants to lease land or improvements on the airport shall file an application with the ~~airport manager, board or the board's designee~~. Such application shall include:

(1) The applicant's legal name, business address and business telephone number.

(2) If the applicant's is other than a natural person, the following information:

A) The legal basis upon which the applicant exists, including the home state of the applicant and if the home state is other than Wisconsin the basis upon which the applicant is authorized to do business in Wisconsin.

B) The legal name, home and business address, telephone number and e-mail address [if any] of each officer, director or other person possessing authority to act on behalf of the applicant and the nature of such authority.

(3) The applicant's intended use of airport land, buildings, and other facilities, including the estimated number of takeoffs and landings per year.

(4) An estimate of costs to be incurred by the applicant for development and improvements to the airport to provide the intended service.

(5) A schedule for development and construction of improvements.

(6) The legal name, home and business address, telephone number and e-mail address [if any] of each person who will be involved with the use of the leased premises at the airport.

(7) A current financial statement or other information adequate to demonstrate, to the satisfaction of the board, that the applicant has the financial resources to fulfill the applicant's obligations under the lease.

(8) A statement setting out the involvement of the applicant, or any officer, director or agent of the applicant, with any other person operating at the airport at the time of such application. If the applicant or any officer, director or agent of the applicant, is involved with such other person as an officer, director or agent, the applicant shall also state whether such other person is in conformance with all leases, operator licenses, and other contracts between the city and the such other person.

(9) Copies of the owner's aircraft registration and aircraft lease documents.

(10) Proof of insurance with coverage limits that comply with the minimum requirements established from time to time by the board.

(B) Action on the application:

(1) No application shall be considered until the complete application is submitted to the ~~managerboard~~ or ~~his or her~~ the board's designee. An application that meets all the requirements of subsection 11-6-9(A) of this chapter shall be considered complete.

(2) The ~~managerboard~~ or ~~his or her~~ the board's designee shall review each complete application ~~and to determine whether the applicant has adequately demonstrated that the applicant has complied with those items set forth in this chapter. The board or the board's designee~~ may conduct such investigation into the content of the application as ~~he or she considers~~ considered necessary.

~~————— A) If such investigation is conducted by the application is for a new land only lease, the manager or his or her board's designee, he or she shall within 30 days following the filing of the application refer the such application to the board for final action with a written summary of the results of his or her investigation and his or her recommendation. The board may require the person to appear before it to discuss the or administratively approve or deny such application and any proposed lease terms.~~

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~~B) If they authorized to do so by the board. Failure by the designee to approve or deny an application is for a new or renewal T-hangar lease in a municipal hangar, the manager or his or her designee may administratively approve the lease or may refer for which approval authorization has been delegated by the board within 30 days following the filing thereof shall be deemed to be a denial thereof as of the 30th day following the filing of such application unless such application has been referred to the board for final action together with a written summary of the results of his or her investigation and his or her recommendation.~~

~~C) If the application is for renewal of a land only lease and the renewal terms are substantially similar to the terms existing prior to renewal, the manager or his or her designee may administratively approve the lease or may refer the . The board shall consider an application to the board for final action together with his or her recommendation referred to the board for action within 30 days following the referral. Failure of the board to act upon an application within 30 days following the referral shall be deemed to be a denial thereof as of the 30th day following such referral.~~

(3) Approval of the application may be conditioned upon the addition of such terms and conditions as may be considered necessary to protect the public, ensure safe operation of the airport, and ensure appropriate development of the business and of the airport.

(4) A final decision on the application shall be made within 60 days following submission of a complete application. If an application is denied the reasons for such denial shall be given to the applicant in writing.

(5) The applicant shall be under a continuing duty to report changes in the information on the approved application to the city clerk.

(6) The applicant shall enter into a written lease with the city within 30 days after a final decision approving the application. This time period may be extended for good cause.

(7) If the applicant does not enter into a written lease with the city within the time set forth in this section, the approval shall be considered withdrawn and the application voided. The applicant may then file a new application under this chapter, which application shall be reviewed according to the provisions of this chapter.

(C) Every lease shall contain, at a minimum, the following information and provisions:

(1) The time period covered by the lease;

(2) The amount to be paid for the annual rental of space;

(3) A description of the structures and land to be used by the lessee;

(4) A description of the business to be operated, if any;

(5) A requirement that the lessee obtain and maintain insurance as required by this chapter, with the city named as an additional insured;

(6) A requirement that the lessee maintain the leased premises in good condition and a listing of such maintenance requirements;

(7) A requirement that any modification of the lease shall be made in a writing signed by the lessee and by a representative of the board;

(8) A provision that the lessee shall not sublease the leased premises without prior written authorization from the board;

(9) If the lessee is an operator that is to be open to the public, the lease shall contain a requirement that the lessee have its business open and services available at reasonable hours and provide for qualified personnel to be in

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attendance during normal operating hours;

(10) If the lessee is an operator whose business involves air transportation, the lease shall contain a requirement that the lessee have available at least one properly certified aircraft equipped for the type of transportation offered;

~~(D) Any authorized sublease shall provide that the gross income of the sub-lessee shall be included in the lessee's gross income for computing the rental amount due.~~

~~(E)~~ No lessee shall transfer or assign any lease without prior written authorization of the board. If lessee is an entity, the sale or other transfer of a majority ownership interest in such entity shall be considered to be a transfer. The board's authorization to transfer or assign shall not be unreasonably withheld.

~~(FE)~~ It is in the public interest that the city encourage airport development in those areas where substantial construction costs are incurred by lessees, particularly when such construction is of industrial hangars, commercial hangars or private hangars on airport property. To encourage such construction, the board may approve long-term leases, low-rent leases, leases that provide for re-examination and readjustment of rates and charges at specified times during the lease term, and any other type of lease that furthers this public interest.

~~(GF)~~ Each lessee shall keep its leased property free from all fire hazards.

~~(HG)~~ All lessees shall supply and maintain adequate and readily accessible fire extinguishers approved by underwriters laboratories.

~~(HH)~~ No person shall effect structural or decorative change of any structure without prior written permission of the board.

~~(JI)~~ Lessees shall be fully responsible for all damages to buildings, equipment, real property, and appurtenances in the ownership or custody of the airport caused by negligence, abuse or carelessness by the lessee's employees, agents, customers, visitors, suppliers, or persons with whom the lessee does business.

~~(KJ)~~ Lease rates. Rates for leasing city owned or controlled property at the airport shall be set from time to time by resolution of the board.

~~(LK)~~ Insurance. Every lessee of city owned or controlled property at the airport shall maintain at all times insurance coverage conforming to the minimum requirements established from time to time by the board.

11-6-10: Airport operation:

(A) Finances:

(1) All revenue derived from the use of the airport shall be collected by the city treasurer. The city treasurer shall maintain records of all such receipts, and shall deposit such revenue into a separate and segregated fund.

(2) The expenditures from such fund shall be made only upon approval of the board or the board's designee.

(3) The revenues shall be used only for maintenance, operation, improvement, acquisition, and general management expenses of the airport.

(B) Zone uses:

(1) Apron areas shall only be used for temporary parking and servicing of aircraft.

(2) Commercial aviation areas shall only be used for the conducting of business activities by operators, and storage of aircraft and materials connected with such commercial activities.

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(3) Commercial hangar areas shall only be used for storage of commercial aircraft and storage of motor vehicles when such aircraft is in use.

(4) Industrial hangar areas shall only be used for storage of industrial aircraft and storage of motor vehicles when such aircraft is in use.

(5) The Municipal terminal area shall be maintained by the city for the use of all patrons of the airport.

(6) Private hangar areas shall only be used for the storage of private aircraft and storage of motor vehicles when such aircraft is in use.

(7) Public areas shall be open for the use of the public for any use reasonably related to the use of the airport and not otherwise prohibited by this chapter.

(8) Tie down areas shall only be used for the long term parking, tying down, and storage of aircraft.

(9) The utility and service area shall be reserved for use by persons expressly authorized by the board.

(C) Special activities: No person shall conduct any of the following activities on, from, or over the airport without the prior approval of the board:

(1) Aerobatic flight.

(2) Ground demonstration.

(3) Fly-in.

(4) Balloon flights.

(5) Parachuting.

(6) Flour bombing.

(7) Sky diving.

(8) Operation of ultra-light aircraft.

(9) Operation of model or radio controlled aircraft flights.

(10) Meetings, conventions, picnics or other such gatherings involving more than 10 people.

(11) Any other activity that is outside of the normal operation of the airport and that may affect the safe or efficient operation of the airport.

(D) Cleaning of Aircraft: No person shall use any volatile, flammable liquid having a flash point of less than 130 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose unless such operations are conducted in a room specifically set aside and state approved for that purpose. Such room shall be properly fireproofed and shall be equipped with adequate, readily accessible, state approved fire extinguishing apparatus.

(E) ~~Material~~Flammable and combustible materials storage:

(1) Liquids: Flammable and combustible liquids may be stored in a hangar or other structure at the airport only in strict conformity with NFPA standard no. 30 (Flammable and combustible liquids code-2015 edition) and any subsequent editions amendatory and supplemental thereto.

(2) Signal flares: No person shall keep or store any signal flare, ~~flammable liquid~~, or other similar material in any hangar or other structure on the airport, unless such material is stored in rooms or cabinets specifically approved ~~by the chief of the fire department, or in containers approved~~ for such purpose by underwriter laboratories. This type of material may be kept in aircraft provided it is in approved receptacles installed in the aircraft for storage of such material.

~~(2) Waste oils shall not be kept or stored in any structure unless such oil is kept in a room specifically designated solely for oil storage.~~

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~~— (3) Up to 12 quarts of lubricating oil may be kept in a hangar, so long as such oil is in its original containers, and adequately sealed. No other lubricating oils shall be stored either in or about any hangar.~~

~~— (4) Gasoline, oil and solvent drums or receptacles shall only be stored on apron and ramp areas in such amounts as are actually needed for current daily stock. All such materials shall be kept enclosed and covered in a housing approved by the manager.~~

(F) Doping and painting:

(1) No "doping" of areas larger than two square feet shall be conducted on the airport, except in properly fireproofed and ventilated rooms or buildings in which all illuminations, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion-proof, spark-proof and vapor-proof. In addition, all doors and windows in such room shall open easily. Such room shall meet all federal, state and local building codes.

(2) Painting of more than 10 square feet shall not be permitted on the airport except in licensed repair shops.

(3) No aircraft painting or "doping" is permitted in any municipal hangar.

(G) Fueling and defueling aircraft:

(1) Fueling operations:

~~A) No individual shall dispense any fuel on the airport premises unless that individual has first completed all safety courses required by the board for such activity.~~

~~— B) All aviation fuels will be dispensed on the airport only by authorized personnel.~~

~~— C) No aircraft shall be fueled or defueled while the engine is running.~~

~~D) No aircraft shall be fueled or defueled while the engine is being warmed by application of heat from the exterior of the engine.~~

~~E) No aircraft shall be fueled or defueled while such aircraft is in a hangar or other enclosed space:~~

~~— F unless such aircraft is fueled or defueled in connection with repair or maintenance operations by an operator holding a license authorizing such repair or maintenance operations.~~

~~— D) No individual shall smoke within 100 feet of an aircraft being fueled or defueled.~~

~~G) No individual shall operate any radio transmitter or receiver in an aircraft during fueling or defueling.~~

~~H) No individual shall switch any electrical appliance off or on in an aircraft during fueling or defueling.~~

~~I) No individual shall use any material or equipment during fueling or defueling of aircraft which is likely to cause any spark or flame.~~

~~J) No person shall start the engine of any aircraft when there is any excess fuel under such aircraft.~~

~~K) Fueling hoses and equipment shall be maintained in good, nonleaking condition. All fueling hoses and equipment shall be approved by the national board of fire underwriters.~~

~~L) All hoses and equipment used in fueling or defueling operations on the airport shall be equipped with a grounding device approved by the manager.~~

~~M) No aircraft shall be fueled or defueled while passengers are on board, unless the aircraft doors are~~

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locked open.

~~NL~~ All persons engaged in the fueling and defueling of aircraft shall exercise due care to prevent the overflow of fuel during such operations.

~~OM~~ All persons engaged in the fueling or defueling of aircraft shall remove all volatile liquids spilled during such operations.

~~PN~~ No person shall use any portable container for storage or transport of fuel, except:

- 1) Under circumstances constituting an emergency under any local, state or federal rule or regulation.
- 2) Those uses pertaining to airport maintenance.

(H) Weapons and explosives: Unless expressly authorized by a clearly preemptive state or federal law, no person shall carry or cause to be carried any weapon or explosive on the airport, except as follows:

- (1) Legally encased sporting guns for transshipment.
- (2) Peace officers acting within the scope of their employment.
- (3) Post office employees acting within the scope of their employment.
- (4) Airport employees acting within the scope of their employment.
- (5) Members of the armed forces of the United States on official duty.

(6) Persons with written authorization of the board or the board's designee to harvest game on the airport.

(I) Flammable liquids:

- (1) No person shall carry or cause to be carried on the airport any flammable liquid, except petroleum products, solvents, or other liquids used in the normal fueling, repair, or operation of aircraft.
- (2) No person shall carry or cause to be carried in the airport terminal any flammable liquid of any type.

(J) Use of roads and walkways:

- (1) No person shall travel on the airport other than on the roads, walks or places provided for the particular class of traffic.
- (2) No person shall occupy the roads or walkways in such a manner as to hinder or obstruct their proper use.

(K) Animal restrictions: No animal shall be permitted on the airport, except:

- (1) Seeing eye dogs, or dogs assisting the handicapped;
- (2) Animals that are to be transported by air, and that are properly confined for such transportation;
- (3) Animals restrained by leash not more than six feet long, or otherwise properly confined.

(L) Use of shop areas: No shop, garage, equipment or facility shall be used by any person other than one to whom the item is leased, or an employee of such person.

(M) Solicitation: No person shall solicit fares, alms, or funds for any purpose on the airport without prior permission

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of the board.

(N) Open-flame operations: No person shall conduct open-flame operations on the airport without the written permission of the manager.

(O) Smoking: No person shall smoke on the airport apron, in any hangar or shop, service station area, gasoline storage area or in any building, room or place on the airport where smoking is specifically prohibited by posted signs, or within 100 feet of any fueling or defueling operations.

(P) Trash:

(1) All waste, rags, and other rubbish shall be kept in metal containers with self-closing covers.

(2) All waste, rags, and other rubbish shall be removed by each operator and lessee daily.

(3) Each operator and lessee shall be responsible for the proper storage, transporting and disposal of all waste, rags, and other rubbish generated by that person. If any such material escapes from the vehicle transporting it, the person transporting it shall be responsible for cleanup of such material. If the person does not clean up such material to the satisfaction of the manager, the manager shall have the material satisfactorily cleaned up, and shall charge the person with the cost of such clean up.

(4) No person shall permit the accumulation or storage of crates, boxes, barrels or other containers on its premises.

(5) Trash and garbage containers shall only be placed in areas designated by the manager.

(6) Every user shall keep the area for which that user is responsible clean and sanitary at all times.

(7) No fuels, oils, dopes, paints, solvents, or acids shall be disposed of or dumped anywhere on the airport. All such materials shall be disposed of as required under federal, state, and local law.

(Q) Property damage: Any person damaging any light or fixture shall report such damage to the manager's office immediately. Such person shall be fully responsible for any costs required to repair or replace the damaged item.

(R) Floor care: Each user shall keep the floors of the hangars, hangar areas and terminal apron and ramp areas used by them clean and clear of oil, grease and other materials or stains, except as specifically authorized by the board.

(S) Storage of Equipment: No person shall store or stack materials or equipment in such a manner as to constitute a hazard to people or property.

(T) Municipal hangar regulations:

(1) Each person using a municipal hangar shall extinguish all lights and disconnect all electrical appliances before leaving such hangar.

(2) Each person using a municipal hangar shall close and secure the hangar doors when leaving the hangar for more than one hour.

(3) Each person using a municipal hangar shall report any malfunctioning of hangar doors or equipment to the manager promptly.

(U) Equipment and miscellaneous in apron area:

(1) All ramp equipment shall be parked and kept in a neat and orderly manner.

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(2) No receptacles, chests, cases, or housing shall remain on the apron or ramp areas except as approved in writing by the manager.

(V) Miscellaneous provisions:

(1) No person shall engage in a course of conduct that adversely affects the safe or efficient operation of the airport, airport employees, or other airport personnel.

(2) No person shall resist or obstruct an airport employee while such employee is doing any act in an official capacity and with lawful authority. "Obstruct" includes, without limitation, knowingly giving false information to the employee with intent to mislead him or her in the performance of his or her duty.

(3) During time of war or national emergency, the board may grant a right of use of any or all airport facilities to the United States of America for military use. All rights of use of all airport users are subject to such grant. If such right of use is granted, it shall suspend all operating privileges of all other users of the airport, and shall not be considered a taking of property.

(W) No person shall engage in any activity that:

- (1) Obstructs the view of persons operating aircraft on the ground at the airport.
- (2) Makes it difficult for pilots to distinguish between airport lights and other lights.
- (3) Results in glare in the eyes of pilots using the airport.
- (4) Impairs visibility in the vicinity of the airport.
- (5) Endangers or is hazardous to the landing, taking off or maneuvering of aircraft using the airport.
- (6) Creates a radio hazard on or in the immediate vicinity of the airport.

11-6-11: Aircraft operation:

(A) Aircraft registration:

(1) The owners of all aircraft based on the airport shall register their aircraft with the manager's office within seven days after bringing the aircraft on the airport, and before beginning operations.

(2) If there is any change in the ownership of a registered aircraft, the registered owner or owners shall report such change of ownership to the manager within seven days following the transfer of ownership. The new owner or owners shall register the aircraft within 14 days following the transfer of ownership.

(B) Aeronautical activities: All aeronautical activities at the airport and above the airport, shall be conducted in conformity with orders issued by the board and the current pertinent provisions of the Wisconsin state aeronautics board.

(C) Accidents and incidents:

(1) Any person involved in any aircraft accident or incident occurring on the airport shall, within 10 business days, make a full written report thereof to the manager. Such report shall be made on a form provided by the manager.

(2) When a written report of an accident or incident is required by FAA regulations, a copy of such report shall be submitted to the manager in lieu of the report required by this section.

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(3) All disabled aircraft, parts of such aircraft, and all debris related to such aircraft shall be promptly removed from all areas where the public can see such items and from the landing area.

(4) If any person refuses to move a disabled aircraft as directed by the manager, the manager may have the aircraft towed away at the expense of the aircraft owner or operator. Neither the city, the board, the manager, nor any person towing such aircraft at the direction of the manager shall be liable for any damage that may result in the course of, or at any time following, such towing.

(5) Subsections (C)(1) through (C)(4) of this section shall be subject to NTSB Regulation 830.

(D) Warm-up: No aircraft shall perform warm-up or engine test operations in any area that would result in a hazard to other aircraft, persons or property.

(E) Taxiing rules:

(1) Each individual operating an aircraft shall visually inspect the area surrounding the aircraft before beginning any operation involving the movement of the aircraft.

(2) No person shall taxi an aircraft until he or she has determined that there will be no danger of collision with any individual or object as a result of such taxiing.

(3) No aircraft shall be taxied in a careless or reckless manner.

(4) No aircraft shall be taxied except at a safe and reasonable speed.

(5) All aircraft shall be taxied under prescribed taxiing patterns.

(6) No person shall start or run any engine in any aircraft unless a competent person is in the aircraft attending the engine controls.

(7) Blocks shall be placed in front of the wheels of all aircraft before starting any engine on such aircraft unless such aircraft is provided with adequate brakes.

(8) No person shall run any engine of an aircraft so as to cause damage to other aircraft or property, or in such a manner as to blow paper, dirt, or other materials across taxiways or runways in such manner as to endanger the safety or operations on the airport.

(F) Landing and take-offs:

(1) Each person landing or taking off from the airport shall follow the following procedures:

A) Landing aircraft shall maintain traffic pattern altitude until turning onto base leg before commencing final approach.

B) Aircraft taking off from the airport shall climb out straight ahead from the end of the runway until at least 400 feet above ground level. However, aircraft making practice take-offs and landings, shall make their first turn at a point at least 1,000 feet beyond end of the runway and at an altitude of not less than 400 feet above ground level, continuing to climb after their first turn until the aircraft reaches an altitude of at least 800 feet above ground level.

C) Each person landing or taking off from the airport shall maintain a left-handed rectangular traffic pattern, unless otherwise directed by the manager.

(2) Take-offs and landings over populated areas shall be kept to a minimum for public safety and convenience.

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(3) Pilots possessing a student permit only shall only land or take off at the airport while on a cross-country flight to further their aeronautical knowledge, or while under the supervision of a qualified instructor.

(4) No motorless aircraft, nor any aircraft with a total loaded weight of more than 30,000 pounds, shall land or take off from the airport without the prior authorization of the manager.

(G) Aircraft parking: No person shall park any aircraft on other than the apron areas or tie down areas without the prior written permission of the manager.

(H) Rotorcraft shall not operate within 200 feet of any area where light aircraft is parked or operating, except for refueling operations.

(I) Miscellaneous regulations: No person shall use oil warming devices or electrical heating devices for an aircraft unless such devices are an integral part of the aircraft.

(J) Reckless flying; penalty:

(1) In this subsection, "drug" means:

A) Any substance recognized as a drug in the official U.S. pharmacopoeia and national formulary or official homeopathic pharmacopoeia of the United States or any supplement to either of them;

B) Any substance intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or other conditions in persons or other animals;

C) Any substance other than a device or food intended to affect the structure or any function of the body of persons or other animals; or

D) Any substance intended for use as a component of any article specified in subsections (J)(1)A) to (J)(1)C) of this subsection, but does not include gases or devices or articles intended for use or consumption in or for mechanical, industrial, manufacturing or scientific applications or purposes.

(2) In this subsection, "controlled substance" has the meaning set forth in the controlled substances act under the Wisconsin statutes.

(3) No individual may operate an aircraft in the air or on the ground or water while under the influence of intoxicating liquor or controlled substances or a combination thereof, under the influence of any other drug to a degree which renders him or her incapable of safely operating an aircraft, or under the combined influence of intoxicating liquor and any other drug to a degree which renders him or her incapable of safely operating an aircraft, nor operate an aircraft in the air or on the ground or water in a careless or reckless manner so as to endanger the life or property of another. In determining whether the operation was careless or reckless the court shall consider the standards for safe operation of aircraft prescribed by federal statutes or regulations governing aeronautics. The court shall make a written report of all convictions, including bail or appearance money forfeitures obtained under this subsection to the Wisconsin department of transportation, which shall send the report to the proper federal agency.

(4) Any person violating any provision of this subsection shall upon conviction be subject to a class 5 forfeiture for the first offense and a class 2 forfeiture for the second or subsequent offense.

11-6-12: Flying clubs:

(A) Each member of a flying club must be a bona fide partner, member or shareholder in the club. The ownership of a flying club shall be divided equally among the partners, members or shareholders.

(B) No flying club shall derive greater revenue from the use of its aircraft than the amount necessary for the

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operation, maintenance, and replacement of its aircraft.

(C) Club aircraft may only be operated by bona fide club members. Such aircraft shall not be used for hire, charter, air taxi, or other commercial activities.

(D) Flight instruction may be given in club aircraft to club members, so long as such flight instruction is given by an operator holding a Category II operator license. The giving of such instruction shall not be considered commercial use of club aircraft.

(E) Each flying club shall file a complete list of the club's membership with the city clerk. Such list shall be updated upon any change of membership, but no less often than annually. Such list shall set forth each club member's name, address, telephone number, type of ownership interest in the club, and the extent of that ownership interest.

(F) Each flying club shall enter into a lease at the airport.

(G) Each flying club shall provide the city with copies of aircraft registrations for each club aircraft.

(H) Each flying club shall maintain a master flight log describing the use category of each of the club's aircraft and the purpose of each flight made. When a flight is made for flight instruction, the log entry shall also include the student's name, the flight instructor's name, and the flight instructor's operator license number. This log shall be made available to the board upon request.

(I) Each flying club shall maintain insurance ~~that complies~~ with coverage limits that comply with the minimum requirements established from time to time by the board and shall file proof of such insurance with the ~~airport manager~~ board or the board's designee.

(J) A flying club may conduct noncommercial ground activities involving club members and their immediate families, in the area leased by it, without prior approval. All other activities of a flying club must be approved by the board before the activity is to take place, and no flying club, nor any member of such a club, shall conduct any such activity at the airport without such prior approval.

(K) The area in which a flying club's activities may be conducted shall be designated by the board. The board may change this area from time to time, in the interests of safe and efficient use of the airport. This area may or may not correspond to the area leased by the club.

11-6-13: Airport activity clubs:

(A) No airport activity club shall derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance, and replacement of its aircraft.

(B) Club aircraft may only be operated by bona fide club members. Such aircraft shall not be used for hire, charter, air taxi, or other commercial activities.

(C) Flight instruction may not be given in club aircraft.

(D) Each airport activity club shall file a complete list of the club's membership with the city clerk. Such list shall be updated upon any change of membership, but no less often than annually. Such list shall set forth each club member's name, address, telephone number, type of ownership interest in the club, and the extent of that ownership interest.

(E) Each airport activity club shall provide the city with copies of aircraft registrations for each club aircraft ~~and~~.

(F) Each airport activity club shall maintain a master flight log describing the use category of each of the club's aircraft and the purpose of each flight made. This log shall be made available to the board upon request.

(G) An airport activity club may conduct noncommercial ground activities involving club members and their

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immediate families, in the area leased by it, without prior approval. All other activities of an airport activity club must be approved by the board before the activity is to take place, and no airport activity club, nor any member of such a club, shall conduct any such activity at the airport without such prior approval. The board shall not approve an activity unless the applicant provides proof of insurance with coverage limits that comply with the minimum requirements established from time to time by the board.

(H) The area in which an airport activity club's activities may be conducted shall be designated by the board. The board may change this area from time to time, in the interests of safe and efficient use of the airport.

(I) At least 24 hours before each airport activity club activity, except ground activities, the club shall request the manager to file an appropriate NOTAM. Such request shall include the date, beginning time and the ending time of the activity. Such request shall be made by a bona fide officer of the club.

(J) If any aerial activity of an airport activity club is to occur within federal aeronautical regulations part 77 airspace, the club shall provide, at its own expense, appropriate radios, operating on the airport's unicom frequency and meeting all FCC and FAA requirements. No aerial activities shall be conducted by the club unless such radio is operating and attended. The individual attending such radio shall be properly trained in its use and shall notify all nearby aircraft of the club activities. The individual attending such radio shall not be engaged in any other activity during such attendance.

(K) If any aerial activity of an airport activity club is to take place more than 500 feet above ground level the club shall, at all times during such activities, maintain radio contact with VFR advisories with Rockford approach control. The club shall notify Rockford approach control before beginning each such aerial activity and again upon completion of each such activity. The club shall also notify all local air traffic of such activity, on the local unicom frequency, immediately before and upon completion of such activity.

(L) Each airport activity club shall maintain and make available to the manager a club activity record describing each activity conducted by the club, except ground activities on the area leased by the club. Such activity records shall include, at a minimum, names of participants, type of activities, number and times of functions, name and address of radio operator, and the complete radio operation log.

11-6-14: Civil ~~air patrol~~Air Patrol:

(A) Aircraft owned by ~~civil air patrol~~Civil Air Patrol, Inc., shall not be classified as club aircraft, commercial aircraft, or industrial aircraft.

(B) Civil ~~air patrol~~Air Patrol aircraft shall be operated under ~~civil air patrol~~Civil Air Patrol regulations.

11-6-15: Vehicular traffic regulation:

(A) Registration: No individual shall operate any motor vehicle on the airport except on public thoroughfare without first registering the motor vehicle with the manager and obtaining written permission for such operation. Emergency equipment is exempt from this provision.

(B) Licensing: No individual shall operate motorized ground equipment on the airport without a valid operating license for such equipment issued by such individual's state of residence.

(C) Speed limits:

(1) No individual shall operate a motor vehicle on the airport in a reckless or negligent manner, or more than the applicable speed limits.

(2) No individual shall operate a motor vehicle more than 15 miles per hour on the ramp, apron, aircraft parking and hangar areas.

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(D) Right of way:

(1) Pedestrians and aircraft shall have the right of way over vehicular traffic at all times.

(2) All vehicles shall pass to the rear of taxiing aircraft.

(E) Accident Reports: Any individual involved in an accident on the airport shall file a written report with the city police department as soon as possible, but not later than 24 hours from the time of the accident.

(F) Lighting requirements:

(1) All vehicles operating on the airport between sunset and sunrise shall have fully operating headlights and tail lights visible for at least 500 feet.

(2) All fuel trucks and service vehicles shall carry an overhead 360 degree revolving amber beacon.

(3) In addition to those requirements set forth in subsections (F)(1) and (F)(2) of this section, all vehicles operating on the airport shall meet all applicable FAA lighting requirements.

(G) Every individual operating a motor vehicle on the airport shall give proper signals, and shall comply with all posted traffic signs.

(H) No individual under the influence of liquor or narcotic drugs shall operate a motor vehicle on the airport.

(I) No individual shall operate any motor vehicle on the airport if such motor vehicle is overloaded or carrying more passengers than that for which the vehicle was designed.

(J) No individual shall ride on the running board of a vehicle or otherwise ride on the outside of a motor vehicle while such vehicle is in motion. For purposes of this subsection, the bed of a pickup truck shall not be considered the outside of a motor vehicle.

(K) No individual shall stand up in the body of a motor vehicle while that motor vehicle is in motion.

(L) No individual shall operate a motor vehicle while any other individual's arms or legs are protruding from the body of such motor vehicle.

(M) No motor vehicle shall be operated on the airport if it is so constructed, equipped, or loaded as to endanger people or property.

(N) No individual shall operate a motor vehicle on the airport unless such vehicle is equipped with exhausts protected by screens or baffles to prevent the escape of sparks and the propagation of flame on the airport.

(O) Parking:

(1) No individual shall park a motor vehicle on the airport, other than in areas specifically established for parking and in the manner prescribed by signs, lines, or other means, unless such parking is approved in advance by the manager.

(2) A lessee may park automobiles inside leased space only when ~~such space is not occupied by~~the aircraft is in use, or when the lessee is on an extended trip by aircraft.

(3) All employees of firms conducting business at the airport shall park in areas specifically designated for employee parking.

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(4) Any motor vehicle parked in violation of this section may be towed or otherwise moved at the direction of the manager and at the owner's or operator's expense.

(P) No person shall abandon any motor vehicle on the airport.

(Q) Ground transportation:

(1) No carrier for hire shall load or unload passengers at the airport at any place other than that designated by the manager.

(2) No carrier for hire shall operate on the airport without prior approval of the board.

(3) Emergency vehicles are exempt from the provisions of this section.

11-6-16: Pedestrians:

(A) No pedestrian is allowed on the airport except in the terminal, on public thoroughfares, or on the apron or aircraft tie-down areas while embarking or disembarking from an aircraft, without first registering with the manager and obtaining written permission for his or her presence elsewhere on the airport.

(B) The manager may give permission for pedestrian traffic into prohibited areas. The authority hereby granted may be delegated to the supervisor by the manager.

(C) Right of way:

(1) Pedestrians shall have the right of way over vehicular traffic at all times.

(2) Aircraft shall have the right of way over pedestrians at all times.

(3) All pedestrians shall pass to the rear of taxiing aircraft.

11-6-17: Building regulations:

(A) Before commencement of any construction, alteration, repair or removal of any structure on the airport, the plans for such work shall be presented to the board for its approval. The board shall review such plans to determine if the proposed work conforms with zoning map A - Monroe municipal airport and zoning map B - Monroe municipal airport. The board shall also determine whether the proposed work will be consistent with then-existing structures and the plans for future development of the airport. If the proposed work conforms, and is consistent, the board shall approve the plans for submittal to the building department for its approval. No work shall be allowed unless the plans have been approved by the board and the building department.

(B) No structure shall be constructed, altered, repaired or removed, unless the owner or lessee of such structure has obtained a ~~permit from~~license approved by the board for such work. Such ~~permit~~license shall be posted along with the building permit authorizing such work.

(C) No tree may be planted without a permit from the board. The building inspector may order any tree planted without a permit to be removed at the expense of the person that planted such tree.

(D) The board shall not authorize the construction, alteration, or repair of any structure that would become a greater hazard to air navigation than it is when the application for ~~permit~~license is made.

(E) As a precondition to the issuance of any ~~permit by the board~~license under this section, the applicant for such ~~permit~~license shall be required to grant the city permission to install, operate and maintain such markers and lights on such structure as are considered necessary to show the presence of an airport hazard. Installation, operation, and maintenance of such markers and lights shall be at the sole expense of the city.

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(F) All hangars shall be of metal or masonry construction, or of a pole-type construction with an exterior metal covering.

(G) All construction, alteration, and repair of structures on the airport shall be in compliance with standard construction specifications.

(H) Nothing in this chapter shall be construed to require the removal, lowering or other change or alteration of any nonconforming use. However, any alteration or modification of a nonconforming use commenced after the effective date of this chapter shall be in conformity with this chapter.

(I) The building inspector of the city shall be responsible for enforcing the building regulations set forth in this chapter. The regulations in this chapter are intended to supplement the city building code. To the extent that the provisions of this chapter are inconsistent with the city building code, the provisions of this chapter shall be controlling.

11-6-18: Schedule of charges:

(A) The board shall set, and periodically review, a schedule of fees for certified air carriers. Such fees shall include, but shall not be limited to, landing fees, and floor rental charges. Landing fees shall be based on aircraft weight and frequency of landings. All fees set pursuant to this subsection shall apply equally to all certified air carriers, whether scheduled or nonscheduled.

(B) The board shall set, and periodically review, a schedule of fees for the rental of municipal hangars, public parking areas, and other airport facilities.

(C) The board may require that payment of charges made under this chapter be paid before granting an aircraft clearance to depart from the airport.

11-6-19: Appeals and review:

(A) Appeal and review of any decision of the board under this chapter shall be conducted under chapter 5 of Title 2 of this code.

(B) The board of appeals may, after investigation and public hearing, grant such variances from the provisions of this chapter if it finds:

(1) The granting of the variance will be in the public interest; and

(2) Special conditions exist, and under such special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship to the person requesting the variance; and

(3) The granting of the requested variance will do substantial justice and will be in accord with the spirit of this chapter; and

(4) The granting of the variance will not create a hazard to the safe, normal operation of the airport.

11-6-20: Penalties:

(A) Except as otherwise noted in this chapter, each violation of this chapter shall be punishable by a Class 1 forfeiture.

(B) Each day or partial day of violation of the provisions of this chapter shall be considered a separate violation.

(C) The board may revoke or suspend any license granted under this chapter for violation of any provision a this

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chapter, under the procedures set out in chapter 5 of Title 3 of this code for suspension or revocation of licenses.

(D) The board may suspend or revoke the operating privileges of any person for violation of this chapter, or for violation of any other provision of this code, under the procedures set out in chapter 5 of title 3 of this code for suspension or revocation of licenses. A person that has had its operating privileges suspended or revoked shall not be entitled to conduct any commercial or noncommercial activities from or on the airport during the period of such revocation or suspension.

(E) The manager or his or her designate shall be authorized to remove from the airport any individual who violates any provision of this chapter relating to the safe operation of the airport. Such removal may be in addition to, or preceding, any suspension or revocation of a license or operating privileges. The manager shall not be liable to any person for his or her lawful actions under this subsection.

11-6-21: Precedence: This chapter shall not apply to scheduled certificated or scheduled commuter airline operating under FAA part 121 or 135 regulations. However, any scheduled certificated or commuter airline desiring to operate at the airport shall be required to enter into a lease and operating rights agreement with the city, which agreement shall provide for payment of fees, leasing of space and establishment of operating rules and regulations relative to such airlines' operations at the airport.

11-6-22: Severability: The provisions of this chapter are declared to be severable. If any provision of this chapter is declared invalid by a decision of a court of competent jurisdiction, any other provision not specifically invalidated by such decision shall remain valid and in effect.

SECTION 2: This ordinance shall be in full force the day following its passage and official publication.

Dated this _____ day of _____, 2016.
Passed this _____ day of _____, 2016.
Published this _____ day of _____, 2016.

Mayor

City Clerk