

CHAPTER 492. AIRPORT OPERATION AND MINIMUM STANDARDS FOR THE JOHN F. KENNEDY MEMORIAL AIRPORT.

492.01. Definition of Words and Phrases.

- (a) “Airport” means the John F. Kennedy Memorial Airport.
- (b) “Fixed-Based Operator” or “Operator” means any person, firm, corporation, or association conducting any aeronautical business on the airport.
- (c) “Manager” means the person employed by the Commission under Section II.
- (d) “Owner” means the City of Ashland and the County of Ashland, Wisconsin.
- (e) “Commission” means a group of three persons appointed by the owners, under Wisconsin Statutes 114.14, which has jurisdiction for the construction, improvement, equipment, maintenance and operation of the airport.

492.02. Airport Commission.

- (a) Jurisdiction. The Commission shall have jurisdiction for the construction, improvement, equipment, maintenance, and operation of the Airport.
- (b) Regulations. The Commission shall adopt regulations and establish fees or charges for the use of the Airport not inconsistent with this Ordinance. Such regulations, fees and charges will become effective when approved by the Owner.
- (c) Manager. The Commission may employ a Manager whose duties and responsibilities shall be specified in writing and whose salary shall be approved by the Owner.
- (d) Managerial Duties. The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances, leases and agreements, and rules and regulations.
- (e) Meetings. The Commission and the Manager shall meet at the Airport at least once each calendar quarter to inspect the Airport facilities, review Airport operations and financial matters, and discuss proposed Airport development and other business.
- (f) Accounting System. The Commission shall, in cooperation with the appropriate municipal department, establish an airport accounting system of sufficient detail to enable the Commission to accurately establish rates and charges, eliminating inefficient operation and maintenance practices, and accomplish sound financial planning.
- (g) Annual Report. The Commission shall prepare and submit an annual report to the Owner. Such report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year and projections for

the coming year, and include other information deemed pertinent.

(h) Annual Budget. The Commission shall prepare and submit to the Owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.

(i) Ordinances. The Commission shall prepare and submit for adoption by the Owner an ordinance establishing minimum requirements for the conduct of aeronautical services on the Airport and an ordinance regulating vehicle and pedestrian traffic on the Airport.

(j) Leases and Agreements. The Commission shall prepare and submit for adoption by the Owner standard leases and agreements for the various types of airport activities and land uses authorized in this Ordinance.

(k) Studies and Surveys. The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the Airport. It shall cooperate with the Wisconsin Division of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities.

(l) Cooperation. The Commission shall cooperate with, and receive the cooperation of, all municipal departments providing services or assistance to the airport.

492.03. Airport Operations Policies. The Commission, in carrying out its duties and responsibilities, shall adhere to the following policies:

(a) The Owner shall refrain from engaging in any activity or providing any service, excluding Airport maintenance, using public employees or funds that can be conducted or provided satisfactorily by private parties through proper lease agreements.

(b) The Owner shall encourage the development of the Airport, especially in those areas where substantial building costs are incurred by lessees, by approving long-term leases which provide for the re-examination and readjustment of rates and charges at specified periods of time during the term of the lease.

(c) The Owner may provide or participate in the installation of utility service up to a lessee's property line. The lessee shall bear such costs on his leased property.

(d) No person shall engage in any business or commercial activity whatsoever on the Airport except under the terms and conditions prescribed in a written agreement between the lessee and the Commission. Lessee shall be selected on the basis of their qualifications, financial capabilities, and services offered; and not solely be bid basis. In determining the use of public building space, first consideration shall be given to public necessity and convenience. The Commission will provide the Wisconsin Division of Aeronautics with one complete copy of each current lease and agreement.

(e) Buildings to be constructed by lessees shall conform to all state and local building codes, and the building plans shall be subject to the approval of the Commission; Wisconsin

Department of Industry, Labor, and Human Relations; Wisconsin Division of Aeronautics; and the Federal Aviation Administration.

(f) No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except those persons satisfying the requirements as set forth below.

(g) No person shall engage in the activity of storing, transporting, or dispensing of noncommercial aviation fuels except those persons holding a written agreement with the Commission to do so.

(h) Aircraft ground access to the Airport property shall not be allowed without specific authorization by the Commission.

492.04. Minimum Standards. The minimum standards for a person or persons, firm or corporation based upon and engaging in one or more aeronautical services at the John F. Kennedy Memorial Airport, Ashland, Wisconsin, shall be as set forth in sections 492.05-492.10.

492.05. Written Agreement. Each operator seeking to perform any of the following services shall sign a written agreement with the Airport Commission prior to the commencement of said service.

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

(b) Airframe and Power Plant Repair Facilities. An aircraft engine and airframe maintenance and repair operator is a person or persons, firm or corporation providing one or a combination of airframe and power plant repair services, but, with at least one person currently certificated by the Federal Aviation Administration with rating appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.

(c) Aircraft Rental. An aircraft rental operator is a person or persons, firm, or corporation engaged in the rental of aircraft to the public.

(d) Flight Training. A flight training operator is a person or persons, firm or corporation engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories or pilot' licenses and ratings involved.

(e) Aircraft Fuels and Oil Dispensing Services. Line services shall include the sale and intro-plane delivery of recognized brands of aviation fuels, lubricants, and other related aviation

petroleum products. The Operator shall provide servicing of aircraft, including ramp assistance and the parking, storage, and tie down of aircraft within the leased area.

(f) Radio, Instrument, or Propeller, Repair Station. A radio, instrument, or propeller repair station operator is a person or persons, firm or corporation engaged in the business of and providing a shop for the repair of aircraft radios, propellers, instrument, and accessories for general aviation aircraft. This category shall include the sale of new or used aircraft radios, propellers, instruments, and accessories, but such is not an exclusive right. The Operator shall hold the appropriate repair shop certificates issued by FAA.

(g) Aircraft Charter and Air Taxi. An aircraft charter and an air taxi operator is a person or persons, firm, or corporation engaged in the business of providing air transportation (persons or property) to the general public for hire, either on a charter basis (Commercial Operation) or as an air taxi operator, as defined in the Federal Aviation Act.

(h) Specialized Commercial Flying Services. A specialized commercial flying services operator is a person or persons, firm or corporation engaged in air transportation for hire for the purpose of providing the use of aircraft for the activities listed below:

(1) Non-stop sightseeing flights that begin and end at the same airport.

(2) Cropdusting, seeding, spraying, and bird chasing.

(3) Banner towing and aerial advertising.

(4) Aerial photography or survey.

(5) Firefighting.

(6) Power line or pipe line patrol.

(7) Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

(i) Multiple Services. A multiple services operator shall be one who engages in any two (2) or more of the aeronautical services described above.

492.06. Aircraft Liability Insurance.

(a) Required when performing the following services:

(1) Aircraft Sales

(2) Aircraft Rental

(3) Flight Training

(4) Aircraft Charter and Air Taxi

(5) Specialized Commercial Flying Services

(b) Limits.

(1) Bodily Injury (Each accident)

\$100,000 each person

\$300,000 each accident

(2) Passage Liability

\$100,000 each passenger, each accident

(3) Property Damage

\$300,000 each accident

492.07. Comprehensive Public Liability and Comprehensive Property Damage Insurance.

Required when performing any services at the airport.

(a) Limits.

(1) Bodily Injury (Each accident)

\$100,000 each person

\$300,000 each accident

(2) Property Damage

\$300,000 each accident

492.08. Student and Renters Liability Insurance. Required when performing the following services:

(a) Aircraft Rental

(b) Flight Training

492.09. Products Liability Insurance.

(a) Required when performing the following services:

(1) Aircraft Sales

(2) Airframe and Power Plant Repair Facilities

(3) Aircraft Fuels and Dispensing Service

(4) Radio Instrument or Propeller Repairs Station

(5) Specialized Commercial Flying Services

(b) Limits- \$300,000 each accident

492.10. Insurance certificates required. Each operator must carry all insurance as required under 492.06 through 492.-9 as determined by the respective services performed by said operator. A certificate of the required insurance shall be filed with the Commission at the

inception of the operator's agreement. Operator shall provide continuing certifications of the continued existence of the required insurance throughout the term of the agreement.

492.11. Enforcement. The Commission shall have the power to suspend or revoke the contract or agreement of any fixed base operator who fails to comply with any of the provisions of this Ordinance. The Commission shall have the authority to conduct full investigation into alleged violations.

492.12. Suspension/Revocation of Contract. The Commission shall have the power to suspend or revoke the contract or agreement of any fixed base operator who fails to comply with any of the provisions of this Ordinance. The suspension or revocation shall be effective 10 days after written notice is given to the fixed base operator. The fixed base operator may request a hearing on the revocation or suspension before the Commission during the 10 day period following written notice and said hearing shall be held within the said 10 day period. The decision of the Commission shall be final and binding.

492.13. Forfeiture. The Commission may impose a forfeiture of \$500/day should an operator continue to conduct business of any sort at the Airport after any suspension or revocation.

ADOPTED: 492 (933) 2/12/1980

AMENDMENTS: 492 (1526) 10/30/2001