

Chapter 22
MUNICIPAL AIRPORT

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Article I. Administration and Enforcement

Sec. 22-01. Airport committee.

- (1) The airport committee of the council shall have jurisdiction over the construction, improvement, equipment, maintenance and operation of the airport, subject to the approval of the council.
- (2) The airport committee shall adopt regulations and establish fees or charges for the use of the airport not inconsistent with this chapter. Such regulations, fees and charges will become effective when approved by the council.
- (3) The airport committee may employ a manager whose duties and responsibilities shall be specified in writing and whose employment and salary shall be approved by the council.
- (4) The manager, under the supervision of the airport committee, shall have the duty of administering and enforcing all airport ordinances, leases and agreements, and rules and regulations.
- (5) The airport committee and the manager shall meet 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, minutes of which meeting shall be submitted to the council for approval.
- (6) The airport committee shall, in cooperation with the appropriate municipal department, establish an airport accounting system of sufficient detail to enable the committee to accurately establish rates and charges, eliminate inefficient operation and maintenance practices, and accomplish sound financial planning.
- (7) The airport committee shall prepare and submit an annual report to the council. 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.
- (8) The airport committee shall prepare and submit to the council an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
- (9) The airport committee shall establish minimum requirements for the conduct of aeronautical services on the airport and vehicle and pedestrian traffic on the airport.
- (10) The airport committee shall prepare and submit for adoption by the council standard leases and agreements for the various types of airport activities and land uses authorized in this chapter.
- (11) The airport committee 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.
- (12) The airport committee shall cooperate with and receive the cooperation of all municipal departments providing services or assistance to the airport.

(Code 1982, § 21.03)

Sec. 22-02. Definitions of Words and phrases.

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The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Airport means the Marshfield Municipal Airport.

Corporate hangar means a building housing one or more aircraft for the personal or business use of the hangar owner or lessee, and wherein no commercial activities are allowed.

Fixed-base operator means any person conducting any aeronautical business on the airport.

Manager means the person employed by the city under section 22-01 of this chapter.

Multiple T-hangar means a building composed of partitioned, nested units designed to house no more than one aircraft in each unit and having single door openings for each unit.

Operator means a fixed-base operator.

Owner means the City of Marshfield.

(Code 1982, § 21.01)

Sec. 22-03. Establishment of land use areas.

In order to carry out the purposes and provisions of this chapter, the land use areas shall be established by resolution of the council and are made a part of this chapter by reference.

- (1) Municipal terminal area. This area shall be reserved for the public terminal building and other public use facilities.
- (2) Utility and service area. This area shall be reserved for utility, service, crash, fire and rescue, and maintenance facilities operated by the owner.
- (3) Commercial aviation areas.
 - (a) This area shall be reserved for commercial aviation business normally conducted by fixed-base operators. Allowable activities include but are not limited to: aircraft sales and rental; airframe, power plant, and instrument repair; aircraft fuel and oil dispensing; flight training; and air taxi service.
 - (b) Minimum lot sizes and setbacks shall be in conformity with the airport land use maps, and building heights shall conform with Federal Aviation Regulations.
 - (c) The location of specialized commercial aviation businesses that pose special safety and operational problems, such as agricultural spraying facilities, shall be considered on an individual basis by the airport committee.
- (4) Corporate hangar area.
 - (a) This area shall be reserved for noncommercial hangars, excluding multiple T-hangars, and the exclusive use of this area shall be aircraft housing. No commercial activities shall be conducted from a corporate hangar. No flammable liquids shall be stored above or below the ground, nor shall aviation fuel be dispensed in this area other than by dispensing equipment operating from the commercial aviation areas or fuel farm areas.
 - (b) Lot sizes and setbacks shall be in conformity with the airport land use maps, and building heights shall conform with Federal Aviation Regulations.

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- (5) Multiple T-hangar areas.
 - (a) This area shall be reserved for the location of multiple-unit T-hangars for the storage of aircraft. No commercial activities shall be conducted from a multiple T-hangar. No flammable liquids shall be stored or used in this area, nor shall aviation fuel be dispensed into any aircraft while in a hangar. Aircraft, vehicles and equipment shall be parked in a manner which does not interfere with the movement of aircraft. Aircraft maintenance or repair that creates a fire hazard or endangers other aircraft or property of another is prohibited.
 - (b) Lot sizes and setbacks shall be in conformity with the airport land use maps, and building heights shall conform with Federal Aviation Regulations.
- (6) Tie-down areas. These areas are reserved for longterm parking of aircraft based on the airport, or those transient aircraft remaining overnight. Temporary tie-down areas may be designated by the airport committee or manager.
- (7) Public apron areas. These areas are reserved for unloading or loading passengers and cargo, refueling aircraft and temporary parking of aircraft.
- (8) Auto parking areas. These areas are reserved for automobile parking. Temporary vehicle parking areas may also be designated by the committee or manager.
- (9) Agricultural area. These areas are reserved for agricultural purposes under approved leases until such time as they are designated for other purposes by the airport committee.
- (10) Industrial park area. This area shall be reserved for the location of businesses compatible with airport operations.
 - (a) Proposals for leasing land in this area will be reviewed on an individual basis by the committee.
 - (b) Lot sizes, setbacks, building heights and design shall be specified in the written agreement between the lessee and the airport committee.
- (11) Air cargo area. This area shall be reserved for the location of businesses engaged solely in the transportation of everything except passengers and baggage.
 - (a) Proposals for leasing land in this area will be reviewed on an individual basis by the committee.
 - (b) Lot sizes, setbacks, and building heights shall be specified in the written agreement between the lessee and the committee.
- (12) Fuel farm area.
 - (a) This area is reserved for the underground storage of fuel used in aircraft.
 - (b) A written agreement between a fuel farm tenant, other than a fixed-base operator, and the airport committee shall contain, but shall not be limited to, the following provisions:
 - 1. At no time shall the tenant share, sublease, or in any other manner provide fuel or fueling facilities to any other tenant or any other aircraft except those aircraft owned or leased for the exclusive use of the tenant designated in this agreement.
 - 2. The tenant shall install and maintain all fuel facilities within the fuel farm in accordance with plans and specifications approved in writing by the airport committee.

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3. The tenant shall comply with all federal, state and local laws and regulations governing the installation, operation and maintenance of all fueling facilities, equipment and dispensing trucks.
4. Dispensing trucks, bulk fuel trucks, emergency vehicles, and other vehicles approved by the committee or manager shall be the only vehicles permitted within the fuel farm.
5. All fuel storage shall be in underground tanks with only necessary equipment such as valves, meters and vents protruding above ground.
6. Each prospective fuel farm tenant shall submit to the committee a written proposal which sets forth the extent of operations to include: fuel grades; estimated annual volume; experience and training of fuel handling personnel; type, size and condition of all fueling facilities and equipment to be used; and provisions for the security and safety of the facility.

(13) Automobile gasoline fueling area. The area described in this subsection, and no other area, shall be used for fueling aircraft with automobile gasoline: commencing at the northwest corner of the northwest quarter of the northeast quarter of section 19, township 25 north, range 3 east, thence east along the north line of such section 19 a distance of 182.42 feet; thence southeasterly at an angle of 111 degrees 37¢ a distance of 113.77 feet; thence northeasterly at a right angle a distance of 15 feet to the point of beginning; thence northwesterly at a right angle a distance of 50 feet; thence northeasterly at a right angle a distance of 50 feet; thence southeasterly at a right angle a distance of 50 feet; thence southwesterly at a right angle a distance of 50 feet to the point of beginning; lying in the City of Marshfield, Wood County, Wisconsin.

(Code 1982, § 21.05)

Sec. 22-04. Airport operation policies.

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

- (1) The city shall refrain from engaging in any activity of providing any service, excluding airport maintenance, using public employees or funds that can be conducted or provided satisfactorily by private parties through proper lease arrangements.
- (2) The city shall encourage the development of the airport, especially in those areas where substantial building costs are incurred by lessees, by approving longterm leases which provide for the reexamination and readjustment of rates and charges at specified periods of time during the term of the lease.
- (3) The city 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.
- (4) 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 city. Lessees shall be selected on the basis of their qualification, financial capabilities, and services offered; and not solely by bid basis. In determining the use of public building space, first consideration shall be given to public necessity and convenience. The airport committee will provide the Wisconsin Division of Aeronautics with one complete copy of each current lease and agreement.
- (5) 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 committee; Wisconsin Department of Commerce; Wisconsin Division of Aeronautics; and the Federal Aviation Administration.
- (6) No person shall engage in the activity of storing, transporting, or dispensing of aviation fuels to the general public except those persons satisfying the requirements as set forth in the minimum standards.

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- (7) No person shall engage in the activity of storing, transporting or dispensing of noncommercial aviation fuels except those persons satisfying the requirements as set forth under section 22-03(12) of this chapter, fuel farm area, and holding a written agreement with the city to do so.
- (8) The storage of all aviation fuel shall be in underground tanks only, and the city shall encourage the installation of all aviation fuel storage in the fuel farm area.
- (9) Aircraft ground access to the airport property shall not be allowed, except from an approved airport industrial park as depicted on the airport layout plan.

(Code 1982, § 21.04)

Sec. 22-05. Enforcement.

The airport manager and the police department of the city shall enforce the provisions of ss. 22-03 and 22-04 and article II of this chapter. The minimum standards of article III of this chapter shall be enforced by the airport committee and the council.

(Code 1982, § 21.15)

Sec. 22-06. Penalties.

Any person who shall violate any provision of this chapter or any regulation, rule or order made under this chapter shall be subject to a penalty as provided in section 1-05 of this Code.

(Code 1982, § 21.16)

Secs. 22-7—22-20. Reserved.

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Article II. Traffic

Sec. 22-21. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency equipment means crash, fire and rescue or police motor vehicle, and such other equipment as the airport manager may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Pedestrian means any person afoot.

Service, maintenance and construction equipment means approved equipment normally operated by the airport manager, the fixed-base operator, and/or the Federal Aviation Administration on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services or for the servicing of aircraft. This definition shall include equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the city.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn excepting aircraft.

(Code 1982, § 21.10)

Sec. 22-22. Operation of vehicles on runways, taxiways and ramps.

- (1) No vehicle shall enter, be driven upon or operated upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance thereon.
- (2) The provisions of this section shall not apply to emergency equipment or service, maintenance and construction equipment when engaged in performing normal duties.
- (3) Aircraft owners may be granted authorization by the airport manager or his designated representative to operate a vehicle to reach their own aircraft in a tie-down area. Aircraft owners desiring to operate a vehicle for this purpose will request such authorization in advance. Any authorization granted shall apply only to a specific need request. Blanket-type authorizations shall not be granted. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway or ramp and shall proceed through the tie-down area at a speed not to exceed ten miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of part 139, Federal Aviation Regulations.

(Code 1982, § 21.11)

Sec. 22-23. Speed of vehicles.

No vehicle shall be driven upon any road within the perimeter of the airport, or upon other airport areas, in excess of the speed limit posted at the entrance to the airport, or within the boundaries thereof if more than one speed limit shall be applicable, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic on or about the airport.

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(Code 1982, § 21.12)

Sec. 22-24. Pedestrian traffic on airport.

No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tiedown area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the airport manager, or fixed based operator. Pedestrian traffic is prohibited on taxiways, runways, and outlying areas of the airport except for those employees of the city, county, state, federal government, or contractors engaged in airport construction or maintenance work.

(Code 1982, § 21.13)

Secs. 22-25—22-40. Reserved.

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Article III. Minimum Standards

Sec. 22-41. Preamble.

In order to ensure adequate aeronautical services and facilities to the user of the Marshfield Municipal Airport, and to encourage the development of the airport and its activity, and to foster the economic health and orderly development of commercial aeronautical operators at the airport, this article is adopted to provide:

- (1) The minimum standards for a person based upon and engaging in one or more aeronautical services at the airport.
- (2) Lease clauses which shall be included in all leases between the city and any person desiring to be based upon the airport, and engage thereon in any aeronautical service.

(Code 1982, § 21.20)

Sec. 22-42. Aircraft sales.

- (1) Statement of concept. An aircraft sales operator is a person engaged in the sale of new or used aircraft through franchises or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; and provides such repair, services, and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by him.
- (2) Minimum standards. Minimum standards for an aircraft sales operator shall be as follows:
 - (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space to provide for outside display and storage of aircraft and on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (e) The operator shall provide necessary and satisfactory arrangements for repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. Servicing facilities may be provided through written agreement with a repair shop operator at the airport. The operator shall provide an adequate inventory of spare parts for the type of new aircraft for which sales privileges are granted. The operator who is engaged in the business of selling new aircraft shall have available or on call at least one single engine demonstrator.
 - (f) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified.

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1. Aircraft liability:
 - a. Bodily injury (each accident): \$100,000.00 each person. \$1,000,000.00 each accident.
 - b. Passenger liability: \$100,000.00 each passenger, each accident.
 - c. Property damage: \$300,000.00 each accident.
 2. Comprehensive public liability and comprehensive property damage: \$1,000,000.00 each accident.
- (g) The operator shall have his premises open and services available eight hours daily, five days a week.
- (h) The operator shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in an efficient manner, but never less than one person having a current, effective commercial pilot certificate with single engine rating and instructor rating.
- (i) The operator shall make provision for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.21)

Sec. 22-43. Airframe and power plant repair facilities.

- (1) Statement of concept. An aircraft engine and airframe maintenance and repair operator is a person providing one or a combination of airframe and power plant repair service, but with at least one person currently certified by the Federal Aviation Administration with ratings appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.
- (2) Minimum standards. Minimum standards for an aircraft engine and airframe maintenance and repair operator shall be as follows:
 - (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space on which shall be erected a building to provide at least 4,000 square feet of floor space for airframe and power plant repair services including a segregated painting area, all meeting local and state industrial code requirements, and at least 1,000 square feet of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (e) The operator shall provide sufficient equipment, supplies and availability of parts equivalent to that required for certification by the Federal Aviation Administration as an approved repair station.
 - (f) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

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1. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$1,000,000.00 each accident.
 2. Hangar keepers' liability: \$1,000,000.00 each accident.
 3. Products liability: \$1,000,000.00 each accident.
- (g) The operator shall have his premises open and services available eight hours daily, five days each week.
- (h) The operator shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category of services in an efficient manner, but never less than one person currently certified by the Federal Aviation Administration with ratings appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating, and one other person not necessarily rated.
- (i) The operator shall make provision for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.22)

Sec. 22-44. Aircraft rental.

- (1) Statement of concept. An aircraft rental operator is a person engaged in the rental of aircraft to the public.
- (2) Minimum standards. Minimum standards for an aircraft rental operator shall be as follows:
 - (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space and on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (e) The operator shall have available for rental, either owned or under written lease to the operator, not less than two certified and currently airworthy aircraft, at least one of which must be a four-place aircraft, and at least one of which must be equipped for and capable of flight under instrument conditions.
 - (f) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
 1. Aircraft liability:

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- a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 2. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 3. Student and renters' liability: \$1,000,000.00 each accident.
- (g) The operator shall have his premises open and services available eight hours daily, seven days a week.
- (h) The operator shall have in his employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards in an efficient manner, but never less than one person having a current commercial pilot certificate with appropriate ratings, including instructor rating. The operator shall make provision for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.23)

Sec. 22-45. Flight training.

- (1) Statement of concept. A flight training operator is a person engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the categories of pilots' licenses and ratings involved.
- (2) Minimum standards. Minimum standards for a flight training operator shall be as follows:
 - (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space and on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, classroom, briefing room, pilot lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (e) The operator shall have available for use in flight training, either owned or under written lease to the operator, not less than two properly certified aircraft, at least one of which must be a four-place aircraft, and at least one of which must be equipped for and capable of use in instrument flight instruction.
 - (f) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

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1. Aircraft liability:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 2. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 3. Student and renters' liability: \$1,000,000.00 each accident.
- (g) The operator shall have his premises open and services available eight hours daily, six days a week.
- (h) The operator shall have on a full-time basis at least one flight instructor who has been properly certified by the Federal Aviation Administration to provide the type of training offered.
- (i) The operator shall have available for call on a part-time basis at least one flight instructor who has been properly certified by the Federal Aviation Administration to provide the type of training offered.
- (j) The operator shall make provision for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.24)

Sec. 22-46. Aircraft fuels and oil dispensing services.

- (1) *Statement of concept.* Aircraft fuels and oil dispensing line services shall include the sale and into-plane delivery of recognized brands of aviation fuels, lubricants, and other related aviation petroleum products. The operator shall provide servicing of aircraft, including ramp assistance and the parking, storage and tie down of aircraft within the leased area.
- (2) *Minimum standards.* Minimum standards for the operator of aircraft fuels and oil dispensing services shall be as follows:
 - (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (e) The operator shall provide an adequate supply of fuel on hand at all times of at least two grades of fuel as closely related as possible to the popular demand of the general aviation users of the airport. The

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City of Marshfield shall provide at least two metered filter-equipped dispensers, fixed or mobile, for dispensing the minimum requirement of two grades of fuel. Separate dispensing pumps and meters are required for each grade of fuel.

- (f) The operator shall provide such minor repair service that does not require a certified mechanical rating, and cabin services, to general aviation aircraft as can be performed efficiently on the ramp or apron parking area, but only within the premises leased to the operator.
- (g) The operator shall make provision for the transportation of pilots and passengers of transient general aviation aircraft using the operator's facilities and services from and to the operator's office and the airport terminal area.
- (h) The operator shall procure and maintain tools, jacks, towing equipment, tire repairing equipment, energizers and starters, heaters, oxygen supplies, fire extinguishers, and passenger loading steps as appropriate and necessary for the servicing of general aviation aircraft using the airport. All equipment shall be maintained and operated in accordance with local and state industrial codes.
- (i) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
 - 1. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury (each accident): \$100,000.00 each person. \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 - 2. Hangar keepers' liability: \$1,000,000.00 each accident.
 - 3. Products liability: \$1,000,000.00 each accident.
 - 4. Motor vehicle liability:
 - (j) Bodily injury: \$1,000,000.00 each accident.
 - (k) Property damage: \$300,000.00 each accident.
 - (l) The operator shall have his premises open for aircraft fueling and oil dispensing service 8:00 a.m. to sunset seven days a week. The operator shall make provision for such service during other times on a call basis to provide emergency service. The operator shall provide an approved attendant who shall be required to supervise fueling of any aircraft.
 - (m) The operator shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category of services in an efficient manner.
 - (n) The operator shall make provisions for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.25)

Sec. 22-47. Radio, instrument or propeller repair station.

- (1) *Statement of concept.* A radio, instrument or propeller repair station operator is a person engaged in the business of and providing a shop for the repair of aircraft radios, propellers, instruments and accessories,

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but such is not an exclusive right. The operator shall hold the appropriate repair shop certificates issued by the Federal Aviation Administration.

- (2) *Minimum standards.* Minimum standards for a radio, instrument or propeller repair station operator shall be as follows:
- (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space on which shall be erected a building to provide at least 4,000 square feet of floor space to hangar at least one aircraft, to house all equipment, and to provide an office, shop, customer lounge and restrooms, all properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) The operator shall provide auto parking space within the leased area, and shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (c) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (d) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
 - 1. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
 - 2. Hangar keepers' liability: \$1,000,000.00 each accident.
 - 3. Products liability: \$1,000,000.00 each accident.
 - (e) The operator shall have his premises open and services available eight hours daily, five days each week.
 - (f) The operator shall have in his employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than one person who is a Federal Aviation Administration rated radio, instrument or propeller repairman and one other repairman who need not be rated by the Federal Aviation Administration.

(Code 1982, § 21.26)

Sec. 22-48. Aircraft charter and air taxi.

- (1) *Statement of concept.* An aircraft charter and an air taxi operator is a person engaged in the business of providing air transportation (persons or property) to the general public for hire, either on a charter basis (commercial operation) or as an air taxi operator, as defined in the Federal Aviation Act.
- (2) *Minimum standards.* Minimum standards for an aircraft charter and an air taxi operator shall be as follows:
- (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.

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- (b) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
- (c) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
- (d) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
- (e) The operator shall provide, either owned or under written lease to the operator, not less than one single-engine four-place aircraft and one multiengine aircraft, both of which must meet the requirements of the air taxi commercial operator certificate held by the operator, including instrument operations.
- (f) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
 - 1. Aircraft liability:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Passenger liability: \$100,000.00 each passenger, each accident.
 - c. Property damage: \$300,000.00 each accident.
 - 2. Comprehensive public liability and comprehensive property damage:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
- (g) The operator shall have his premises open and services available eight hours daily, six days a week. The operator shall provide on-call service during hours other than the aforementioned.
- (h) The operator shall have in his employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than at least one Federal Aviation Administration certified commercial pilot and otherwise appropriately rated to permit the flight activity offered by operator.
- (i) The operator shall make provision for someone to be in attendance at all times during the required operating hours.

(Code 1982, § 21.27)

Sec. 22-49. Specialized commercial flying services.

- (1) *Statement of concept.* A specialized commercial flying services operator is a person engaged in air transportation for hire for the purpose of providing the use of aircraft for the following activities:
 - (a) Nonstop sightseeing flights that begin and end at the same airport.
 - (b) Crop dusting, seeding, spraying and bird chasing.

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- (c) Banner towing and aerial advertising.
 - (d) Aerial photography or survey.
 - (e) Firefighting.
 - (f) Power line or pipeline patrol.
 - (g) Any other operations specifically excluded from part 135 of the Federal Aviation Regulations.
- (2) *Minimum standards.* Minimum standards for a specialized commercial flying services operator shall be as follows:
- (a) The operator shall lease from the city an area of not less than 11,000 square feet of ground space on which shall be erected a building to provide at least 4,000 square feet of floor space for aircraft and other storage and at least 1,000 square feet of floor space for office, and restrooms, which shall be properly heated and lighted; and shall provide telephone facilities for customer use.
 - (b) In the case of crop dusting, aerial application or other commercial use of chemicals, the operator shall provide a centrally drained, paved area of not less than 3,000 square feet for aircraft loading, washing and servicing. The operator shall also provide for the safe storage and containment of noxious chemical materials. Such facilities will be in a location on the airport which will provide the greatest safeguard to the public.
 - (c) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (d) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (e) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (f) The operator shall provide and have based on his leasehold, either owned or under written lease to the operator, not less than one aircraft which will be airworthy, meeting all the requirements of the Federal Aviation Administration and applicable regulations of the state with respect to the type of operations to be performed.
 - (g) In the case of crop dusting or aerial application, the operator shall provide tank trucks for the handling of liquid spray and mixing liquids. The operator shall also provide adequate ground equipment for the safe handling and safe loading of dusting materials.
 - (h) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
 - 1. Aircraft liability:
 - a. Bodily injury: \$1,000,000.00 each accident.
 - b. Passenger liability: \$100,000.00 each passenger, each accident.
 - c. Property damage: \$300,000.00 each accident.
 - 2. Comprehensive public liability and comprehensive property damage:

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- a. Bodily injury: \$1,000,000.00 each accident.
 - b. Property damage: \$300,000.00 each accident.
3. Products liability (when applicable): \$300,000.00 each accident.
- (i) The operator must provide, by means of an office or a telephone, a point of contact for the public desiring to utilize the operator's services.
 - (j) The operator shall have in his employ, and on duty during appropriate business hours, trained personnel in such numbers as may be required to meet the minimum standards set forth in this section in an efficient manner, but never less than one person holding a current Federal Aviation Administration commercial certificate, properly rated for the aircraft to be used and the type of operation to be performed and one other person to assist in the loading and servicing of aircraft.

(Code 1982, § 21.28)

Sec. 22-50. Multiple services.

- (1) *Statement of concept.* A multiple services operator shall be one who engages in any two or more of the aeronautical services for which minimum standards have been provided in this article.
- (2) *Minimum standards;* combinations not including fuels and oil dispensing service. Minimum standards for a multiple services operator shall be as follows:
 - (a) The operator shall lease from the city an area not less than 11,000 square feet of ground space (4,000 for repair shop only combinations) for aircraft storage, parking and other use in accordance with the services to be offered, and on which shall be erected a building to provide at least 4,000 square feet (4,000 square feet for repair shop only combinations) for aircraft storage and at least 1,000 square feet (500 square feet for repair shop only combinations) of floor space for office, customer lounge and restrooms, which shall be properly heated and lighted, and shall provide telephone facilities for customer use.
 - (b) If flight training is one of the multiple services offered, the operator shall provide classroom and briefing room facilities in the building mentioned in subsection (2)(a) of this section.
 - (c) If crop dusting, aerial application or other use of chemicals are part of the multiple services offered, the operator shall provide a centrally drained, paved area of not less than 2,500 square feet for aircraft loading, washing and servicing. The operator shall also provide for the safe storage and containment of noxious chemical matters. Such facilities will be in a location on the airport which will provide the greatest safeguard to the public.
 - (d) The operator shall provide auto parking space within the leased area to accommodate at least seven automobiles.
 - (e) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office.
 - (f) The operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the operator's building to the taxiway or the access to the taxiway that has been or will be provided for the operator.
 - (g) The operator shall comply with the aircraft requirements, including the equipment thereon, for each aeronautical service to be performed except as hereinafter provided.

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- (h) Multiple uses can be made of all aircraft except aircraft used for crop dusting, aerial application or other commercial use of chemicals.
- (i) The operator, except if he is performing combinations of multiple services for which aircraft are not required, shall have available and based at the airport, either owned by the operator or under written lease to the operator, not less than two certified and currently airworthy aircraft. These aircraft shall be equipped and capable of flight to meet the minimum standards as herein provided for each aeronautical service to be performed.
- (j) The operator shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each aeronautical service the operator is performing.
- (k) The operator shall obtain, as a minimum, that insurance coverage which is equal to the highest individual insurance requirement of all the aeronautical services being performed by the operator.
- (l) The operator shall adhere to the hours of operation required for each aeronautical service being performed.
- (m) The operator shall have in his employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards for each aeronautical service the operator is performing as herein provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the operator, except such multiple responsibilities may not be assigned to the Federal Aviation Administration certified repair stations.

(Code 1982, § 21.29)

Sec. 22-51. General requirements.

- (1) *Hanger Buildings.* General requirements for airport hanger buildings shall be as follows:
 - a. All hanger buildings shall conform to State & City building code requirements, the Airport Layout Plan (ALP) and additional standards contained in this section, and shall be subject to approval by application to the Marshfield Airport Committee.
- (2) *Hanger Areas.* Two hanger areas are identified in the Airport Layout Plan of Marshfield Municipal Airport for future hanger development. Hanger buildings in hanger areas shall meet the following additional construction and design standards:
 - a. *Hanger Area #1: Corporate/Large Aircraft Hangars*
 - 1. Size - Minimum 50' W x 50' L
 - 2. Exterior Construction - Metal side-walls and roof
 - 3. Color - White walls, roof and trim
 - 4. Roof Design - Gable style with a maximum 1:12 pitch
 - 5. Hanger Doors - Not to exceed hanger width
 - 6. Location - Consistent with alignment of existing hangars, minimum zoning setbacks, and minimum separation distance between hangars as indicated in the ALP.
 - 7. Apron - Paved with asphalt or concrete with black sealcoat, lot line to lot line.

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- b. Hangar Area #2 - Individual Hangars
 1. Size - Minimum size of 40' W x 30' L
 2. Exterior Construction - Metal side-walls and roof
 3. Color - White walls, roof and trim
 4. Roof Design - Gable style with a maximum 4:12 pitch
 5. Hanger Doors - Not to exceed hangar width
 6. Location - Consistent with alignment of existing hangars, minimum zoning setbacks, and minimum separation distance between hangars as indicated in the ALP.
 7. Apron - Paved with asphalt or concrete with black sealcoat, lot line to lot line.

- (3) Personnel. In this article, all personnel required to hold Federal Aviation Administration certificates and ratings shall maintain such certificates and ratings.

(Code 1982, § 21.30; Ord. No. 1103, § 1, 6-26-2007)

Sec. 22-52. Mandatory lease clauses for airports receiving federal airport aid.

- (1) *Fair and nondiscriminatory services.* The lessee, in the conduct of its authorized aeronautical business activities on the demised premises and on the airport, shall furnish good, prompt and efficient service adequate to meet the demands for its service at the airport, and shall furnish such service on a fair, equal and not unjustly discriminatory basis to all users thereof, and shall charge fair, reasonable and not unjustly discriminatory prices for each unit of sale or service; provided, however, that the lessee shall be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- (2) *Title VI, civil rights assurances.* The lessee, for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that:
 - (a) No person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of such facilities.
 - (b) In the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.
 - (c) The lessee shall use the premises in compliance with all other requirements imposed by or pursuant to title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, nondiscrimination in federally assisted programs of the Department of Transportation, effectuation of title VI of the Civil Rights Act of 1964, and as such regulations may be amended.
- (3) *Aircraft service by owner or operator of aircraft.* It is clearly understood by the lessee that no right or privilege has been granted which would operate to prevent any person operating aircraft on the airport from performing any services on its own aircraft with its own regular employees (including, but not limited to, maintenance and repair) that it may choose to perform.

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- (4) *Nonexclusive rights clause.* The lessee shall have the right and privilege of engaging in and conducting a business on the premises of the airport under the terms and conditions as set forth hereinafter, provided, however, that this agreement shall not be construed in any manner to grant the lessee or those claiming under it the exclusive right to the use of the premises and facilities of such airport other than those premises leased exclusively to the lessee hereunder.

(Code 1982, § 21.31)

Sec. 22-53. Recommended lease clauses.

- (1) *Development of Marshfield Municipal Airport clause.* The lessor reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the desires or view of the lessee, and without interference or hindrance. If the physical development of the airport requires the relocation of the lessee, the lessor agrees to provide a comparable location and agrees to relocate all buildings or provide similar facilities for the lessee at no cost to the lessee.
- (2) *Lessor's rights clause.* The lessor reserves the right, but shall not be obligated to lessee, to maintain and keep in repair the landing area of the airport and all publicly owned facilities of the airport, together with the right to direct and control all activities of the lessee in this regard.
- (3) *War or national emergency.* During the time of war or national emergency the lessor shall have the right to lease the landing area or any part thereof to the United States government for military or naval use, and, if such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the government, shall be suspended.
- (4) *Obstruction at airport.* The lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent the lessee from erecting, or permitting to be erected, any building or other structure on the airport which, in the opinion of the lessor, would limit the usefulness of the airport or constitute a hazard to aircraft.
- (5) *Subordination clause.* This lease shall be subordinate to the provisions of any existing or future agreement between lessor and the United States, or between lessor and the state, relative to the operation or maintenance of the airport, or related facilities, the execution of which has been or may be required as a condition precedent to the expenditure of federal or state funds for the development of the airport.
- (6) *General lease provisions.* General lease provisions shall be as follows:
 - (a) All agreements between the city and an operator covering the performance by an operator of any aeronautical service as hereinbefore provided shall be in writing.
 - (b) The lessee shall provide a performance bond ensuring the completion of the building to be erected on the leasehold.
 - (c) The lessee shall furnish such evidence as may be reasonably requested by the city to show the lessee is financially capable of providing the services and facilities set forth in the lease.

(Code 1982, § 21.32)

Sec. 22-54. Flying clubs.

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

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- (1) *Flying club organization.* Each club must be a nonprofit Wisconsin corporation or partnership. Each member must be a bona fide owner of the aircraft or a stockholder in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual use of operation, maintenance, and replacement of its aircraft. The club will file and keep current with the airport owner a complete list of the club's membership and investment share held by each member.
- (2) *Aircraft.* The club's aircraft will not be used by other than bona fide members for rental and by no one for hire, charter or air taxi. Student instruction can be given by a lessee based on the airport who provides flight training.
- (3) *Violations.* If the club fails to comply with these conditions, the airport owner will notify the club in writing of such violations. If the club fails to correct the violations in 15 days, the airport owner may take any action deemed advisable by the owner.
- (4) *Aircraft liability insurance.* Each aircraft owned by the flying club must have aircraft liability insurance coverage for the following amounts:
 - (a) Bodily injury: \$1,000,000.00 each accident.
 - (b) Property damage: \$300,000.00 each accident.

(Code 1982, § 21.33)

Sec. 22-55. Ultralight aircraft.

The following requirements pertain to all ultralight aircraft using the Marshfield Municipal Airport:

- (1) *Federal Aviation Regulations adopted.* Part 103 of the Federal Aviation Regulations, as now effective and as the same may hereafter be amended, insofar as part 103 is applicable, is hereby adopted by reference and made a part of this Code with the same force and effect as if such regulations were set forth in this section in total. A copy of such regulations shall be kept on file in the office of the city clerk and of the airport manager.
- (2) *Use of airport defined.* The use of the airport by ultralight aircraft is defined as follows:
 - (a) *Runways.* Operators of ultralight aircraft as defined in subsection (1) of this section shall use the outside grass portion of runway 16/34 (on the west side of the runway) and runway 22/04 (on the south side of the runway) for primary takeoffs and landings.
 - (b) *Patterns.* Operators of ultralight aircraft shall use 500-foot pattern one-fourth mile downwind legs, except for takeoffs and landings, inside all aircraft traffic, and shall make all reasonable efforts to avoid crossing runways in accordance with subsection (1) of this section.
 - (c) *Treatment as other aircraft.* Except as provided in this section, all ultralight aircraft shall be treated the same as any other aircraft.

(Code 1982, § 21.34)