

CHAPTER 25

AIRPORT REGULATIONS

25.01 DEFINITIONS. Terms used in this chapter have the following meanings:

Airport: The Brown County Airport, a.k.a., Austin Straubel International Airport.

Owner: Brown County.

Apron: That paved area designed and used solely for the temporary parking and servicing of aircraft.

Concession: Any non-aeronautical facility or service provided for the convenience of the public using the airport.

Condo-hangar: A building capable of housing two or more aircraft which provide individual door openings for each aircraft where each unit may be owned by different individuals.

Corporate hangar: A building capable of housing one or more aircraft which are registered to or leased by corporation using aircraft for business purposes or where the building itself is owned or leased by a business or corporation to house an aircraft used in the conduct of its business.

Director: The Director of the Brown County Airport.

Fixed-base operator: Any person carrying persons or property for hire, or furnishing aeronautical services, supplies, or instruction, and conducting such business from a particular municipal airport.

Hangar: Any building designed and used for aeronautical purposes, providing space for aircraft storage and service activities.

Lessor: Brown County.

Motor Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn.

Multiple T-hangar: A building capable of housing aircraft in a nested configuration which provides individual door openings for each aircraft.

Public areas: Those areas consisting of the terminal, roadways, and vehicle parking areas.

Public Thoroughfare: All areas in the administration area of the airport designed and used for the passage of people in vehicles or on foot.

Runway: Any hard-surfaced area used and designed for the taking off and landing of aircraft.

Shop: A building capable of housing one or more aircraft while such aircraft is being repaired.

Taxiway: A paved area designated solely for the taxiing of aircraft, except apron areas.

Tie-down: An area designed and used for the parking, tying down, or storage of aircraft.

25.02 PLANNING, DEVELOPMENT AND TRANSPORTATION COMMITTEE. The Planning, Development and Transportation Committee of the Board of Supervisors shall be the oversight committee of the Brown County Airport.

25.03 AIRPORT DIRECTOR. (1) The Director shall prepare and submit an annual report to the County Board. Such report shall include information on airline traffic, airport expenditures and revenues, and comparative figures on past, present and future traffic and activity, in addition to other information that the Director may deem pertinent to the report.

(2) The Director shall establish rules and regulations, not inconsistent with this chapter, for the purpose of administering and managing airport operations.

(3) The Director shall submit to the County Executive an annual budget setting forth anticipated revenues and expenditures, including capital improvements.

(4) The Director shall make studies and conduct surveys from time to time to improve the operation of the airport, and for planning purposes.

(5) The Director shall, in cooperation with the appropriate County department, establish an airport accounting system of sufficient detail to enable the Director to accurately establish rates and charges for lease purposes, and to eliminate possible inefficient operation and maintenance practices.

(6) The Director shall prepare, negotiate, and execute standard leases and agreements for the various types of airport activities and land uses authorized in this chapter and shall establish rates and charges to support the approved annual budget in a manner which causes the airport to be as self-sufficient as possible, consistent with FAA Grant requirements.

(7) The Director, in cooperation with the County Emergency Government Director, shall develop an emergency operation plan for the airport.

25.04 AIRPORT OPERATION POLICIES. The Airport Director, in carrying out his/her duties and responsibilities, shall adhere to the following owner policies:

(1) The owner shall encourage the development of the airport 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.

(2) Lessees shall be selected on the basis of their desirability, and not by bid basis. In determining the use of space in the terminal building, first consideration should be given to public convenience and necessity.

(3) Buildings to be constructed shall be approved by the Airport Director prior to construction.

25.05 PENALTY FOR VIOLATION OF MINIMUM STANDARDS AND REQUIREMENTS FOR COMMERCIAL AERONAUTICAL SERVICES AND ACTIVITIES AT AUSTIN STRAUBEL INTERNATIONAL AIRPORT.

(1) No person, firm or corporation shall operate commercially at Austin Straubel International Airport without first obtaining a Commercial Operating Permit/Lease granted by the Airport Director in accordance with the rules and regulations adopted by the Transportation Committee of the County Board except that transient commercial operators may make occasional use of Austin Straubel International Airport upon approval of the Airport Director and upon payment of applicable fees prescribed by the Airport Director without first securing a Commercial Operator Permit/Lease. Any person, firm or corporation who violates any provision of this subsection or any rules or regulations adopted by the Transportation Committee shall be subject to a forfeiture of not less than \$50 nor more than \$1,000 per violation. Each day of violation, or part thereof, or each occurrence prohibited by this subsection shall be deemed a separate violation.

(2) In this subsection, "operate commercially" means the conduct or provision of any commercial aeronautical service or any business or activity for a fee, whether received directly or indirectly.

(3) All aviation fuel and any other flammable fluids stored in bulk quantities shall be in an area specified in the Airport Layout Plan as "fuel farm" and in accordance with applicable State and Federal regulations. Transportation and dispensing of fuels shall be done in accordance with the current edition of NFPA Standard 407. In no case will aircraft be fueled within the confines of any hangar or other structure on Austin Straubel International Airport.

(4) Only aircraft owners or their regular employees may perform maintenance or repairs on their aircraft on airport property. Aircraft maintenance or repair that creates a fire hazard or endangers other aircraft or property of another is prohibited.

(5) Aircraft shall not be parked in a manner which interferes with movement of aircraft or emergency vehicles.

25.06 UTILITIES. (1) Sanitary Sewerage. All sanitary sewage resulting from operations on the airport shall be discharged into the sanitary sewer system. Service connections from the sewer mains to the point of connection shall be provided by the user. The County may establish rates for the furnishing of sanitary sewer service, the price of which shall be based on the quantity of fresh water metered.

(2) Water Service. Water requirements on the airport shall be furnished by connections to water mains provided by Brown County. Service connections from the water mains to the point of connection shall be provided by the user. The County may establish rates for the furnishing of water service not metered at users' premises. Water metered at users' premises may be paid by the County and included as part of the lease agreement or the lessee may be required to pay metered water charge at the discretion of the Airport Director.

(3) Electrical Service. Brown County shall provide an electrical distribution system in the terminal area. Service connections from the primary distribution system to the point of connection shall be provided by the user through arrangement with the Wisconsin Public Service Corporation.

25.07 TRAFFIC REGULATIONS. (1) Definitions. Terms used in this section have the following meanings:

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

Pedestrian: Any person afoot.

Service, maintenance and construction equipment: Equipment normally operated by Brown County 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. This definition shall include equipment owned and operated by contractors performing work on the airport under a contractual agreement with Brown County.

Vehicle: Any device in, upon or by which any person or property is or may be transported or drawn.

(2) Operation of Vehicles on Runways, Taxiways and Ramps. 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 without authorization from the appropriate authorities. The provisions of this section shall not apply to emergency equipment and/or service, maintenance and construction equipment when engaged in performing official duties.

(3) Speed of Vehicles. No vehicle shall be driven upon any road within the perimeter of the Austin Straubel International Airport, or upon other airport areas, in excess of the posted speed limit, nor shall the driver of any vehicle fail to adhere to any sign posted to regulate vehicular traffic. The speed limit on the aircraft apron area is 15 miles per hour for motor vehicles. It shall be the responsibility of the FBO and airline personnel to operate all vehicles at a safe, controllable speed.

(4) Pedestrian Traffic on Airport. No pedestrian shall be allowed beyond the public areas or to the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the Airport Director. Pedestrian traffic is prohibited in the runway and outlying area of the airport except for those employees of the county, state and federal government, or contractors engaged in airport construction or maintenance work.

(5) Aircraft Movement. Taxiing or moving aircraft shall have the right-of-way at all times. Motor vehicles, including emergency vehicles, shall yield to moving aircraft. If a parked aircraft begins movement, moving motor vehicles in the area of the aircraft shall come to a stop or yield the right-of-way.

(6) Enforcement. It shall be the duty of the Airport Director and appropriate law enforcement officials to enforce the provisions of this section.

25.08 VIOLATIONS. It shall be unlawful and a violation of this section for any person, firm, corporation, business organization or other association of persons, whether individually or in concert with others, to do any of the following or cause to be done any of the following on the premises of Austin Straubel International Airport:

(1) To park or leave standing any motor vehicle of any type except within areas designated for the particular type of vehicle involved, and then only in accordance with the posted regulations relating to the area and type of vehicle.

(2) To park any vehicle within the areas designated as "loading zones", other than while actually boarding or discharging persons or freight from that vehicle, or leave unattended any vehicle in such an area.

(3) To double park any motor vehicle in any areas designated for parking purposes.

(4) To park any motor vehicle in areas designated as reserved for the handicapped or disabled veterans, unless the vehicle involved is being used to transport a handicapped person or a veteran and is appropriately marked as a handicapped vehicle.

(5) To park any vehicle in such a manner that the same shall not be within only one stall, as designated by lines or marks painted on the pavement.

(6) Any unauthorized car parked in areas assigned for the exclusive use of the car rental companies and so indicated by signs, may be removed or caused to be removed by the Airport Director, or his designee, to the unlimited parking section of the public parking lot. The Director or designee may also remove or cause to be removed, from any other area on the airport, any vehicle which is illegally parked, disabled, or abandoned or which creates an operational problem. Any such vehicle shall be released to the owner or operator thereof upon proper identification of the person claiming it and payment of towing and storage charges and, where such vehicle has been moved to the unlimited section of the public parking lot, the payment of the accrued parking fees thereon. The County shall not be liable for damage to any vehicle which might result from the act of removal.

(7) Within one week of employment, any employee having a vehicle parked in the employee parking lot shall have a parking permit (decal) obtained from the Airport Director. Decals shall be affixed so as to be visible through the windshield of the vehicle at all times and ready for inspection by the Airport Public Safety Department.

(8) Penalty. Any person found guilty of violating provisions of this section, or any part thereof, shall forfeit not less than \$10 nor more than \$100, and the cost of prosecution, for the first offense, and not less than \$50 nor more than \$200, and the cost of prosecution, for the second or subsequent violation within one year, and upon failure to pay said forfeiture and the costs, may be confined in the County jail for a period not to exceed 10 days for the first offense and 30 days for the second offense, or until the payment of the forfeiture and costs is made.

25.09 CONVEYORS OF PUBLIC TRANSPORTATION. (1) Definitions. Terms used in this section, unless the context otherwise requires, have the following meaning :

Baggage Carrier: Any person operating a vehicle which transports airline passenger baggage for hire.

Courtesy Vehicles: Those vehicles operated to and/or from airports specifically for the transportation or convenience of their patrons or prospective patrons by hotels, motels, and other businesses located off the premises of airports.

Freight Carrier: Any person operating a vehicle which transports commodities, for hire.

Mail Carrier: Any person operating a vehicle which transports U.S. Airmail, under contract to the U.S. Postal Service.

Public Areas: Those areas consisting of the commercial aviation area in terminal, vehicle parking, park and all areas in the administration area of the airport designed and used for the passage of people in vehicles or on foot.

Public Transportation:

(a) On-demand vehicle (taxicab): A motor vehicle regularly engaged in the business of carrying passengers for hire and not operated on a fixed route or published schedule.

(b) Scheduled vehicle: A motor vehicle regularly engaged in the business of carrying passengers for hire and operating on a published schedule.

(c) Limousine: Privately owned vehicles, commonly referred to as limousines operated for hire on a pre-reserved basis or vehicles operated by hotels/motels to transport clients as a courtesy.

(d) Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn upon a public highway.

(2) Applicability of Regulations. All persons operating limousines, taxicabs, freight and mail carriers on Austin Straubel International Airport, for the purpose of transporting persons, passengers, freight, or U.S. Mail for hire, shall comply with the rules and regulations contained in this chapter or as established from time to time by the Airport Director, such rules and regulations to be consistent with this chapter.

(3) Permits. No on-demand vehicle (taxicab) shall operate on Austin Straubel International Airport without a permit unless to pick up or drop off passengers who have made prior reservations. Permits will be valid for a one-year period, commencing March 1 of each year through the last day of February of the succeeding year. Operators who have not had a permit previously may apply at any time during the year for such a permit to the Airport Director, and if a permit is issued, it shall expire on the last day of the next February and the fees hereinafter set forth shall be prorated if the new permit is for a period of less than one year. There shall be no refunds for permittees who cease operations during the permit year either voluntarily or through revocation or suspension of their permit. Each company operating must have a permit even if one person (or persons) owns more than one company. Permits shall be issued by the Airport Director subject to the following terms and conditions:

(a) The permittee shall abide by all applicable laws of the United States and all applicable statutes, codes, ordinances, rules and regulations of the State of Wisconsin, Brown County, and such rules and regulations as may be prescribed from time to time by the Airport Director, including, without restrictions because of enumeration, the parking of permittee's vehicle on the airport and the conduct of its operations on airport premises.

(b) All vehicles operated by permittee shall be permanently marked in letters of sufficient size so that they may be clearly distinguished from both sides of the vehicle from a distance of at least 50 feet, describing the purpose of the vehicle, such as limousine, taxicab, etc., and shall be kept in good operating condition and appearance, and the right is reserved by the Airport Director to order removed from service any vehicle(s) that is deemed unsafe or unkempt in appearance.

(c) All vehicle operators shall present a neat personal appearance.

(d) The permittee shall furnish satisfactory evidence to Brown County that it carries insurance with a company approved by the Airport Director and County Insurance Administrator, and the insurance must be for the types and in the minimum amounts of coverage protecting the County against liability as established by the Airport Director and County Insurance Administrator, and as such amounts and types may change from time to time.

(e) The permittee shall furnish service adequate to meet the demand therefore at said airport as established by the Airport Director.

(f) No vehicle which has been marked for use as a limousine shall be used as a taxicab from Austin Straubel International Airport, but shall only be used as a limousine.

(g) Scheduled Vehicle schedules shall be first approved by and posted at the direction of the Airport Director.

(4) Fees. (a) For the right and privilege of operating a public transportation vehicle on Austin Straubel International Airport, each permittee shall pay to the County an annual fee as established in the County's annual budget. This annual fee shall be due and payable by the 1st day of March of each year for the succeeding year. Failure to remit the annual fee by March 1 shall be cause for immediate revocation and/or non-issuance of the permit by the Airport Director.

(b) Each driver will be issued an Airport identification badge which must be worn on his/her outer garment whenever he/she is on duty at Austin Straubel International Airport. No driver will be permitted to accept passengers on airport property without a proper identification badge.

(c) Each vehicle that is approved will be issued a sticker which authorizes that vehicle to operate at Austin Straubel International Airport. The sticker must be permanently attached to the lower left corner of the windshield.

(5) Revocation and Suspension of Permit. (a) Permits issued under this section may be revoked or suspended by the Airport Director in the event permittee, its employees, agents or servants have failed to comply with any of the following:

1. provisions of this Code,
2. regulations promulgated in pursuance to this Chapter, or
3. in the event that permittee, its employees, agents, or servants become involved on the airport premises in any disturbance, altercation, or dispute, verbally or otherwise, with the public or with the agents or servants of any transportation or aviation company, or with the employees, agents or officers of Brown County.

(b) Prior to a permit revocation or suspension (except under subparagraph (5)(c)), the permittee must be given ten-day written notice of the reasons for denial or revocation.

(c) The Airport Director shall have the authority to suspend forthwith a permit when, in his judgment, an emergency or a threat to the safety of airport users exists.

(6) Penalties. Any person who shall violate any of the provisions of this section may be required to forfeit not less than \$50 nor more than \$300 together with the cost of prosecution, and in default of the payment of the forfeiture and costs of prosecution, shall be imprisoned in the County Jail until such forfeiture and costs are paid. Each day of an offense shall constitute a separate offense.

(7) Regulations (a) All taxicabs, limousines, courtesy vehicles, freight and mail carriers shall be parked in such a manner and in such areas as may be designated from time to time by the Airport Director.

(b) Taxicabs, limousines, courtesy vehicles, freight and mail carriers shall load and unload passengers only in designated loading zones.

(c) No person shall solicit passengers, baggage or freight for taxicabs or limousines. Drivers shall remain in or immediately next to drivers side of assigned vehicles in accordance with published rules, and shall not loiter outside their vehicles or in the public areas unless the specific duty of assisting passengers in loading or unloading warrants such deviation.

(d) No freight/mail carrier shall solicit baggage or freight from public areas and must abide by rules established by air carriers, such rules to be approved by the Airport Director.

25.10 LITERATURE AND NEWSPAPER RACK PROHIBITION. It shall be unlawful to maintain or use any table, box, stand, newspaper vending machine, or other structure for the sale, display, or storage of newspapers, leaflets, or magazines. This section shall not apply to areas of the airport for which a lease exists, or whereby a part of the lessee's business is normally and customarily selling or providing newspapers, leaflets, or magazines to the public, e.g., the gift shop.

25.11 AIRPORT SECURITY. The Airport Director is responsible for administering and enforcing the airport security plan in accordance with parts 107 and 108 of the Federal Aviation Regulations. It shall be unlawful and a violation of this section for any person, firm, corporation, business organization or other association of persons, whether individually or in concert with others, to do any of the following or cause to be done any of the following on the premises of Austin Straubel International Airport:

(1) To enter or attempt to enter the secure area without the required airport identification badge or proper escort.

(2) To permit an unauthorized breach of security into any area, including "sterile areas" as outlined in the Airport Security Plan. "Sterile area" means an area to which access is controlled by the inspection of persons and property in accordance with parts 107 and 108 of the Federal Aviation Regulations.

(3) To make statements at screening check points regarding the carrying or possession of hazardous materials, items, articles, or firearms as restricted by Federal Aviation Regulations.

(4) To assault, threaten, intimidate, or interfere with security checkpoint screening personnel, in the performance of their duties at or in the vicinity of the "Screening Checkpoint" being operated under Federal Aviation Security requirements.

25.12 APPEALS. Any person aggrieved by any decision made in the administration of this ordinance may apply to the Brown County Transportation Committee to reverse wholly or partly, or modify or otherwise change, abrogate, or rescind any such decision upon meeting the following requirements:

(1) Such appeals be filed within thirty (30) calendar days following the contested administrative action.

(2) Such appeals shall be filed with the Airport Director in writing, who shall accept it on behalf of the Transportation Committee.

(3) The appeal shall specify:

(a) The specific rule or regulation contested; and

(b) The reason(s) for the appeal.

The Brown County Planning, Development and Transportation Committee, upon receipt of the appeal, shall include discussion and action on the appeal at its next regularly scheduled meeting, provided the appeal is received at least ten (10) working days prior to the regularly scheduled meeting.

(1) Any party may appear in person, by agent, or by attorney in conjunction with the appeal.

(2) A decision regarding the appeal shall be made unless additional information, facts or testimony is deemed necessary. In such cases, the decision on the appeal shall take place at the next regularly scheduled meeting of the Brown County Planning, Development and Transportation Committee.

(3) The disposition of the appeal shall be by a majority decision of the Brown County Planning, Development and Transportation Committee. Such decision shall state the specific facts and rational which are the basis for the Committee's decision and shall either affirm, reverse, or modify the administrative action in whole or in part.