



BYLAW NO. 09-2013 TOWN OF VEGREVILLE

THIS BYLAW BEING BYLAW NO. 09-2013 OF THE TOWN OF VEGREVILLE, IN THE PROVINCE OF ALBERTA, REGULATING AND PROVIDING FOR THE TERMS, CONDITIONS, RATES AND CHARGES FOR THE VEGREVILLE REGIONAL AIRPORT BY THE TOWN OF VEGREVILLE.

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time, provides that a council may pass bylaws regarding transport and transportation systems;

NOW THEREFORE, the Municipal Council of the Town of Vegreville, duly assembled, hereby enacts as follows:

1. TITLE

1.1 This Bylaw may be cited as "The Airport Bylaw".

2. DEFINITIONS

2.1 "**Airport**" means an aerodrome and the surrounding land presently owned by the Town of Vegreville which is generally located in the County of Minburn No. 27, Alberta and legally described as:

PORTION OF THE SOUTH HALF OF SECTION TWENTY-NINE (29) TOWNSHIP FIFTY-TWO (52) RANGE FOURTEEN (14) WEST OF THE FOURTH MERIDIAN

and

PORTION OF THE NORTH HALF OF SECTION TWENTY (20) TOWNSHIP FIFTY-TWO (52) RANGE FOURTEEN (14) WEST OF THE FOURTH MERIDIAN

and any buildings, fixtures, structures, equipment, supplies, materials, or other items of property located on such land.

2.2 "**Airport Apron**" means that portion of the Airport indicated on Schedule "A" to this Bylaw.

2.3 "**Airport Lease**" means and includes a lease agreement or tie-down license agreement entered into between the Town and a lessee or licensee and which sets out their respective rights and obligations regarding the use or occupation of the Airport.

2.4 "**Airport Manager**" means the Manager of the Vegreville Regional Airport as appointed under Article 3.1 of this bylaw and includes a person appointed to carry out the duties of the Airport Manager during the absence of the Airport Manager.

2.5 "**Bylaw Enforcement Officer**" means a Bylaw Enforcement Officer appointed by Council and includes a member of the Royal Canadian Mounted Police and a Community Peace Officer.

2.6 "**CAO**" means the Chief Administrative Officer of the Town or his designate, regardless of the specific title that may be conferred on that person by Council from time to time.

2.7 "**Council**" means the Municipal Council of the Town of Vegreville.

2.8 "**County**" means the County of Minburn No. 27.

- 2.9 **“Designated Officer”** means the CAO; Infrastructure, Planning & Development Director, Public Works & Utilities Manager; Public Works & Utilities Foreman; Bylaw Enforcement Officer; or any individual designated by Council to be a designated officer for the purpose of enforcing the provisions of this Bylaw.
- 2.10 **“Occupant”** means any lessee, tenant or user of space on Airport premises or user of any Airport facilities.
- 2.11 **“Operator”** means persons operating an aircraft, vehicle or any equipment at the Airport and persons responsible for the operation and safety of the aircraft, vehicle or equipment.
- 2.12 **“Owner”** means the person recognized by law as having ultimate control over, and right to use, property as long as the law permits and no agreement or covenant limits that person’s rights.
- 2.13 **“Park”** means the standing of any means of transportation, whether occupied or not, including aircraft and all other types of vehicles of any kind whatsoever.
- 2.14 **“Vehicle”** means an automobile, bicycle, all-terrain vehicle, truck, bus, or any self-propelled vehicle or device in, on or by which a person or thing is or may be transported, carried, or conveyed on land, but does not include an aircraft.
- 2.15 **“Violation Tag”** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act*.
- 2.16 **“Violation Ticket”** means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 2.17 Words importing the masculine gender only include the feminine gender whenever the context so requires and vice versa.
- 2.18 Words importing the singular shall include the plural whenever the context so requires and vice versa.

3. **ROLE OF THE AIRPORT MANAGER**

- 3.1 The Airport Manager shall be appointed from time to time by the CAO.
- 3.2 The Airport Manager shall conduct the daily operations, administration and management of the business of the Airport. This authority includes, but is not limited to:
- 3.2.1 constructing, improving, maintaining, developing and managing any and all works necessary or desirable to operate the Airport within the financial limitations of the annual budget approved by Council unless otherwise approved by Council;
- 3.2.2 generally doing or causing to be done all things which are necessary for, or incidental to, the operation, maintenance, development and management of the Airport;
- 3.2.3 the preparation and approval of Airport Leases for execution by the parties;
- 3.2.4 establishing operating procedures, rules and regulations for the use and occupation of the Airport;
- 3.2.5 operating the Airport in accordance with Transport Canada Standards, maintaining the groundside and airside operations in accordance with this Airport Bylaw, the Vegreville Regional Airport Operations & Apron Safety Procedures Manual and monitoring aviation activity in conjunction with the Federal Government;
- 3.2.6 enforcing all terms in this Airport Bylaw;
- 3.2.7 suspending or temporarily restricting the operations of the Airport at any time, by reason of unusual circumstances, by means of NOTAM and in accordance with Transport Canada Regulations;
- 3.2.8 recommending to Council the schedule of rates and fees for use of the Airport;

ml
gd

3.2.9 to appoint a person to carry out the duties of the Airport Manager when the Airport Manager is unable to do so by reason of absence or illness.

4. USE OF AIRPORT PREMISES

- 4.1 The Town shall not be liable for any detriment, damage, accident or injury of any nature whatsoever however caused to any person or property including, but not limited to, any structure, erection, aircraft, equipment, materials, supplies, motor or other Vehicles, fixtures and articles erected, brought, placed, or made on or about the Airport, unless such damage or injury is caused by the negligence of the Town or its employees while acting within the scope of their employment.
- 4.2 No person shall, without written permission from the Airport Manager or the Town, do any advertising or soliciting of any nature or kind whatsoever upon or at the Airport.
- 4.3 Airport Occupants shall:
- 4.3.1 be liable for any damage to the Airport which may be caused by the Occupant, ordinary wear and tear excepted. No Occupant shall do or suffer any waste or damage to the Airport or use or permit to be used any part of the Airport for any dangerous, noxious or offensive trade or business; nor cause or maintain any nuisance or do or maintain anything which shall be a disturbance to other users of the Airport.
- 4.3.2 at all reasonable times, permit the Town, its employees and agents to enter leased or licensed space for the purpose of inspection, servicing, repair, maintenance and construction of the Airport.
- 4.3.3 maintain, during the currency of an Airport Lease or airport agreement to which the Occupant is a party, liability insurance for all activities carried on by the Occupant, whether temporary or ongoing basis. A certificate of this liability insurance may be requested by the Airport Manager for review. The review by the Airport Manager will include, but is not limited to, the adequacy of insurance coverage and current status of insurance. The Occupant shall adjust insurance coverage, if so directed by the Airport Manager, to correspond with the directions of the Airport Manager.
- 4.3.4 not permit the Airport to become untidy, unsightly or hazardous or permit rubbish to accumulate thereon. Should such conditions occur and the Occupant fail to respond to instructions from the Airport Manager to remove, clean up or restore the lands or premises, the Airport Manager may undertake the clean-up and/or removal and assess all costs incurred in clean-up and/or removal to the Occupant.
- 4.4 The Town reserves the right to terminate use of the Airport for any of the following reasons:
- 4.4.1 non-payment of any rate, rent or charge when due;
- 4.4.2 insolvency;
- 4.4.3 use of Airport facilities contrary to this Bylaw;
- 4.4.4 use of the Airport contrary to an Airport Lease or agreement;
- 4.4.5 use contrary to Transport Canada requirements.
- 4.5 All Occupants shall comply with the requirements of this Bylaw and all operating procedures, agreements, rules and regulations whether established by a municipal, provincial or federal government relating to the operation of the Airport. All Occupants are required to familiarize themselves with this Bylaw, as well as all operating procedures, agreements and regulations associated with the Airport before use and occupation of the Airport. No Occupant shall knowingly use the Airport for any purpose contrary to the conditions of issue of an Airport Lease. All aspects of the Air Regulations and the Aeronautics Act apply to the operation of the Airport.

- 4.6 No person shall:
- 4.6.1 store debris or waste of any type or description at the Airport;
 - 4.6.2 leave or allow a Vehicle or aircraft to leave deposits of rocks, stone, mud, fluids or other debris in any paved area at the Airport without first obtaining the written permission of the Airport Manager;
 - 4.6.3 place or leave any offensive matter or any trash or waste material at the Airport except in refuse containers that may be provided for that purpose.
- 4.7 No Vehicle, equipment, material, supply or product, including salvaged aircraft, aircraft engines, air frames, parts or accessories, shall be stored or permitted to remain on any building site outside a permanent building unless such storage is suitably shielded from public view by an appropriate screen compatible in design with the permanent structure. The screen shall require the written approval of the Airport Manager prior to installation.
- 4.8 Fuels, lubricants, and other toxic or insoluble compounds may not be permitted to discharge into the surface or underground storm water system. Discharge of aircraft toilet wastes on or at the Airport is expressly prohibited.
- 4.9 No oil, varnishes, paint stripper or other liquids shall be stored outdoors on any building site except as approved by the Airport Manager.
- 4.10 All persons using the Airport shall pay at the rates set out in Schedule "B" of this Bylaw as amended, repealed or replaced from time to time.
- 4.11 An interest shall be imposed on all overdue accounts in accordance with the Town's Overdue Accounts Policy.
- 4.12 Developments at the Airport must conform to all municipal, provincial and federal building standards, codes and regulations as amended or repealed and replaced from time to time, including, but not limited to, the Alberta Building Code.

5. AERONAUTICAL USE OF AIRPORT

- 5.1 No person shall conduct:
- 5.1.1 balloon landings and take-offs;
 - 5.1.2 banner towing;
 - 5.1.3 airshow aerobatics and flypasts,
- from the Airport without the express written consent of the Airport Manager.
- 5.2 No person shall Park or store any aircraft, aircraft parts or equipment:
- 5.2.1 on the Airport Apron for longer than forty eight (48) hours;
 - 5.2.2 at the Airport, for recreational purposes other than the leased areas of the Airport, for periods in excess of seven (7) days without obtaining permission from the Airport Manager;
 - 5.2.3 in such a position that it obstructs the maneuvering of other aircraft, aircraft parts, Vehicles or trailers at the Airport;
 - 5.2.4 in any leased area of the Airport without the permission of the lessee;
 - 5.2.5 in a position that obstructs normal access to leased areas;
 - 5.2.6 in areas posted with notices requiring prior permission, until that permission has been obtained from the Airport Manager.

- 5.3 It is the responsibility of the aircraft Owner or Operator to ensure that all aircraft parked or stored at the Airport are properly secured regardless of whether or not the devices used to secure the aircraft were supplied by the Town.
- 5.4 The Airport Manager may move or caused to be moved a Vehicle, trailer, aircraft or parts or equipment at the Airport if the Vehicle, trailer, aircraft, parts or equipment is interfering in any manner with the use or operation of the Airport and the Town shall not be liable for any damage caused to such Vehicle, trailer, aircraft, parts or equipment by reason of it being so removed.
- 5.5 In the event a Vehicle, trailer, aircraft, parts or equipment is removed by the Airport Manager under Section 5.4, the Owner or Operator of such Vehicle, trailer, aircraft, parts or equipment, in addition to a penalty, shall be liable for all costs incurred in relation to such movement, and such costs shall be paid to the Town prior to the release of the Vehicle, trailer, aircraft, parts or equipment.

6. DISABLED AIRCRAFT

- 6.1 No person shall displace, move or interfere with an aircraft or its contents involved in an accident without first having obtained permission to do so from the duly authorized representative of the Transportation Safety Board, except that the aircraft or any part or contents thereof may be displaced or moved as may be necessary to extricate any person, to prevent destruction by fire or other cause or to avoid any danger to any person or property.
- 6.2 No person unless duly authorized by a representative of the Transportation Safety Board shall disturb an aircraft accident site.
- 6.3 Where an aircraft is to be displaced or moved pursuant to Section 6.1, the person directing, supervising or arranging the action shall record by means of diagrams, photographs and notes, the condition of the aircraft, aircraft contents and aircraft accident site.
- 6.4 After accident investigation, the aircraft shall be removed by the Owner/Operator without delay from the manoeuvring area of the Airport. When the Owner/Operator does not remove the aircraft promptly, the Airport Manager may have the aircraft removed and assess the removal charges to the aircraft Owner. The Airport assumes no liability or financial responsibility for the removal of the aircraft or any damage or loss caused by the removal.

7. GENERAL SAFETY RULES

- 7.1 No person shall smoke or operate a spark or flame producing device or appliance at the Airport except in designated areas.
- 7.2 Users of the Airport shall comply with the Alberta Fire Code and appropriate federal, provincial and municipal laws and regulations pertaining to all matters of fire safety and fire prevention.

8. FUELLING

- 8.1 All fuelling operations conducted at the Airport must follow the procedures outlined in the Vegreville Regional Airport Operations & Apron Safety Procedures Manual.
- 8.2 No aircraft shall be fuelled or defueled while inside a hangar.
- 8.3 During fuelling or defueling, the aircraft engine or engines shall be stopped and the switches placed in an "engine inoperable" position.
- 8.4 In accordance with the Alberta Fire Code approved types of operations, fire extinguishers shall be within easy reach of those in charge of fuelling.
- 8.5 Fuelling equipment shall be well maintained and shall be a type of which can be safely operated at an Airport and be certified in accordance with federal and provincial regulations.
- 8.6 All airside fuel spillage must be immediately reported to the Emergency Services Department and to the Airport Manager. In addition to the penalty specified by this



Bylaw, the refuelling agent and/or the aircraft Owner will be assessed the clean-up costs of the fuel spillage.

- 8.7 No flammable gases or liquids, including those used in connection with the process of doping shall be used or stored in any hangar on the Airport unless authorized by the Airport Manager. Storage of such liquids shall be in compliance with regulations of the Fire Department and the appropriate Provincial Authorities.

9. VEHICLE OPERATION

- 9.1 Vehicles are prohibited on runways, taxiways, ramps or aircraft parking and manoeuvring areas unless receiving prior authorization from the Airport Manager. All authorized Vehicle Operators must follow the Vegreville Regional Airport Operations & Apron Safety Procedures Manual.
- 9.2 Vehicles authorized to operate in restricted and/or aircraft manoeuvring areas must do so at a slow speed with due regard for aircraft, persons and property. Operators of such vehicles will be held responsible for any accident, damage or injury caused by their vehicle.
- 9.3 When Vehicles are authorized into restricted areas, they shall not under any circumstances, be left parked, unattended. No Vehicle may be parked so as to block a gate, entrance or roadway or in any aircraft manoeuvring area.
- 9.4 The Airport Manager shall tow or otherwise move vehicles improperly parked on the Airport in violation of these regulations.

10. PENALTIES

- 10.1 Any person who contravenes a provision of this Bylaw is guilty of an offense and upon summary conviction is liable to a fine of not less than two hundred (\$200.00) dollars, not in excess of one thousand (\$1,000.00) dollars and/or eviction from the Airport.

11. VIOLATION TAGS

- 11.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 11.2 A Violation Tag may be issued to such person:
- 11.2.1 either personally, or;
 - 11.2.2 by mailing a copy to such person at his last known post office address.
- 11.3 The Violation Tag shall be in a form approved by the CAO and shall state:
- 11.3.1 the name of the person;
 - 11.3.2 the offence;
 - 11.3.3 the appropriate penalty for the offence as set out in this Bylaw;
 - 11.3.4 that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag;
 - 11.3.5 any other information as may be required by the CAO.
- 11.4 Where a contravention of this Bylaw is of a continuing nature, the Bylaw Enforcement Officer may issue further Violation Tags, provided that no more than one Violation Tag shall be issued for each day that the contravention continues.
- 11.5 Where a Violation Tag is issued pursuant to this Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.

11.6 Nothing in this Bylaw shall prevent a Bylaw Enforcement Officer from immediately issuing a Violation Ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

12. VIOLATION TICKET

12.1 If the penalty specified on a Violation Tag is not paid within the prescribed time period, then a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended.

12.2 Notwithstanding Section 12.1 of this Bylaw, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended, to any person who the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

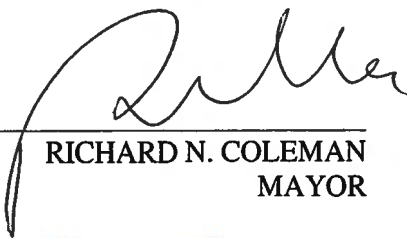
13. SEVERABILITY PROVISION

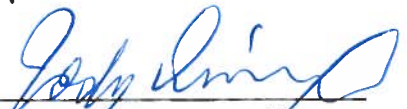
13.1 Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining Bylaw shall be maintained.

14. EFFECTIVE DATE

14.1 This Bylaw shall come into force and effect on the date of final reading thereof.

Read a first time this	23 rd	day of	September	, 2013.
Read a second time this	16 th	day of	October	, 2013.
Read a third time this	16 th	day of	October	, 2013.


RICHARD N. COLEMAN
MAYOR


JODY QUICKSTAD
TOWN MANAGER

SCHEDULE "B"
RATES AND FEES SCHEDULE

EFFECTIVE JANUARY 1, 2014

- | | | |
|----|---|--------------------------------|
| 1. | Lot Lease | \$0.25/m ² annually |
| 2. | Commercial Operating Fee (Additional to Lot Lease) | \$0.50/m ² annually |
| 3. | Tie-Down Parking Fees | \$20.00/month |
| 4. | Temporary Commercial Occupancy Fee | \$100.00 per day |
| 5. | Terminal Building Meeting Room Rental Rate | \$50.00 per day |
| 6. | These rates will increase 3% annually. | |

me
gal