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19.01 PURPOSE.

The purpose of this subchapter is to promote the public safety, welfare and convenience through the limitation of the height of buildings, structures and objects of natural growth located not more than 3 miles from the boundaries of the Rhinelander-Oneida County Airport and to establish airport operation policies and land use within the boundaries of the airport in conjunction with the passage of an ordinance by the Rhinelander City Council substantially in conformance with this subchapter.

19.02 DEFINITIONS.

Airport. The Rhinelander-Oneida County Airport located in Sections 1, 2, 3, 4, 9, 10 and 11, T36N, R8E, Oneida County, Wisconsin.

Airport hazard. Any building, structure, tree, object of natural growth or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at an airport, or which is otherwise hazardous to such landing or taking off.

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Commercial air carrier.

Any person or business entity who undertakes directly by hire, lease or other arrangement, to engage in the carriage by aircraft of persons or property for compensation. This definition includes, but is not limited to, the following: all classes of air carriers as defined by the Federal Department of Transportation and/or the Federal Aviation Administration; commuter and air taxi operators; and, commercial operators of small aircraft. (Cr. #47-85)

Commission. The group of 3 persons appointed by the owner under §114.14, Wis. Stats., which has jurisdiction for the construction, improvement, equipment, maintenance and operation of the airport and which is known as the Rhinelander-Oneida County Airport Commission.

Fixed base operator.

Any person, firm, corporation or association conducting any aeronautical business on the airport. This definition includes, but is not limited to the following: flight training; aircraft rental; aircraft sales; aircraft charter or air taxi; airplane and power plant repair; aircraft line services; and, agricultural application. (Am. #47-85)

Hangar, corporate. 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.

Hangar, multiple T. 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.

Manager. The person employed by the Commission to administer and enforce all airport ordinances, leases, agreements, rules and regulations.

Nonconforming use. Any building, structure, tree or object of natural growth for use of land which does not conform to a regulation prescribed in this subchapter or an amendment thereto as of the effective date of such regulation.

Owner. The City of Rhinelander and Oneida County.

Person. Any individual, firm, partnership, corporation, company, association, joint stock association or body politic, including any trustee, receiver, assignee or other similar representative thereof.

Runway. A level portion of an airport having a surface specially developed and maintained for the landing and taking off of aircraft.

Structure. Any object constructed or installed by man.

Transitional landings.

Any lands made to acquaint pilots with the aircraft in which they are flying or the landing facilities at the airport. (Cr. #47-85)

Trees. Not to include shrubs, bushes or plants which do not grow to a height of more than 20'.

19.03 AIRPORT COMMISSION.

- (1) The Commission shall have jurisdiction over the construction, improvement, equipment, maintenance and operation of the airport.
- (2) The Commission shall adopt regulations and establish fees or charges for the use of the airport not inconsistent with this subchapter.
- (3) The Commission may employ a manager whose duties and responsibilities shall be specified in writing and whose salary shall be approved by the owner.
- (4) The Manager, under the supervision of the Commission, shall have the duty of administering and enforcing all airport ordinances, leases and agreements and rules and regulations.

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- (5) The Commission and the Manager shall meet at the airport at least once each calendar quarter to inspect the airport facilities, review operations and financial matters and discuss proposed airport development and other business.
- (6) The Commission shall, in cooperation with the appropriate City department, establish an airport accounting system of sufficient detail to enable the Commission to accurately establish rates and charges, eliminate inefficient operation and maintenance practices and accomplish sound financial planning.
- (7) The commission shall prepare and submit an annual report to the owner. Such report shall include current information on aircraft operations, based aircraft, airport expenditures and revenues, along with comparative figures for the past year and projections for the coming year and include other information deemed pertinent.
- (8) The Commission shall prepare and submit to the owner an annual budget setting forth anticipated revenues and expenditures, including capital improvements.
- (9) The Commission shall prepare and submit for adoption by the owner a resolution establishing minimum requirements for the conduct of aeronautical services on the airport and an ordinance regulating vehicle and pedestrian traffic on the airport.
- (10) The Commission shall prepare and submit for adoption by the owner standard leases and agreements for the various types of airport activities and land uses authorized in this subchapter.
- (11) The Commission shall make studies and conduct surveys as appropriate to assist in improving the operation of the airport. It shall cooperate with the Wisconsin Division of Aeronautics and the Federal Aviation Administration in airport and system planning functions and other activities.
- (12) The Commission shall cooperate with and receive the cooperation of all municipal departments providing services or assistance to the airport.
- (13) The Commission shall have the power to eliminate nonconforming uses through purchase or through the use of eminent domain procedures as may be allowed by the Wisconsin Statutes.
- (14) The Commission shall have the right to trim, prune or remove at the Commission's expense any tree which is planted after September 22, 1978, and found to be in violation of the height restriction for the zone in which it is located.

19.04 ESTABLISHMENT OF LAND USE AREAS.

To carry out the purposes and provisions of this subchapter, the following land use areas are established and depicted in Map A and Map B:

- (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 Map B 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 Commission.

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- (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 Map B and building heights shall conform with Federal Aviation regulations.
- (5) MULTIPLE T-HANGAR AREA.
 - (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 Map B and building heights shall conform with Federal Aviation regulations.
- (6) TIE-DOWN AREAS. These areas are reserved for long-term parking of aircraft based on the airport or those transient aircraft remaining overnight. Temporary tie-down areas may be designated by the Commission 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 Commission or Manager.
- (9) CONSERVANCY AND INDUSTRIAL-CONCESSION AREAS. These areas shall be reserved for the location of businesses compatible with airport operations and for the possible future development of an industrial park and for automobile parking.
 - (a) Proposals for leasing land in this area will be reviewed on an individual basis by the Commission.
 - (b) Lot sizes, setbacks and building heights and design shall be specified in the written agreement between the lessee and the Commission.
- (10) 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 Commission.
 - (b) Lot sizes, setbacks and building heights shall be specified in the written agreement between the lessee and the Commission.
- (11) FUEL FARM AREA. This area is reserved for the underground storage of fuel used in aircraft. A written agreement between a fuel farm tenant, other than a fixed base operator, and the Commission shall contain, but shall not be limited to, the following provisions:
 - (a) At no time shall 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.
 - (b) Tenant shall install and maintain all fuel facilities within the fuel farm in accordance with plans and specifications approved in writing by the Commission.

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- (c) 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.
- (d) Dispensing trucks, bulk fuel trucks, emergency vehicles and other vehicles approved by the Commission or Manager shall be the only vehicles permitted within the fuel farm.
- (e) All fuel storage shall be in underground tanks with only necessary equipment, such as valves, meters and vents protruding above ground.
- (f) Each prospective fuel farm tenant shall submit to the Commission 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.

19.05 AIRPORT OPERATION POLICIES.

The Commission in carrying out its duties and responsibilities shall adhere to the following policies:

- (1) The Commission shall refrain from engaging in any activity or providing any service, excluding airport maintenance, using public employees or funds that can be conducted or provided satisfactorily by private parties through proper lease arrangements.
- (2) The Commission shall encourage the development of the airport, especially in those areas where substantial building costs are incurred by lessees, by approving long-term leases which provide for the reexamination and readjustment of rates and charges at specified periods of time during the term of the lease.
- (3) The Commission 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 Commission. Lessees shall be selected on the basis of their qualifications, financial capabilities and services offered and not solely by bid basis. In determining the use of public buildings space, first consideration shall be given to public necessity and convenience. The Commission shall provide the State 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 Commission, State Department of Industry, Labor and Human Relations, State 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 ordinance.
- (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 §19.04(11) and holding a written agreement with the Commission to do so.
- (8) The storage of all aviation fuel shall be in underground tanks only and the Commission 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.

19.06 HEIGHT LIMITATION ZONING MAP. (Am. Res. 121-2004)

All zones established by this section are as shown on the map, dated 2/2/76, revised 3/9/78, and 11/23/03, entitled "Height Limitation Zoning Map, Rhinelander-Oneida County Airport," identified as Map

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C which is made a part of this section as if set forth herein. For the purposes of this subchapter, certain township sections in the vicinity of the airport shall be placed in the following designated areas:

- (1) Area 1, Map C shall consist of Sections 2 and 11, T36N, R8E, as set forth on the height limitation zoning map.
- (2) Area 2, Map C shall consist of Section 36, T37N, R7E; Sections 28, 29, 31, 32, 33, 34, 35 and 36, T37N, R8E; Sections 1 and 12, T36N, R7E; Sections 1, 3, 4, 5, 6, 8, 9, 10, 12, 15 and 16, T36N, R8E; and Sections 6 and 18, T36N, R9E, as set forth on the height limitation zoning map.
- (3) Area 3, Map C shall consist of Sections 22, 23, 24, 25, 26, 27 and 30, T37N, R8E; Sections 19, 29, 30, 31 and 32, T37N, R9E; Section 13, T36N, R73; Sections 7, 13, 14, 17, 18, 19, 20, 21, 22, 23 and 24, T36N, R8E; and Sections 5, 7, 8, 17 and 19, T36N, R9E, Oneida County, as set forth in the height limitations zoning map.

19.07 ADMINISTRATION OF HEIGHT LIMITATION ZONING.

The provisions and regulations of this subchapter shall be jointly administered and enforced by the County Zoning Administrator and the City Inspector. All existing provisions for the granting of permits and variances shall remain in effect for each of the respective municipalities. The right of appeal shall exist in all cases of denials and shall be made to the Zoning Appeal Board of the respective municipality from which the denial was issued.

19.08 HEIGHT LIMITATION ZONES.

Except as otherwise provided in this subchapter, no structure shall be constructed, altered, located or permitted to remain after such construction, alteration or location and no trees shall be allowed to grow to a height in excess of the height limit indicated on the map referred to in §19.06 above.

19.09 PERMITS.

- (1) **FUTURE USES.** No structure in Area 1, Map C, shall be constructed, erected or installed or be permitted to remain in any zone created by §§19.06 and 19.08 until the owner or his agent has applied in writing for a permit therefor and obtained such permit as provided herein. No structure in Area 2, Map C, in excess of 50' shall be constructed, erected or installed or permitted to remain in any zone created by §§19.06 and 19.08 until the owner or his agent has applied in writing for a permit therefor and has obtained such permit as provided herein. No structure in Area 3, Map C, in excess of 100' shall be constructed, erected or installed or permitted to remain in any zone created by §§19.06 and 19.08 until the owner or his agent has applied in writing for a permit therefor and obtained such permit as provided herein.
- (2) **EXISTING USES.** Before any nonconforming structure may be replaced, altered or rebuilt, a permit shall be applied for and secured in the manner prescribed by sub. (1) above authorizing such change, replacement or repair. No such permit shall be denied if the structure will not become a greater hazard to air navigation than it was on September 22, 1978, or when the application for the permit was made.
- (3) **APPLICATION.** Application for such a permit shall indicate the use for which the permit is desired and shall describe and locate the use with sufficient particularity to allow the appropriate County or City official to determine whether such use would conform to the regulations herein. If determination is in the affirmative, the permit applied for shall be issued.
- (4) **POSTING.** The permit shall be posted in a prominent place on the premises prior to and during the period of construction, erection, installation or establishment.

19.10 EXCEPTIONS.

- (1) The restrictions contained in §19.08 shall not apply to objects less than 50' in height above natural ground level at the object site in Area 2, Map 3, or to objects less than 100' in height above ground level at the object site in Area 3, Map C.
- (2) The regulations prescribed in §§19.06 and 19.08 shall not be construed retroactively to require the removal, lowering or other change or alteration of any existing nonconforming use or otherwise interfere with the continuance of any nonconforming use, except as otherwise provided by §19.06(2).
- (3) Nothing herein contained shall require any change in the construction, alteration or intended use of any structure if the construction or alteration of such was begun prior to September 22, 1978, and if such is diligently prosecuted.

19.11 APPEALS AND REVIEW.

- (1) **VARIANCES.** The right of appeal shall exist in all cases of denials and shall be made to the Zoning Appeal Board of the respective municipality from which the denial was issued. Upon appeal in special cases, the Zoning Appeal Board may, after investigation and public hearing, grant such variance from the terms of this subchapter as will not be contrary to the public interest, where owing to special conditions a literal enforcement of this subchapter would result in unnecessary hardship and providing that such relief will do substantial justice and be in accord with the spirit of this subchapter and does not create a hazard to the safe and normal operation of aircraft.
- (2) **AGGRIEVED PERSONS.** Any person aggrieved or affected by any decision or action of the Zoning Administrator of the County, or the City Inspector, made in the administration of this subchapter may appeal such decision or action to the Zoning Appeal Board of the respective municipality from which the denial was issued.
- (3) **PROCEDURE.** Any appeal taken pursuant to this subchapter involving the denial of an application for a permit or variance by the County Zoning Administrator shall be in conformity with the County Board of Adjustment rules of procedure.

19.12 FEES AND CHARGES. (Cr. #47-85)

- (1) **TERMINAL SPACE RENTAL FEES.**
 - (a) Each commercial air carrier shall pay for designated space in the terminal building that is occupied exclusively by such carrier at the following rates per square foot per annum which rental shall be paid monthly in advance:
 1. Through December 31, 1985\$12.21.
 2. January 1 through December 31, 1986.12.82.
 - (b) Each such carrier shall pay in monthly installments its pro rata share of any designated joint use area it utilizes in the terminal building of the airport, computed at the rate set forth above in par. (a).
 - (c) The total amount each such carrier shall pay shall be computed according to the following formula: a sum equal to 20% of such total annual rental divided by the number of such carriers using such joint use area plus a share of the remaining 80% of such total annual rental allocated among such air carriers so that each shall pay monthly the proportion thereof which the total number of its enplaning passengers during each monthly period bears to the total number of enplaning passengers of all such airline lessees during the monthly period.
- (2) **LANDING FEES.**
 - (a) Each such air carrier shall pay the following landing fees, per thousand pounds of certified maximum gross landing weight (MGLW):

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1. Aircraft weighing less than 12,500 lbs.
 - a. Up to 7,500 lbs. MGLW\$3.50.
 - b. 7,501 lbs. to 10,500 lbs. MGLW5.00
 - c. 10,501 lbs. to 12,500 lbs. MGLW6.25
 2. Aircraft weighing 12,501 lbs. or more.
 - a. Through December 31, 1985 (per 1,000 lbs.)\$0.55.
 - b. January 1 through December 31, 1986 (per 1,000 lbs.)0.60.
- (b) In tabulating weights, the weights of each aircraft shall not be less than the certified maximum gross landing weight as computed by the manufacturer and the Federal Aviation Administration.
- (3) TRANSITIONAL LANDING FEES. No commercial air carrier shall use the airport for transitional landings without complying with the provisions of this subsection.
- (a) Any above referenced air carrier using the airport for transitional landings shall pay landing fees as set forth in sub. (2) above.
 - (b) Any such air carrier using the airport for transitional landings shall file a monthly report with the Manager on a form prescribed by the Manager. Such report shall be filed with the Manager not later than 15 days following the month of activity.
- (4) MONTHLY FLIGHT REPORT FEES. The monthly report referred to in §19.14(1) shall be accompanied by the remittance of the air carrier, calculated at the schedule hereinbefore set forth, for the purpose of checking and auditing by the Manager. If any deficiency in such remittance shall be determined, billing therefor shall be sent to the air carrier and, if any overage, the same shall be refunded or credited. If remittance at the rate hereinbefore provided shall not accompany such monthly report, the Manager shall, not later than the 15th day of the month, send statements to the air carrier so reporting, calculated at such rate, which statement shall be due and payable not later than the 25th of each month.
- (5) DELINQUENT PAYMENTS. Any fee, charge, rate, rental or other payment, whether due under written agreement, the provisions of this section or otherwise, shall be paid as of the established due date. Any portion of such fee, charge, rate, rental or other payment which remains unpaid after the established due date shall bear interest at the rate of 1 1/2% per month, compounded monthly, from the due date until paid. This section shall become effective as of the date of publication and shall apply to all delinquencies then or thereafter in existence.
- (6) PERIODIC REVIEW AND REVISION. The Rhinelander Oneida County Airport Commission shall retain the authority it has under the provisions of this chapter and the provisions of §114.14, Wis. Stats., to periodically review and revise the fees and charges set forth herein and to enforce them under the provisions of §25.04 of this General Code as though such revised fees and charges were set forth herein.

19.13 AUTHORITY OF MANAGER. (Cr. #47-85)

As a condition precedent to the right of all such air carriers to use the airport, they and each of them shall comply with all rules and regulations promulgated by the Airport Commission and all applicable County ordinances. The Manager or his designee shall be given access by such air carriers at all reasonable times, in person or by agent, to examine and check their records, disclosing the information required hereunder to be reported to them by the Manager.

19.14 MONTHLY FLIGHT, PASSENGER AND CARGO REPORTS, REPORTS OF COMPANIES. (Cr. #47-85)

- (1) MONTHLY FLIGHT REPORTS. As a condition precedent to the right to use and occupy the airport, each such air carrier shall furnish to the Manager on or before the 10th day of each month hereafter, certified as true and correct by the person delegated by such air carrier as its office representative having custody of the records of the same, the number of its flights which have landed at the airport during the preceding month, together with the manufacturer, type and official landing weight of the aircraft used.
- (2) PASSENGER AND CARGO REPORTS. Each such air carrier using the airport shall, in addition to the monthly report hereinbefore provided, at the same time report to the Manager the quantity of cargo, mail and express and the number of passengers its flights have handled at the airport. The Manager shall have the right to prescribe and furnish forms for the making of all reports required to be made by the provisions of this section.

19.15 APPLICABILITY. (Rep. & recr. #47-85)

- (1) GENERAL APPLICATION. This subchapter shall apply to all commercial air carriers doing business at the County Airport in Rhinelander except those under contract under sub. (2)(b).
- (2) EXCEPTIONS.
 - (a) *Fixed base operator.* Charges herein fixed shall not apply to the operations of fixed base operators, nor shall the same apply to aircraft not operated for commercial purposes.
 - (b) *Carriers under contract.* This section does not apply to any commercial air carrier using this airport during the term of any contract, whether of date prior or subsequent to the effective date of this section, if such contract covers fees to be charged to it for the use of the airport by its aircraft.

19.19 PENALTY. (Ren. #47-85)

Any person who violates any of the provisions of this subchapter shall be subject to a penalty as provided in §25.04 of this General Code.

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[19.20 DEFINITIONS.](#)

[19.21 OPERATION OF VEHICLES ON RUNWAYS, TAXIWAYS AND RAMPS.](#)

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[19.24 PARKING REGULATIONS. \(Rep. & recr. Res. #56-79\)](#)

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[19.30 ENFORCEMENT. \(Am. #63-87\)](#)

[19.31 PENALTIES.](#)

19.20 DEFINITIONS.

Emergency equipment. Crash, fire, ambulance and rescue or police motor vehicles and such other equipment as the Commission may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Employee parking area. (Cr. Res. #56-79) An area of the public parking lot at the airport, which is designated as "Area B" on Map D-1, in which parking of vehicles is permitted only to employees of the airport.

Enforcement officials. (Am. #63-87) The persons responsible for the enforcement of this subchapter as provided by §25.04(4)(a)3.

Metered parking area. (Cr. Res. #56-79) An area of the public parking lot at the airport, which is designated as "Area A" on Map D, in which metered parking stalls are located in which the public may park vehicles in compliance with the provisions of this section.

Metered parking stall. (Cr. Res. #56-79) Certain designated and marked off sections of the metered parking area at the airport within the marked boundaries of which a vehicle may be temporarily parked and allowed to remain upon the deposit of parking meter fees as prescribed by this section in the parking meter located adjacent to each stall.

Parking meter. (Cr. Res. #56-79) A mechanical device located adjacent to each stall in the metered parking area at the airport, which device shall record a certain period of time by the use of a clock mechanism during which parking privileges may be extended to the person so depositing a coin in the device.

Parking regulation map. (Cr. Res. #56-79) The regulation of parking on all areas of the airport is as depicted by an area on the map entitled "Parking Regulation Map, Rhinelander-Oneida County Airport," which is on file in the office of the Clerk and made a part of this section as "Map D-1" and "Map D-2", as if fully set forth herein.

Pedestrian. Any person afoot.

Permit parking area. (Cr. Res. #56-79) The parking lots located immediately adjacent to and northeasterly of the terminal building; immediately adjacent to and southwesterly of the terminal building; along the southerly length of Road "B" between the travel lane and the curbing; along the southerly boundary of the public parking lot between "Area A" and the curbing located along the southwesterly boundary of the public parking lot; and in the parking lot located on either side of the entrance of the building known as the "old terminal", which is bound on the north side by the old terminal building, by a fence line on the east, on the west by a fence line and on the south by the edge of the paved area. These permit parking areas are designated as "Area C" on Map D-1 and Map D-2. In the permit parking areas, the public shall be prohibited from parking any vehicles at any time and parking shall be restricted only to those individuals, employees or tenants of the airport or businesses which have been issued permits for designated parking stalls located in Area C.

Prohibited parking area. (Cr. Res. #56-79) On all areas of the airport property, other than the metered parking area, the employee parking area and the permit parking area, where parking of vehicles is permitted in compliance with the provisions of this section, no vehicle parking shall be permitted, except for purposes of maintenance or improvement of the airport property as expressly authorized by the Airport Commission or the Airport Manager.

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

19.21 OPERATION OF VEHICLES ON RUNWAYS, TAXIWAYS AND RAMPS.

- (1) PROHIBITED. No vehicle shall enter or be driven or operated upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting entrance thereon.

(2) EXCEPTIONS.

- (a) This section shall not apply to emergency equipment or service, maintenance and construction equipment when engaged in normal duties.
- (b) Aircraft owners, operators and crews may be authorized by the Airport Manager or his designated representative to operate a vehicle to reach their own aircraft in a tie-down area, provided aircraft owners desiring to operate a vehicle for this purpose shall request such authorization in advance. Any authorization granted shall apply only to a specific request and no blanket-type authorization shall be granted. Unless specifically authorized, vehicles shall not be driven over any runway, taxiway or ramp and shall proceed through any tie-down area at a speed not to exceed 10 mph. No vehicle shall be parked 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.

19.22 SPEED LIMITS.

No vehicle shall be driven upon any road within the perimeter of the airport or upon other airport areas in excess of the posted speed limit.

19.23 PEDESTRIAN TRAFFIC.

No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down area, except when embarking or disembarking an aircraft or unless authorized by the Airport Manager. Pedestrian traffic is prohibited on taxiways, runways and outlying areas of the airport, except for employees of the City, County, State and federal governments or contractors engaged in airport construction and maintenance.

19.24 PARKING REGULATIONS. (Rep. & recr. Res. #56-79)

The parking of vehicles in the parking areas of the airport as defined in this chapter and as depicted by area on the parking regulation map shall be permitted only when in compliance with the provisions of this section.

- (1) REGULATION AND MANAGEMENT. The regulation and management of parking at the airport shall be under the control of the Rhinelander-Oneida County Airport Commission.
- (2) POWERS AND DUTIES OF AIRPORT COMMISSION. The Airport Commission shall have the power to manage and operate the parking areas at the airport. This section constitutes an exercise of the police power of the City of Rhinelander and the County by the Airport Commission and the provisions of this section shall be liberally construed in favor of the Airport Commission.
- (3) INSTALLATION AND MAINTENANCE OF METERS. The Airport Commission shall install parking meters in the metered parking area. The Airport Commission shall provide for the control, operation and use of such parking meters and shall maintain them in a good workable condition. Where parking meters are found to be not workable, they shall be promptly removed and repaired or be replaced with another meter in good working order.
- (4) METERED PARKING REGULATIONS.
 - (a) When any vehicle shall be parked in the metered parking area in a stall adjacent to which a parking meter is located in accordance with the provisions of this section, the owner or operator of the vehicle shall, upon entering the parking stall, immediately deposit such coin or coins of the United States as are prescribed by instructions appearing on the parking meter device to put the meter in operation for such period of time as the person intends to have such parking privileges. Failure by the owner or operator of the vehicle to deposit such coin and put the meter

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in operation shall constitute a violation of this section and shall subject such person to the penalty prescribed hereinafter.

- (b) Parking privileges in a metered parking stall shall be extended to the owner or operator of the vehicle for a period of 60 minutes for each \$.05 deposited in the parking meter. Payment of the amounts for the above periods of time shall be made for parking in each metered parking stall. If any such vehicle shall remain parked in any such parking stall beyond the time limit, the parking meter shall, by its dial and pointer, indicate such illegal parking and such vehicle shall be considered parked overtime and shall constitute a violation of this section and the owner or operator shall be penalized as provided herein. The Airport Commission may establish procedures for the payment of an extended parking fee for periods of 24 hours or longer and, in addition, may establish procedures for the advance purchase of parking permits for extended periods of time including, but not necessarily limited to, periods of 30 days, 90 days or annual permits. (Am. #63-87)
- (c) If a vehicle is parked in a metered parking stall in violation of this section, it shall be the duty of the individuals authorized to enforce this section to establish a written report which identifies the vehicle and the location of the vehicle by metered parking stall location or appropriate parking meter number; identifies the number and the name of the license of such vehicle; indicates the time such vehicle is parking in violation of any of the provisions of this section; and which shall provide any other facts or knowledge of which is necessary to a thorough understanding of the circumstances of such violation. At the time such report is made, a notice shall be attached to such vehicle informing the owner or operator thereof that a violation of the provisions of this section has occurred.
- (d) If the owner or operator of any vehicle allows such vehicle to remain in the metered parking stall after the notice of violation has been attached to the vehicle, he shall continue to remain in violation of this section and shall pay a penalty of \$2 for each 24 hour period or any portion thereof that the vehicle remains continuously parked in the metered parking stall. For each additional 24 hour period beyond the time when the violation was first reported and the notice was attached to the vehicle, the enforcement official shall punch the original notice once. (Am. #63-87)
- (e) Within 5 days of the time when the owner or operator removes such vehicle from the parking stall or such vehicle is caused to be removed by the Airport Commission or its authorized agents as provided in this section, the owner or operator may pay the sum of \$2 for the initial violation and the additional sum of \$2 for each additional 24 hour period or any portion thereof that the vehicle remains continuously parked subsequent to the initial violation as a penalty for and in full satisfaction of such violation. The penalty may be paid by depositing the same in the collection box located near the pedestrian crosswalk between the metered parking area and the terminal or the box located in the terminal building on the wall outside of the Airport Manager's office or by mailing the penalty to or paying the penalty at the Airport Manager's office in the terminal within the same 5 day period. (Am. #63-87)
- (f) A presumption shall be established that the initial violation occurred and that additional violations occurred during each subsequent 24 hour period or any portion thereof as soon as the written report is made by the enforcement official noting the initial violation as prescribed above and noting each additional violation for each subsequent 24 hour period or any portion thereof as they transpire.
- (g) A presumption to a clear, satisfactory and convincing degree that each such violation has occurred shall be established at the time that the written report is made as prescribed above by the enforcement official and shall be overcome only at such time as the owner or operator of the vehicle provides evidence to indicate that the contents of such written report is no longer clear, satisfactory and convincing.
- (h) No person shall deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this section.

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- (i) No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute or any other substitute for a coin of the United States which may be deposited in the parking meter as prescribed by instructions appearing on the parking meter device.
- (5) *Regulation of employee parking area, permit parking area and prohibited parking area.*
- (a) When any vehicle shall be parked in the employee parking area, permit parking area or prohibited parking area, such parking shall constitute a violation of this section and the owner or operator thereof shall be penalized as hereinafter set out.
 - (b) The violation of this section shall be reported by an authorized enforcement official in the same manner as is prescribed in par. (4)(c) above.
 - (c) Within 5 days of the time when the owner or operator removes such vehicle from the parking stall or such vehicle is caused to be removed by the Airport Commission or its authorized agents as provided in this section, the owner or operator may pay the sum of \$5 for the initial violation and the additional sum of \$5 for each additional 24 hour period or any portion thereof that the vehicle remains continuously parked subsequent to the initial violation as a penalty for and in full satisfaction of such violation. The penalty may be paid by depositing the same in the collection boxes which shall be attached to the parking meters located in the metered parking area closest to the pedestrian crosswalk between the metered parking area and the terminal or by mailing the penalty to or paying the penalty at the Airport Manager's office in the terminal within the same 5 day period.
 - (d) For the purposes of this section, a separate and additional violation shall be deemed to have occurred for each additional 24 hour period of time or any portion thereof that the vehicle remains parked in the employee parking area, permit parking area or prohibited parking area.
 - (e) If a vehicle remains parked in the employee parking area, permit parking area or prohibited parking area for in the excess of 48 hours beyond the time when the initial written report of the violation was made as prescribed above, the owner or operator thereof shall be deemed to have left the vehicle unattended and to have abandoned the same and the vehicle shall be subject to being towed away pursuant to the provisions of §19.26. If the Airport Manager determines that a vehicle improperly parked in the employee parking area, permit parking area or prohibited parking area constitutes a hazard or obstruction to the safe and efficient operation of the airport, he may cause the vehicle to be removed to an appropriate area in order to facilitate the safe and efficient operation of the airport.
 - (f) If a written report is made by an authorized enforcement official indicating that a vehicle has been parked in the employee parking area, permit parking area or prohibited parking area, contrary to the provisions of this section, the same presumption shall be deemed established as is indicated in par. (4)(f).

19.25 PARKING REGULATION SIGNS TO BE ERECTED AND ZONES TO BE MARKED.

The Commission shall see that suitable signs are erected and zones indicated by paint markings on the airport property, such signs and zones to indicate the parking restrictions applicable to that area and determined by the Commission.

19.26 VEHICLE TOW AWAY ZONES.

- (1) The Commission shall designate and post with official signs tow away zones where no parking of vehicles is permitted at any time or during certain designated periods of the year.
- (2) Whenever any enforcement official finds a vehicle stopped or parked in a designated tow away zone during the time such tow away provisions are in effect and thereby in violation of this section, he shall cause the same to be removed by such towing company as may be designated by contracts

with the Commission. Such vehicle shall be removed to a storage area of such towing company and kept there until the owner presents to the towing company a release from the County Sheriff's Department or the Commission authorizing the towing company to release such vehicle to him.

- (3) Whenever any vehicle has been towed away under this section and has not been redeemed by the owner thereof within 30 days from the day of the violation, it will be deemed an abandoned vehicle and disposed of as provided for by §19.27.

19.27 VEHICLE ABANDONMENT.

- (1) PROHIBITED. No person shall leave unattended any vehicle within the area of the airport for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any vehicle has been left unattended for more than 48 hours beyond the time limit appearing on any official sign covering a designated area, the vehicle is deemed abandoned and constitutes a public nuisance.
- (2) IMPOUNDMENT.
 - (a) Any vehicle in violation of sub. (1) shall be impounded until lawfully claimed or disposed of pursuant to sub. (4), except if an authorized representative of the Commission or an enforcement official determines the towing and storage charges for impoundment would exceed the value of the vehicle, the vehicle may be junked by the Commission prior to expiration of the impoundment period upon determination by the County Sheriff having jurisdiction that the vehicle is not wanted for evidence or any other reason.
 - (b) Any enforcement official who discovers any abandoned vehicle shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle, the enforcement official shall notify the County Sheriff and the Commission of the abandonment and of the location of the impounded vehicle.
- (3) OWNER RESPONSIBLE FOR COSTS. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the vehicle may be recovered in a civil action by the County against the owner. Whether or not the Commission recovers the cost of towing and enforcement, the Commission shall be responsible to the towing company for requisitional towing services and reasonable charges for impoundment.
- (4) DISPOSAL.
 - (a) After having a professional appraisal made, any vehicle determined by the Commission to have a value in excess of \$100 shall be retained in storage for 14 days after notice has been sent by mail to the owner and lienholder of record to permit reclamation of the vehicle after payment of accrued charges. Thereafter, the Commission may dispose of the vehicle by sale as provided by this section.
 - (b) Any abandoned vehicle determined by the Commission to have a value of less than \$100 after professional appraisal may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.
 - (c) Within 5 days after the sale or disposal of a vehicle, the Commission shall direct the County Sheriff's Department to advise the Division of Motor Vehicles of the sale or disposition on forms supplied by the Division.

19.30 ENFORCEMENT. (Am. #63-87)

The Airport Commission shall designate employees and/or agents of the Commission to enforce the provisions of this subchapter.

19.31 PENALTIES.

- (1) VIOLATION OF §19.24(4)(A)-(D). (Am. #63-87) Any person who shall violate the provisions of §19.24(4)(a)-(d) shall, upon conviction thereof, be subject to a forfeiture of not less than \$2 nor more than \$20 for each violation as hereafter provided, together with costs.
- (2) VIOLATION OF §19.24(4)(H) AND (I). Any person who shall violate the provisions of §19.24(4)(h) and (i) shall, upon conviction thereof, be subject to a forfeiture of not less than \$15 nor more than \$200 for each separate violation as hereafter provided, together with costs.
- (3) VIOLATION OF §19.24(5). Any person who shall violate the provisions of §19.24(5) shall, upon conviction thereof, be subject to a forfeiture of not less than \$5 nor more than \$50 for each separate violation as hereafter provided, together with costs.
- (4) VIOLATION OF §19.26(7). Any person who shall violate the provisions of §19.26(7) shall, upon conviction thereof, be subject to a forfeiture of not less than \$15 nor more than \$50 as hereafter provided, together with costs.
- (5) PAYMENT OF STIPULATED PENALTY. Any person who has been issued a notice of violation of any provision of this section may stipulate to and pay a penalty for and in full satisfaction of such violation in the manner prescribed for the stated violation as provided elsewhere in this section. Any person who has violated the provisions of §19.26 may stipulate to the payment of the forfeiture provided herein under the following terms and conditions:
 - (a) If the vehicle was towed away and a stipulation is reached within 72 hours of the violation, upon payment of the sum of \$15.
 - (b) If the vehicle was towed away and stipulation is reached more than 72 hours after the violation, upon payment of the sum of \$25.
 - (c) If the vehicle was towed away, for every 24 hour period commencing 24 hours after the violation, the violator will be required, in addition to the stipulation of forfeiture, to pay the towing company for removal and storage of the vehicle. At the end of 30 days, the vehicle shall be deemed abandoned and disposed of in accordance with provisions of this section. (Am. #63-87)
 - (d) If a stipulated deposit is so paid, the Airport Manager or his agent shall advise the person in writing that:
 1. If he fails to appear in court at the time fixed in the citation, he shall be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
 2. If he fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.
 3. The arresting enforcement official or the person receiving the deposit shall issue the arrested person a receipt therefor.
- (6) EACH DAY CONSIDERED SEPARATE VIOLATION. Each day's violation of any of the provisions of this chapter shall be considered a separate and distinct violation thereof for the purpose of assessing penalties.