

TOWN OF CASTOR BYLAW NO. 1081

A BYLAW OF THE TOWN OF CASTOR , IN THE PROVINCE OF ALBERTA, for the purpose of regulating the operation of the CASTOR Airport.

WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws regarding transport and transportation systems;

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

That Bylaw No. 1081 may be cited as the Airport Bylaw.

1.0 DEFINITIONS

In this Bylaw, unless the context otherwise requires, the word, term or expressions:

- a) " Airport Apron" means that portion of the airport indicated as part of the flight line or ramp or an area of the airport where aircraft are parked.
- b) "Airport Manager" means the Manager of the Castor Airport as appointed and includes a person appointed to carry out the duties of the Airport Manager during the absence of the Airport Manager.
- c) " Aircraft" means a machine or device, such as an airplane, helicopter, glider, or dirigible, capable of atmospheric flight.
- d) "Airside" means the area of an airport intended to be used for activities related to aircraft operations and to which access is normally controlled as shown on Schedule A.
- e) "Aircrew" mean personnel who operate an aircraft while in flight, including the pilot, co-pilot and flight attendants.
- f) "Chief Administrative Officer (CAO)" means the Chief Administrative Officer of the TOWN OF CASTOR as appointed by the Council or whatever subsequent title may be conferred on that officer by Council or statute.
- g) " Council " means the Council of the CASTOR Municipality.
- h) "Ground crew" mean personnel who are responsible for handling and care of the aircraft whilst on the ground including maintenance.
- i) "Municipality" means the Town of CASTOR .
- j) "Occupant" means any lessee or user of the Airport.
- k) "Owner" means any person or body corporate entitled to exclusive use, control, custody and care of an asset.
- l) "Operator" includes the owner of an Aircraft, and/or any person operating an Aircraft, vehicle or any equipment at the Airport and person responsible for the operation and safety of the Aircraft, vehicle or equipment.
- m) "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.
- n) "Passenger" means a traveler on a public or private conveyance other than the pilot or crew.
- o) "Peace Officer" means a Community Peace Officer or Bylaw Officer appointed by the Municipality to do any act, perform any duty, and enforce any provision outlined by any Municipal Bylaw. Includes a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer.
- p) "PIC" means pilot in command of an aircraft.
- q) "Unit Toll Aircraft" means an Aircraft which charges a price per occupied seat on the Aircraft for recreational rides.
- r) " CASTOR Airport" means an airport and the surrounding land presently located at CASTOR , Alberta and legally described as:

And

1 nautical mile (1.9 km; 1.2 mi) west of Castor

And any buildings, fixtures, structures located on such land.

2.0 USE OF AIRPORT PREMISES

2.1 No person shall, without written permission from the Airport Manager or the Town Of CASTOR, do any advertising or soliciting of any nature or kind what so ever upon or at the Airport.

2.2 Airport Occupants shall:

- a) Not suffer any damage to the Airport or use 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;
- b) Not permit the Airport to become untidy, unsightly and hazardous or permit waste 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 assign all costs incur-ed in clean-up and/or removal to the Occupant.

2.3 The TOWN OF CASTOR reserves the right to terminate use of the Airport for any of the following reasons:

- a) Non-payment of any rate, rent or charge when due;
- b) Insolvency;
- c) Use of Airport facilities contrary to this Bylaw;
- d) Use contrary to Transport Canada requirements.

2.4 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 AirpoIt.

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.

Schedule "B" of this Bylaw may be amended from time to time upon the recommendation of the CAO and shall be approved by resolution of Council.

2.5 No person shall:

- a) Store recreational vehicles, debris or waste of any type or description at the Airport;
- b) Leave or allow a vehicle or Aircraft to leave deposits of rocks, stone, mud or other debris in any paved area at the Airport;
- c) 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.
- d) Reside at or cause another to be able to reside a the airport without municipal approval

2.6 All persons using the Airport shall pay the rates set out in TOWN OF CASTOR Fees, Rates & Charges Policy, as amended from time to time.

2.7 Any Aircraft Owner and/or Operator arriving at the Airport and wishing to base their Aircraft and/or to operate from the Airport shall report to the Airport Manager to an-ange for any services they may require.

2.8 Any Aircraft Owner and/or Operator arriving or taking off in an Aircraft from the Airport must use the NOTAM system.

3.0 AERONAUTICAL USE OF AIRPORT

3.1 Use of the CASTOR Airport for general aviation purposes shall be restricted to the following Aircraft, unless approved in writing by the Airport Manager:

- a) Private Aircraft
- b) Commercial Aircraft
- c) Air ambulances
- d) Rotary wing Aircraft
- e) Government or military Aircraft

- 3.2** No person shall conduct or offer at the airport without the express written consent of the Airport Manager.
- a) Ultra-light Aircraft landings and take-offs;
 - b) Balloon landings and take-offs;
 - c) Banner towing;
 - d) Formation take-offs and landings,
 - e) Air show aerobatics and fly pasts,
 - f) Scheduled air passenger service
 - g) Unit toll charter services from the Airport
 - h) Radio controlled aircraft or drone operations
- 3.3** No person shall park or store any Aircraft, Aircraft parts or equipment on the airport:
- a) Without registering;
 - b) In such a position that it obstructs the maneuvering of other Aircraft, Aircraft parts, vehicles or trailers at the Airport;
 - c) In any leased area of the Airport without permission of the lessee;
 - d) In a position that obstructs normal access to leased areas;
 - e) In areas posted with notices requiring private or permission, until that permission has been obtained from the Airport Manager.
- 3.4** 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 of CASTOR .
- 3.5** The Airport Manager may move or cause to be moved a vehicle, trailer, Aircraft, parts or equipment at the Airport if the vehicle, trailer, Aircraft, parts or equipment are interfering in any manner with the use, operation or maintenance of the Airport and the TOWN OF CASTOR shall not be liable for any damage caused to such vehicle, trailer, Aircraft, parts or equipment by reason of it being so removed.
- 3.6** In the event a vehicle, trailer, Aircraft, parts or equipment is removed by the Airport Manager under Section 3.5 the Owner or Operator of such vehicle, trailer, Aircraft, parts or equipment in addition to the penalty specified in Schedule "B" attached to and forming part of this Bylaw, shall be liable for all costs incurred in relation to such movement and such costs shall be paid to the TOWN OF CASTOR prior to the release of the vehicle, trailer, Aircraft, parts or equipment.
- 3.7** No person shall:
- a) Taxi an Aircraft at an unsafe or unreasonable rate of speed;
 - b) Operate or park an Aircraft negligently or recklessly or in any other manner that endangers or is likely to endanger life or property.
 - c) Conduct Aircraft maintenance without permission from the Airport Manager on aircraft parking or maneuvering areas. Designated areas shown on Schedule A must be used.

4.0 GENERAL SAFETY RULES

- 4.1** No person shall smoke or operate a spark or flame producing device or appliance on the Airport apron.
- 4.2** 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.
- 4.3** Access to Airside is prohibited to all personnel unless they are authorized by the Airport Manager or considered to be aircrew, ground crew or passengers of an aircraft positioned at the Airport.
- 4.4** All passengers on Airside are the sole responsibility of the pilot in command and will travel directly to and from the designated aircraft for embarkation and disembarkation.
- 4.5** Commercial business operating at CASTOR Airport is responsible for airside access via their properties and the actions of their employees and customers.

5.0 FUELING

- 5.1** No Aircraft shall be refueled or defueled while inside a hangar.
- 5.2** During fueling or defueling, the Aircraft engine or engines shall be stopped and the switches placed in an " engine inoperable" position.

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- 5.3 The fueling equipment and the Aircraft shall be grounded during fueling operations.
- 5.4 In accordance with the Alberta Fire Code approved types of operations fire extinguishers shall be within easy reach of those in charge of refueling.
- 5.5 Fueling equipment shall be well maintained and shall be of a type which can be safely operated at an Airport.
- 5.6 All fuel spillage on the airport property must be immediately reported to the Airport Manager and the Emergency Services. In addition to the penalty specified by this Bylaw, the refueling agent and/or the Aircraft owner will be assessed the clean-up costs of the fuel spillage.
- 5.7 No flammable gases or liquids, including those used in conjunction 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 Emergency Services and the appropriate Provincial Authorities.
- 5.8 All handling of stored fuel at the Airport not covered above shall be in accordance with the CSA Standard B836.
- 5.9 Aviation fuel drums are not allowed for the refueling of aircraft at the Airport unless approved by the Airport Manager.
- 5.10 Unauthorized fuel containers are prohibited on the airport property unless approved by the Airport Manager.

6.0 VEHICLE OPERATION

- 6.1 Vehicles are prohibited airside unless authorized by the Airport Manager.
- 6.2 Vehicles authorized to operate in restricted areas and/or Airside areas must do so at slow speeds 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.
- 6.3 All vehicles that are authorized to operate Airside of the Airport shall:
 - a) Be equipped with a visible strobe light;
 - b) Be operated by personnel with a training file held by the Airport Manager;
 - c) Not under any circumstances, be left parked, unattended.
No vehicle may be parked so as to block a gate, entrance, and roadway or in any Aircraft maneuvering area.
- 6.4 The Airport Manager shall tow or otherwise move vehicles improperly parked on the Airport in violation of these regulations.

7.0 PENALTIES

- 7.1 Any person who contravenes any provisions of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule "B" herein.
- 7.2 Under no circumstances shall any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

8.0 VIOLATION TAGS

- 8.1 A TOWN OF CASTOR Peace/Bylaw Officer is hereby authorized and empowered to issue a Violation Tag to any person who the TOWN OF CASTOR Peace/Bylaw Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 8.2 A Violation Tag may be issued to such person:
 - a) Either personally, or
 - b) By mailing a copy to such person at his last known post office address.
- 8.3 The Violation Tag shall be in a form approved by the Chief Administrative Officer and shall state:

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- a) The name of the person;
- b) The offence;
- c) The appropriate penalty for the offence as set out in this Bylaw;
- d) That the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag;
- e) Any other information as may be required by the Chief Administrative Officer.

8.4 Where a contravention of this Bylaw is of a continuing nature, the TOWN OF CASTOR Peace Officer may issue further Violation Tags, provided that no more than one Violation Tag shall be issued for each day that the contravention continues.

8.5 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 OF CASTOR the penalty specified on the Violation Tag.

8.6 Nothing in this Bylaw shall prevent a TOWN OF CASTOR Peace Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

9.0 VIOLATION TICKET

9.1 If the penalty specified on a Violation Tag is not paid within the prescribed time period then a TOWN OF CASTOR Peace Officer/bylaw officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, c. P-34.

9.2 Notwithstanding Section 9.1 of this Bylaw, a TOWN OF CASTOR Peace Officer/bylaw officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended, to any person who the TOWN OF CASTOR Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

10.0 SEVERABILITY PROVISION

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

11.0 EFFECTIVE DATE

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

11.2 Bylaw 656 is hereby repealed effective this 28 day of September, 2020.

Read a first time this 14th day of September, 2020

“Original Signed”
Mayor, Richard Elhard

“Original Signed”
Chief Administrative Officer, Christopher.R

Read a second time this 28 day of September, 2020

“Original Signed”
Mayor, Richard Elhard

“Original Signed”
Chief Administrative Officer, Christopher.R

Read a third time and finally passed this 28 day of September.

“Original Signed”
Mayor, Richard Elhard

“Original Signed”
Chief Administrative Officer, Christopher.R

SCHEDULE "B"

Section	Minimum penalty	Maximum penalty
2.1 - Use of airport premises	\$100.00	\$ 1000.00
2.2 a) - Use of airport premises	\$100.00 & clean up charges	\$1000.00 & clean up charges
2.2 b) - Use of airport premises	\$100.00 & clean up charges	\$1000.00 & clean up charges
2.5 a) - Use of airport premises	\$100.00	\$1000 .00
3.3, 3.4, 3.6 & 3.7 Aeronautical use of the airport	\$ I 50.00 & towing charges	\$1500.00 & towing charges
4.1 - General safety rules	\$250.00	\$2000.00
4.3 - General safety rules	\$200.00	\$2000.00
5.1 to 5.5 & 5.7 to 5.10 - Fueling	\$250.00	\$2000.00
5.6 - Fueling	\$250.00 & clean up charges	\$2000 .00 & clean up charges
6.1 , 6.3 Vehicles operation	\$250.00	\$2000.00