

TOWN OF LA RONGE

BYLAW NUMBER 376/98

**A BYLAW OF THE TOWN OF LA RONGE IN THE
PROVINCE OF SASKATCHEWAN
TO PROVIDE FOR THE ADMINISTRATION OF THE LA RONGE AIRPORT
AND TO RATIFY EXECUTION OF TRANSFER AGREEMENTS
WITH HER MAJESTY THE QUEEN OF CANADA
AND WITH HER MAJESTY THE QUEEN IN THE RIGHT OF SASKATCHEWAN**

WHEREAS, pursuant to *The Urban Municipality Act*, 1984, Council may enact a Bylaw to provide for the operation of an airport, its construction, improvement and extension and for the regulation of municipal land and buildings; and

WHEREAS Her Majesty the Queen in Right of Canada wishes to transfer to the Town of La Ronge Her interest in the La Ronge Municipal Airport upon certain terms and conditions; and

WHEREAS it is deemed expedient to pass a bylaw to provide for and confirm acquisition of the property interest of Her Majesty in the La Ronge Municipal Airport to provide for its operation.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF LA RONGE IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. This bylaw may be cited as the **Airport Bylaw**.
2. In this bylaw:
 - (a) **Air Navigation Facilities** means navigation, weather, communication and surveillance equipment, electronic landing aids and other equipment and associated antennae, cables, circuits, cable ducting, and telecommunications systems used for the safe landing or take-off of aircraft all of which are located at the Airport.
 - (b) **Airport** means the La Ronge Municipal Airport as described in the document annexed hereto as Schedule "A" together with all those buildings and fixtures, visual aids and all appurtenances related to flight services thereon in which the Town of La Ronge has ownership.
 - (c) **Airport Transfer Agreements** means those Agreements listed in s.24 of this bylaw.
 - (d) **Bylaw No. 187/84** means Bylaw No. 187/84 of the Town of La Ronge regarding the shooting of guns or such bylaw or bylaws as may be substituted therefore from time to time.
 - (e) **Chief of Police** means the member in charge of the La Ronge Detachment of the Royal Canadian Mounted Police and/or anyone acting or appointed or authorized by him to act on his behalf.
 - (f) **Town** means the Town of La Ronge.
 - (g) **Airport Manager** means the Town employee or contractor assigned responsibility for the Airport and anyone acting or authorized by Council, the Town Administrator or Airport Manager to act on behalf of the Airport Manager.
 - (h) **Council** means the Council of the Town of La Ronge.

- (i) **Custom Work Order Policy** means the valuation of work performed by Town forces or on behalf of the Town that is calculated by the Airport Manager to constitute the standard charge for all work of a similar nature, and the said value shall be deemed to reflect the actual cost to the Town of labour, equipment, material used, the addition to the said value of all applicable taxes; the invoicing for the values calculated as aforesaid, crediting any deposit which the Airport Manager may have required to be paid prior to the undertaking of the work and the obligation of the person making the deposit or signing the Airport Manager's form of Custom Work Order to pay any balance owing. For the calculation of the cost of services provided by the Fire Department, this definition shall apply excepting the references to Airport Manager shall be replaced with references to Fire Chief.
 - (j) **Fire Chief** means the person appointed as the Fire Chief of the Town and anyone acting or authorized by the Town Administrator or Fire Chief to act on behalf of the Fire Chief.
 - (k) **Fire Department** means the equipment, vehicles and fire-fighting personnel of the Town used to respond to requests for fire fighting, fire prevention and emergency services within the Town.
 - (l) **Noise Bylaw** means the Noise Bylaw of the Town of La Ronge, being Bylaw No. 343/95 as amended, or such bylaw or bylaws as may be substituted therefore from time to time.
 - (m) **Regulatory Authority** means the Minister of Transport of Canada, the *Aeronautics Act*, R.S.C. 1985, c.A-2, and Regulations made thereunder, all other laws, Orders, decisions, rules and regulations now or hereafter in force including, without limiting the generality of the foregoing, those in respect of the management, operation, maintenance, standards of safety or security applicable to the Airport and the conditions of the Aerodrome Registration of the Airport from time to time in effect.
 - (n) **Town Administrator** means the Administrator of the Town of La Ronge, or any person authorized to act on his behalf.
 - (o) **Visual Aids** means visual approach aids, approach, runway, taxiway and airside lights, airside signs and other similar physical instruments for the safe and efficient operation and control of aircraft and any equipment and special electrical distribution cables required to bring electrical power to operate same and obstruction lighting required for the safe maneuvering of aircraft at and in the vicinity of the Airport.
3. The Airport is hereby designated as the La Ronge Municipal Airport.
 4. The administration of this bylaw and all matters arising therefrom shall be undertaken by the Town Administrator under the direction of the Airport Manager.
 5. Within the resources allocated by Council for the Airport and its operations, within the requirements of the regulatory authority and within the obligations assumed by the Town under the Airport Transfer Agreements, Council may adopt policies to establish and determine any standards and procedures for the Airport, its operations or any part thereof including, without limiting the generality of the foregoing, the type, number (if any) and maintenance standards for visual aids, and other appurtenances of the Town related to flight services, the maintenance and inspection procedures for runways, taxiways, apron, maneuvering area for aircraft, landing strips, warning procedures in respect of observed defects and the schedules and procedures for the removal of snow and other obstructions from the Airport.
 6. The Airport Manager shall be responsible for the management, administration and supervision of the Airport operations including leasehold interests in the Airport property.

7. The Airport Manager shall ensure the Airport is operated in compliance with the requirements of the regulatory authority, the terms and conditions of the Aerodrome Registration and pursuant to the obligations of the Airport Transfer Agreements.
8. Subject to section 7, the Airport Manager shall ensure that the Airport is maintained and improved to the standard permitted by the resources granted by Council from time to time for the purpose of the Airport. Subject to compliance with the policies approved by Council, the allocation of the said resources shall be in the discretion of the Airport Manager.
9. The Airport Manager:
 - (a) shall determine the staffing, level of the Airport from time to time and, subject to all lawful restrictions, designate the hours of work which may vary on a seasonal or other basis as he, in his sole discretion, may determine based on the resources available;
 - (b) shall designate hours of operation of the Airport;
 - (c) may adopt policies for standards and procedures for the Airport, its operation or any part thereof as he may deem fit including all the authorities of Council referred to in section 5, provided that in the event of conflict with the policies developed by Council, Council's policy shall apply;
 - (d) subject to the requirements of the regulatory authority, may authorize such signage that he may deem necessary for the property operation of the Airport and to carry out the provisions of this bylaw to be erected, removed or altered;
 - (e) may limit conduct of any person within the Airport such as he may deem necessary to protect the Airport, the safety of persons or the use or enjoyment of property thereat;
 - (f) may evict or deny the right to gain entry to the Airport a person referred to in sections 15(a) to 15(g) below, whether or not a charge shall have been initiated or conviction obtained against such person;
 - (g) may designate persons to act in his stead with regard to the exercise of his authority over the Airport, its operations or any part thereof;
 - (h) may, in his discretion, but shall not be obligated to, take such actions and give such instructions to the Town's solicitor or otherwise as he deems appropriate for the purpose of enforcement of any La Ronge Airport Zoning Regulations (SOR/87-603) enacted pursuant to the *Aeronautics Act* of Canada and all other laws applying or pertaining to the Airport; and
 - (i) may, but shall not be obligated to, close all or any portion of the Airport if, in his sole discretion, he deems it necessary for the purpose of public safety including, and not to limit the generality of the foregoing, by reason of strikes, weather conditions, circumstances beyond the control of the Town, the safe execution of public works, repairs or improvements to the Airport, or any other work authorized by Council or carried out by or through the regulatory authority.
10. Subject to the requirements of the regulatory authority with respect to standards of safety and security, emergency response and crash rescue services to the Airport shall consist of those fire prevention, fire suppression, crash rescue and other emergency response services within the capabilities of the Fire Department to the extent determined from time to time by the Fire Chief. The services to the Airport established by the Fire Chief shall be under and subject to his exclusive control, direction and general supervision.

11. Notwithstanding the nature of response designated in any policy of the Fire Chief, the response for any specific emergency may be provided in such manner and to such extent as the Fire Chief, in his sole discretion, may determine appropriate or advisable, taking into account any condition or limitation affecting resources available at the time of the emergency. The emergency response service may be limited, temporarily suspended or temporarily withdrawn by the Fire Chief when, and to the extent that, in his sole discretion and judgment, circumstances beyond his reasonable control and his responsibilities require him to do so.
12. Security services at the Airport shall consist of those crowd control, crime prevention and crime control services established by the Town Council and the Chief of Police from time to time.
13. If, pursuant to section 11, services are to be limited, temporarily suspended or withdrawn, whenever reasonably possible, the Fire Chief shall give notice of same to the Airport Manager, and he shall give such notice as he, in his sole discretion, deems appropriate to the users of the Airport.
14. Unless otherwise expressly resolved by Council, but within the requirements of the regulatory authority and the obligations assumed by the Town under the Airport Transfer Agreements, services to prevent collisions between aircraft and between aircraft and obstructions at the Airport, expediting and maintaining an orderly flow of air traffic, advisory services for aviation safety including air navigation facilities, visual aids and approach aids, flight information and aviation weather services for the purposes of ensuring the safe movement of aircraft, disseminating information, altering search and rescue and coordinating flight planning at the Airport shall be only those services delivered by or through the regulatory authority or other agency authorized by the regulatory authority at no expense to the Town.
15. At the Airport, any person who:
 - (a) obstructs or attempts to obstruct any person lawfully using or attempting to use the Airport;
 - (b) engages in any conduct which impedes, obstructs or interferes with other persons lawfully using the Airport;
 - (c) engages in any conduct which impedes, obstructs or interferes with any electronic signal, air navigation facilities, visual aids or any of them;
 - (d) places or constructs any building, improvement or substance upon, at or under the Airport without the prior consent of the Airport Manager;
 - (e) tampers with a sign authorized to be erected by the Airport Manager or authorized pursuant to a bylaw of the Town or other law;
 - (f) except as authorized by the Airport Manager or Council, sells, offers for sale or receives orders for any food, beverage or other chattel or any services; or
 - (g) releases any bird, disposes of any waste that is edible by or attractive to birds or permits an animal to graze or to be at large;is guilty of an offence punishable on summary conviction.
16. Fuel concession fees, aircraft parking fees, rates for use of the Terminal Building parking lot for motor vehicles, aircraft landing fees, air passenger usage fees, and other service charges related to the airport and flight services payable to the Town shall be in the amount reestablished by written agreement between the user and the Town which is either in effect at the date of passage of this bylaw or entered into hereafter.

17. For services referred to in section 16 or services related to the Airport, flight services or other operations related to the Airport which are not provided under written agreement, service charges shall be as established by resolution of Council. Such service charges may be amended by Council resolution from time to time. Such service charges may vary with aircraft size, weight or other characteristics, with the season, or other classifications as Council may determine.
18. In the absence of either a written agreement or resolution of Council establishing the service charges referred to in section 16 and 17, upon request, the Airport Manager may, but shall not be obligated to, provide a service related to the Airport, flight services or other operations related to the airport, including maintenance services over and above those established pursuant to section 16 or 17. In providing such service, he may use either Town forces or contractors. Service charges shall be payable by the person requesting the services calculated pursuant to the custom work order policy.
19. Upon request, the Fire Chief may, but shall not be obligated to, provide a service of the same nature but which is over and above that established to section 11. Service charges therefore, or for stand-by by the Fire Department in anticipation of the need for such services, shall be payable by the owner of the aircraft in distress or such other person requesting the services, calculated pursuant to the custom work order policy.
20. Upon request, subject to any necessary authorization from the Town Council, the Chief of Police may, but shall not be obligated to, provide a service of the same nature but which is over and above that established pursuant to section 12. Service charges, therefore shall be payable by the person requesting same pursuant to the service charge policy of the Town Council.
21. Except as otherwise provided by written agreement, interest shall be charged on all overdue accounts as the rate of 2 percent per month, being 24 percent per annum, from a date commencing 30 days after the date of invoice or, where no invoice is submitted, the date that the payment was due. Notwithstanding the foregoing, Council may from time to time amend the said interest rate charges by resolution.
22. A person authorized and acting under the instructions of the Airport Manager to carry out duties or eradicating birds or animals at the Airport, who in the course of carrying out that work reasonably, is in breach of a provision of the Noise Bylaw or Bylaw No. 187/84, shall not be guilty of any offence under those said bylaws.
23. The Noise Bylaw shall not apply to sounds caused by or arising from any airplane or other machine engaged in activities which are otherwise lawful and authorized by the Airport Manager to be undertaken at the Airport.
24. The Agreements listed below, having been entered into with Her Majesty the Queen in Right of Canada, and with Her Majesty the Queen in Right of Saskatchewan, and delivered, pursuant to Resolutions of Council No. 11 and 12 of March 11 of A.D. 1998, under the hand and seal of His Worship the Mayor and the Town Administrator, are hereby ratified on behalf of the Town of La Ronge:
 - (a) Agreement to Transfer;
 - (b) Option to Purchase Agreement;
 - (c) Operating Agreement (Canada);
 - (d) Contribution Agreement;
 - (e) Bill of Sale;
 - (f) Aviation Services and Facilities Agreement; and Scheduled Leases
 - (g) Airport Records Agreement;
 - (h) Conditional Agreement to Terminate;
 - (i) Operating Agreement (Saskatchewan);
 - (j) Equipment Operator Service Contract.

25. Any person in violation of a provision of this Bylaw shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding:
- (a) \$2,000.00 in the case of an individual; or
 - (b) \$5,000.00 in the case of a corporation.
26. This Bylaw shall come into force and take effect on, from and after the final passing thereof.

Mayor

Town Administrator

Read a third time and adopted this _____ day of _____, 1998.

SCHEDULE "A"

AIRPORT LAND DESCRIPTION

Parcel N, McGibbon Bay
Lac La Ronge, Saskatchewan
Plan 74PA01997
Mines and Minerals Excluded

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