

**TOWN OF NIPAWIN
BYLAW NO. 1162/23**

**BEING A BYLAW TO REGULATE THE NIPAWIN MUNICIPAL AIRPORT AND TO
PROVIDE FOR AIRPORT AUTHORITY, RULES AND REGULATIONS AND FEES**

Whereas, pursuant to Sections 8(1)(b) and 8(1)(c) of *The Municipalities Act*, a Council may pass bylaws in relation to (b) the safety, health and welfare of people and the protection of people and property or (c) in relation to people, activities and things in, on, or near a public place or place that is open to the public;

The Council of the Town of Nipawin, in the Province of Saskatchewan, enacts as follows:

1. CITATION

This Bylaw may be cited as “**The Airport Bylaw**”.

2. GOVERNING LEGISLATION

The *Aeronautics Act* (the “**Act**”) prevails in all circumstances where there might arise a conflict between the Act and The Airport Bylaw.

3. DESCRIPTION OF AIRPORT

The following land is hereby declared to be an airport of the Town of Nipawin namely:
All that portion of the North East of Section Twenty (20), in Township Fifty (50), in Range Fourteen (14), West of the Second Meridian, in the Province of Saskatchewan, in the Dominion of Canada owned by the Town of Nipawin.

4. DEFINITIONS

In this Bylaw, unless the context otherwise requires expression,

- (a) “**Airport**” means the Nipawin Municipal Airport, located on NE 20-50-14 W2nd, as owned and operated by the Town of Nipawin;
- (b) “**Chief Administrative Officer**” and “**CAO**” means the Chief Administrative Officer of the Town of Nipawin or designate;
- (c) “**Council**” means the governing elected Council of the Town of Nipawin;
- (d) “**Rules and Regulations**” means the airport rules and regulations attached hereto as Schedule “A”, and as may be amended from time to time;
- (e) “**Schedule**” means any appendix as attached to and forming part of this bylaw and as may be amended from time to time; and

(f) "Town" means the Town of Nipawin, in the Province of Saskatchewan;

5. DELEGATION TO CHIEF ADMINISTRATIVE OFFICER

Council hereby delegates to the CAO the authority and responsibility to administer and apply the provisions of this Bylaw and the attached Rules and Regulations on behalf of Council. The CAO may further delegate duties under this Bylaw to such designate or designates as the CAO may determine from time to time.

6. INFRACTION OF THE BYLAW AND PENALTY

Any person who violates any provision of this Bylaw or of any Schedule or Appendix hereto is guilty of an offence and is liable on summary conviction to the penalty provided for by the Town of Nipawin General Penalty Bylaw, unless a penalty is set forth in the Rules and Regulations for such offense.

7. REPEAL AND COMING INTO FORCE

- (a) Bylaw No. 1052/18 and all amendments thereto are hereby repealed.
- (b) This Bylaw shall come into force and be in effect on the final passing thereof.



READ A THIRD AND FINAL
TIME AND ADOPTED THIS

27 DAY OF February, 2023.

Rennie Harper

Mayor

Joel Cardinal

Chief Administrative Officer

Joel Cardinal, Chief Administrative Officer

SCHEDULE "A" - RULES AND REGULATIONS

FORMING PART OF A BYLAW TO REGULATE THE NIPAWIN MUNICIPAL AIRPORT, AND TO PROVIDE FOR AIRPORT AUTHORITY, RULES AND REGULATIONS AND FEES

1. DEFINITIONS

- 1.1 In addition to the terms defined in this Bylaw, the following terms shall have the following meaning:
- (a) **"Aerial Applicators"** means individuals or businesses duly licensed to spray crops/seed crops and/or crop protection products via an agricultural aircraft.
 - (b) **"Airport Manager"** means that individual or individuals as appointed by, employed by, or contracted by the CAO to oversee on-site the implementation of all rules, regulations and airside operating procedures pertaining to the Nipawin Municipal Airport and accountable to the Airport Operator;
 - (c) **"Airport Office"** means the Town of Nipawin Civic Offices located at 210 Second Avenue East in the Town of Nipawin.
 - (d) **"Airport Operator"** means the Town of Nipawin represented by the CAO.
 - (e) **"Airside"** shall include those areas of the airport, including all buffer areas, used by aircraft for loading and unloading, taxiing, and takeoffs and landings.

2. GENERAL

- 2.1 The following provisions will govern the conduct of all persons engaged in activities, aeronautical or otherwise at the Airport. Users of the airport are required, at all times, to act in a reasonable and responsible manner in the interest of personal/public safety and security. In addition, users are required to comply with the following regulations at all times.
- 2.2 The Airport Operator shall have authority to take such actions as may be necessary in the handling, policy and management of those in attendance at the Airport. In any contingency not specifically covered, the Airport Operator shall be authorized to make further rules and regulations and render such decisions as to it may seem proper.
- 2.3 The Airport Operator assumes no responsibility for injury or damage to persons or property of persons stored on, or use the Airport facilities, by reason of fire, theft, vandalism, collision, or any Act of God which is an event that directly and exclusively results from the occurrence of natural causes that could not have been prevented by the exercise of foresight or caution; an inevitable incident such as storm, flood or earthquake.

- 2.4 The Airport shall be operated in accordance with the Canadian Aviation Regulations SOR/96-433, insofar as the same as applicable.
- 2.5 The Airport Operator and the Airport Manager shall each have the authority to suspend flying and/or any other operations on the Airport when it is necessary to do so in the interest of the public safety.
- 2.6 All persons involved in any accident on the Airport resulting in personal injury or damage to vehicles, aircrafts or property, or any witnesses thereto, shall immediately report such accident to the Airport Manager.
- 2.7 Any person observing a condition or hazard that might jeopardize public safety or health should report same immediately to the Airport Manager.
- 2.8 All commercial operations of any type of operation or activity at the Airport, whether it is aeronautical or not, shall be conducted in accordance with these Rules and Regulations, and such additional terms and conditions as may be prescribed by the Airport Manager.
- 2.9 All commercial operations of any type of operation or activity at the Airport, whether it is aeronautical or not, shall be required to obtain and keep current a proper Business License as issued by the Town of Nipawin.
- 2.10 All users of the Airport, including seasonal Aerial Applicators, shall be subject to fees in accordance with Schedule "B" hereto attached.
- 2.11 Authorized persons only are permitted in restricted areas. This does not give any person or persons so authorized the privilege of unrestricted use of the Airport and its facilities.
- 2.12 Dogs or other animals are not permitted on Airport property or in any buildings unless authorized by the Airport Operator. No dogs or other animals are permitted Airside unless they are controlled.
- 2.13 Littering on Airport property is prohibited.
- 2.14 No liquids containing hazardous substances of any kind shall be allowed to flow into or be placed in any sewer system or, onto the ground or, into a drainage ditch.
- 2.15 Persons impaired by drugs or alcohol may be refused the privilege of using the Airport facilities at the sole discretion of the Airport Manager.
- 2.16 No person shall commit any disorderly, obscene, indecent or unlawful act, or commit any nuisance at the Airport.
- 2.17 All commercial enterprises, including seasonal Aerial Applicators, must carry liability and property damage insurance. The Town of Nipawin and the R.M. of Nipawin No. 487 must be listed as co-insureds on the liability insurance only.
- 2.18 Snow must be placed in designated areas only and must not be piled in front of the hangars or in any way obstruct mobile fuel tanks.

3. FIRE AND SAFETY

- 3.1 Burning of any material is prohibited at the Airport.
- 3.2 No person shall carry any firearms, explosives, or flammable materials on the Airport in any other manner than provided by law, except by written permission of the Airport Operator.
- 3.3 All persons using the Airport facilities shall exercise the utmost care to guard against fire and/or injury to persons or property.
- 3.4 A responsible adult must supervise children who enter onto Airport property at all times.
- 3.5 Smoking is prohibited at the Airport.
- 3.6 No flammable gases or liquids, including those used in connection with the process of doping shall be used or stored in any hangar or otherwise at the Airport unless authorized by the Airport Manager. Storage of such authorized liquids shall be in compliance with all federal, provincial and municipal regulations and bylaws.
- 3.7 Tenants and/or any occupants of buildings shall provide suitable fire-fighting and first-aid equipment in their areas of operation.
- 3.8 Access to fire-fighting equipment shall not be obstructed in any way and all fire-fighting equipment shall be properly maintained.
- 3.9 Under no circumstances is fire-fighting equipment to be used for any purpose other than its intended use.
- 3.10 No motor vehicle or aircraft shall be parked in any manner so as to block roadways, gates, or emergency entrances to operating areas or entrance to any hangar or other building on the Airport.
- 3.11 Cleaning of aircraft parts and other equipment shall be done with non-flammable cleaning agents or solvents.
- 3.12 In the interest of safety no person shall discard lighted cigarettes, matches or other burning items on Airport property especially where a fire hazard may be created.
- 3.13 The use of any equipment employing open flames or sparks within any aircraft storage hangar is prohibited, unless authorized by the Airport Operator.
- 3.14 Waste and solvent soaked rags must be stored and disposed of properly to prevent combustion fires and must be removed from all hangars as soon as is possible after usage.
- 3.15 Used oil should be disposed of in a clean plastic container with a tight lid, and not be mixed with anything else – paint, gasoline, solvents, antifreeze, etc. that will make it unsuitable for recycling. Used oil must be removed from all hangars and all Airport property as soon as is possible after usage.

- 3.16 All tenants must have proper fire extinguishing equipment and smoke detectors in private hangars and in all areas where flammable and combustible materials are being used and stored.
- 3.17 All passageways must remain unobstructed.
- 3.18 All accidents are to be immediately reported to the Airport Manager.
- 3.19 In the event of an accident on the airfield, only authorized emergency personnel shall be permitted in the Airside areas or in the general vicinity of the emergency and rescue operations. If an aircraft is involved, it shall not be moved without authorization from Transport Canada Accident Investigation Division.

4. AIRCRAFT OPERATIONS

- 4.1 The use of the Airport by any pilot and/or aircraft owner is subject to the terms and conditions set out in these Airport Rules and Regulations.
- 4.2 All pilots operating any aircraft on Airport property must be properly licensed to do so in accordance with the applicable provisions of the *Canadian Aviation Regulations (SOR-96/433)*.
- 4.3 All unhangared aircraft shall be parked at the Airport in spaces designated for this purpose and shall be adequately chocked or secured. Owners of such aircraft shall be responsible for any damage resulting from failure to comply with this provision.
- 4.4 The Airport Operator, including any agents or employees of the Airport Operator, is not responsible for loss or damage to aircraft or contents occasioned by any cause whatsoever.
- 4.5 Fuel checks are prohibited in all aircraft storage hangars. A suitable tester may be used and direct spillage onto paved areas avoided.
- 4.6 Aircraft shall adhere to all government regulations pertaining to the operations of aircraft onto and from uncontrolled airports.
- 4.7 All landings and take offs shall be confined to the runways.
- 4.8 In the interest of safety, aircraft engines must not be operating when passengers are embarking or disembarking.
- 4.9 No aircraft shall be fueled while the engine is running, unless otherwise permitted.
- 4.10 Aircraft shall not be refueled in any hangar.
- 4.11 All aircraft owners and operators arriving at the Airport and wishing to base their aircraft and operate from the Airport shall be required to report to the Airport Office to arrange for any services they may require. Arrangements for use of facilities, payment of accounts and required services shall be immediately prepared. The owner of an aircraft is responsible for advising the Airport Office of the owner's home and business address and shall be fully

responsible for all charges accrued against the aircraft until the Airport Office is notified in writing otherwise.

- 4.12 No aircraft shall be parked in such a way as to block maneuvering areas, taxiways or driveways, except during the period of refueling the aircraft or while loading/offloading passengers/freight from the aircraft.
- 4.13 Pilots are responsible for operating within rules laid down by the Airport Operator or Airport Manager and all applicable government authorities.
- 4.14 All aircraft must be registered and marked in accordance with the provisions of *Standard 222 - Aircraft Marking and Registration Standards: Canadian Aviation Regulations (SOR-96/433)*.

5. VEHICLE OPERATIONS

- 5.1 Vehicles authorized by the Airport Operator or Airport Manager to operate in restricted and/or aircraft maneuvering areas must do so at a low 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.
- 5.2 When vehicles are authorized in restricted areas, they shall not under any circumstances, be left parked and unattended. No vehicle may be parked as so to block a gate, entrance or roadway or in any aircraft maneuvering area.
- 5.3 The Airport Operator shall, at the vehicle owner's expense, tow or otherwise move vehicles found to be improperly parked on the Airport in violation of these regulations.
- 5.4 At no time shall recreation vehicles or camper trailers be left at the Airport for the purpose of accommodation or being used as an office.

6. FUEL

- 6.1 Transportation or storage of fuel on Airport property must be done via the use of approved mobile tanks that comply with Transport Canada's standards and CSA regulations.
- 6.2 No fuel shall be stored in enclosed buildings and/or hangars with the exception of up to 100 litres (25 gallons) for use in lawn mowers, etc.
- 6.3 Only Fuel Suppliers approved by Council shall provide commercial fuel services on Airport property.
- 6.4 All fuel used within the Airport must meet applicable Transport Canada standards.

7. AERIAL APPLICATORS

- 7.1 Aerial Applicators must restrict operations to the designated area west of the paved airport apron and ensure that the taxiway remains clear at all times.

- 7.2 Aerial Applicators and other commercial service providers must notify the Town prior to commencing operations at the Airport.
- 7.3 Aerial Applicators must be properly certified to perform such services, and operate at all times, in accordance with the provisions of the *Pest Control Products Act (Canada)* and its subsidiary *Pest Control Products Regulations (SOR-2006/124)*; *The Pest Control Products (Saskatchewan) Act* and its subsidiary *Pest Controls Products Regulations, 2015*; and also of *The Dangerous Goods Transportation Act*.
- 7.4 Dumping of any chemical of any type is strictly prohibited on the Airport grounds.
- 7.5 No empty chemical containers used by Aerial Applicators or owners of personal aircrafts may be stored on Airport grounds for longer than 14 days. Any empty chemical containers stored longer than 14 days shall be removed from the Airport grounds at the container owner's expense.

8. BUILDINGS

- 8.1 The primary use of all hangars is to be aircraft storage.
- 8.2 Storage of non-aviation related vehicles and/or equipment, with the exception of recreational vehicles or campers, is permitted within any hangar as a secondary use only.
- 8.3 At no time shall any non-aviation related vehicles and/or equipment be stored outside of any hangar.
- 8.4 A building permit must be obtained from the R.M. of Nipawin with approval from the Town of Nipawin prior to any construction occurring at the airport.
- 8.5 Any item identified by WHMIS as a Hazardous Material, including paint, varsol, chemicals, fertilizers, petrochemicals, nitrates, dynamite or any other item identified by the Airport Operator as being hazardous shall not be permitted in or around any hangar at any time without prior approval from the Airport Operator.
- 8.6 Living and/or sleeping is not permitted at the Airport.

9. PENALTIES

- 9.1 The penalty for the first violation of any section of this Bylaw is \$250.00 for an individual and \$500.00 for a commercial service.
- 9.2 The penalty for the second violation of any section of this Bylaw is \$500.00 for an individual and \$1,000.00 for a commercial service.
- 9.3 The penalty for the third or subsequent violation of any section of this Bylaw is expulsion from the Airport and prohibition from use of the Airport.

SCHEDULE "B" – FEES

**FORMING PART OF BYLAW 1162/23 TO REGULATE THE NIPAWIN MUNICIPAL
AIRPORT, AND TO PROVIDE FOR AIRPORT AUTHORITY, RULES AND
REGULATIONS AND FEES**

SCHEDULE OF AIRPORT FEES

Hangar Lot Lease Fee	\$300.00 (2023) 2024 - \$350.00 2025 - \$375.00 2026 - \$400.00
Aircraft Parking Fees	\$200.00 per aircraft (2023) 2024 - \$300.00 2025 - \$350.00 2026 - \$400.00 Monthly \$50.00 per aircraft Weekly \$25.00 per aircraft
Aerial Applicators:	\$700.00 per aircraft (2023) 2024 - \$750.00 Monthly \$375.00 per aircraft Weekly \$250.00 per aircraft (2023) 2024 - \$350.00 per aircraft Daily \$125.00 per aircraft (2023) 2024 - \$175.00 per aircraft
Commercial Services/Couriers	\$1,000.00 per company (2023) 2024 - \$1,250.00
Emergency Services	Exempt

All fees and charges shall be subject to GST.

