

**TOWN OF PEACE RIVER  
BYLAW NO. 2039**

BEING A BYLAW OF THE TOWN OF PEACE RIVER IN THE PROVINCE OF ALBERTA TO GOVERN THE APPLICATION OF THE TOWN'S BYLAWS AT THE PEACE RIVER REGIONAL AIRPORT AND TO REPEAL BYLAW 1997

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WHEREAS, the Municipal Council of the Town of Peace River deems it advisable and necessary to make provisions for the application of certain of its Bylaws at the Peace River Regional Airport;

AND WHEREAS, the Peace River Regional Airport is located within the jurisdiction of the Municipal District of Peace No. 135;

AND WHEREAS, the Town and the Municipal District of Peace No. 135 have agreed that it would be to their mutual benefit to have the Town of Peace River enforce certain of its Bylaws at the Airport, including the establishment of a Bylaw relating to the imposition of specific rules, regulations, prohibitions, rates, fees and charges relating to the use and operation of the Airport; and the enforcement of Town Bylaws relating to traffic and parking of motor vehicles and aircraft at the Airport;

AND WHEREAS, pursuant to section 12 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, the Town of Peace River and the Municipal District of Peace No. 135 have entered into an agreement to permit the Town to enforce Bylaws of the Town within the boundaries of the MD and have agreed to pass a Bylaw providing for such.

NOW THEREFORE, the Council of the Town of Peace River, in the Province of Alberta, duly assembled, enacts as follows:

INTERPRETATION:

- 1.1. This Bylaw is cited as the Town of Peace River Regional Airport Fee Bylaw.
- 1.2. "Airport" means the Town of Peace River Regional Airport on land legally described as:

All of NW ¼ 29-83-22-W5  
Part of NE ¼ 29-83-22-W5  
Part of SW ¼ 29-83-22-W5  
Part of NE ¼ 30-83-22-W5  
Part of SE ¼ 30-83-22-W5

- 1.3. **"Airport Manager"** means the manager designated as the Airport Manager by the CAO.
- 1.4. **"Call Out"** indicates a request by an airline or individual for airport staff to respond to the airport after regular working hours.
- 1.5. **"CAO"** is the Chief Administrative Officer of the Town of Peace River.
- 1.6. **"Council"** means the Council of the Town of Peace River.
- 1.7. **"Municipal District"** means the Municipal District of Peace No. 135.
- 1.8. **"Occupant"** means any lessee or user of the Airport.
- 1.9. **"Peace Officer"** is a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer of the Town of Peace River.
- 1.10. **"Town"** is the Town of Peace River.
- 1.11. **"Violation Ticket"** is a ticket issued pursuant to Part 2 or 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
- 1.12. **"Maintenance Flight"** is a flight conducted for the sole purpose of diagnosing mechanical issues or determining the airworthiness of an aircraft.
- 1.13. **"Training Flight"** is a flight conducted for the sole purpose of training flight crew.
- 1.14. **"Scheduled Flight"** is a flight conducted by an air carrier with predetermined departure and arrival times with seating available to purchase by the public in a ticket type system.

**AIRPORT OPERATION:**

- 2.1. The fees to be charged as landing fees for aircraft landing at the Airport and as aircraft parking fees at the Airport (both for domestic and international flights) as well as general terminal fees and airport operations fees to be levied at the Airport are set out in Schedule "A" which forms part of this Bylaw.
- 2.2. The Town reserves the right to terminate the use of the Airport by any business, individual or entity for any of the following reasons:
  - 2.2.1. Non-payment of any fee, rate, or charge when due;
  - 2.2.2. Use of Airport facilities contrary to this Bylaw; or
  - 2.2.3. Use contrary to Transport Canada requirements.

- 2.3. All Occupants shall comply with the requirements of this Bylaw and all Operating Procedures, Agreements, Rules and Regulations relating to the operation of the Airport.
- 2.4. No Occupant shall knowingly use the Airport for any purpose contrary to the conditions of approval for use of the Airport, however granted.

**PARKING REGULATIONS:**

- 3.1. The Town may establish from time to time designated parking areas, for aircraft and motor vehicles, together with the rate and charges payable for such parking within such designated areas.
- 3.2. No person shall park an aircraft at the Airport except within designated parking areas without first obtaining the written consent of the Airport Manager.
- 3.3. Any aircraft parked contrary to the provisions of this Bylaw or in any area where aircraft parking is prohibited may be towed away at the expense of the owner of the aircraft and may be maintained by the Town or its agent in storage until the owner pays all towing costs, storage costs, unpaid parking fees, and outstanding fines or penalties.
- 3.4. The Town or its agent shall be entitled to seize and take possession of an aircraft which is parked in a prohibited area or otherwise parked contrary to this Bylaw and shall be entitled to retain such aircraft in its possession until such time as it has received payment of all outstanding towing charges, storage costs, unpaid fees, fines and penalties.
- 3.5. The provisions of the Town's Traffic and Streets Bylaw No. 1746, as amended, apply to the Airport and can be enforced by a Peace Officer.

**ENFORCEMENT:**

- 4.1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to penalty as set out in Schedule "B" which forms part of this Bylaw.
- 4.2. Except in a case where a specific penalty is provided by the provisions of this Bylaw, any person violating any provision of this Bylaw or any person responsible for such violation shall be liable on conviction to pay a fine not exceeding \$500.00.
- 4.3. A Peace Officer is hereby authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

- 4.4. A Violation Ticket may be issued to such person:
- 4.4.1. Either personally; or
  - 4.4.2. By mailing a copy to such person at his last known post office address.
- 4.5. The Violation Ticket shall be in a form approved by the CAO and shall state:
- 4.5.1. The name of the person;
  - 4.5.2. The offence;
  - 4.5.3. The appropriate penalty for the offence as set out in this Bylaw;
  - 4.5.4. That the penalty shall be paid within thirty (30) days of the issuance of the Violation Ticket; and
  - 4.5.5. Any other information as may be required by the CAO.
- 4.6. Where contravention of this Bylaw is of a continuing nature, the Peace Officer may issue further Violation Tickets, provided that no more than one (1) Violation Ticket shall be issued for each day that the contravention continues.
- 4.7. Where a Violation Ticket is issued pursuant to this Bylaw, the person to whom the Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Ticket.
- 4.8. Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.
- 4.9. If the penalty specified on a Violation Ticket is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.
- 4.10. Notwithstanding Section 4.8 of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 4.11. In addition to the fines, which may be issued under this Bylaw of the Bylaws referenced herein, the Town may seek an Order of Court granting an injunction or any other Order necessary to enforce compliance. The Town will seek full recovery of such legal costs either through the Court System or by adding the costs of such action to the Tax Roll.

REPEAL OF BYLAW NO. 1997:

- 5.1. Bylaw No. 1997 is hereby repealed effective January 1, 2019.

SCHEDULES:

6.1. The following Schedules form part of this Bylaw:

6.1.1. SCHEDULE "A" Town of Peace River Fees, Rates and Charges for Services at the Peace River Airport; and

6.1.2. SCHEDULE "B" Town of Peace River Penalties.

SEVERABILITY PROVISION:

7.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

EFFECTIVE DATES AND READINGS:


The Bylaw shall come into force and effect on January 1, 2019 after third reading and on being signed.

READ a first time this 24 day of September, 2018.

READ a second time this 24 day of September, 2018.

READ a third and final time this 24 day of September, 2018.

SIGNED by the Mayor and Chief Administrative Officer this 5<sup>th</sup> day of October, 2018.

  
Thomas Tarpey  
Mayor

  
Christopher J. Parker  
Chief Administrative Officer

**SCHEDULE "A"**  
**Fees, Rates and Charges for Services at the Peace River Regional  
 Airport**

<b>Airport Operating Fee</b>	<b>Charge</b>
Emplaning Scheduled Passenger	\$10.00
Deplaning Scheduled Passenger	\$10.00
Landing of Non-Scheduled Flight <sup>1</sup>	\$10.00

<b>Landing Fee (kg)<sup>2</sup></b>	<b>Charge per 1000kg or portion thereof</b>
Minimum	\$15.60
0 - 21,000	\$3.64
22,000 - 45,000	\$5.72
46,000 +	\$6.76

<b>Call Out Fee</b>	\$250.00
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<b>Aircraft Parking (kg)</b>	<b>Charged after 6 hours</b>
<b>Daily</b>	
0 - 21,000	\$10.00
22,000 - 45,000	\$20.00
46,000+	\$50.00
<b>Annual</b>	
0 - 21,000	\$400.00
22,000 - 45,000	\$800.00
46,000+	\$2,000.00

<b>Fuel Flowage Fee</b>	
AvGas	\$.055/liter
Jet Fuel	\$.055/liter

<b>Vehicle Parking Fee</b>	<b>Charged upon entry to car park</b>
Daily	\$8.00
Weekly	\$45.00
Monthly	\$150.00
Annual	\$1,450.00

<sup>1</sup> Exemptions: Piston powered aircraft under 2,000kg, scheduled flights, training flights and maintenance flights.

<sup>2</sup> Exemptions: Piston powered aircraft under 2,000kg, training flights and maintenance flights.



<b>Lease Area</b>	<b>Lease Rate</b>
Land Lease	Lease rates to be negotiated with the Town of Peace River.
Terminal Space	Lease rates to be negotiated with the Town of Peace River.

<b>Rental Area</b>	<b>Half Day</b>	<b>Full Day</b>
Full Maneuvering Area	\$3,000.00	\$5,000.00
Taxiway C	\$2,000.00	\$3,000.00
Groundside Grass	\$1,000.00	\$1,500.00
Groundside Parking Lot (Portion of)	\$1,000.00	\$1,500.00

**SCHEDULE "B"**  
**Town of Peace River Penalties**

	<b>Minimum Penalty</b>	<b>Maximum Penalty</b>
Section No. 4.1 Parking or storage of aircraft, parts	\$100.00	\$2,000.00
Section No. 4.1 Parking of vehicle	\$100.00	\$2,000.00