

CITY OF YORKTON BYLAW NO. 32/97

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**CITY OF YORKTON
SASKATCHEWAN**

BYLAW NO. 32/97

**A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF
SASKATCHEWAN TO PROVIDE FOR MUNICIPAL AIRPORT LANDING FEES
AND FUEL TAX**

WHEREAS, Section 171 of *The Urban Municipality Act, 1984* allows Council to establish a bylaw for the operation of an airport and Section 201.1 of *The Urban Municipality Act, 1984* provides for a set fee in connection with any service provided by the urban municipality;

AND WHEREAS, the Council of the City of Yorkton deems it expedient to impose landing fees and fuel taxes for the Yorkton Municipal Airport;

NOW THEREFORE, the Council of the City of Yorkton in Council assembled enacts as follows:

PART 1. DEFINITIONS

1. In this Bylaw, unless the context otherwise requires, the expressions:
 - (a) "Airport" shall mean the Yorkton Municipal Airport (CYQV).
 - (b) "Director" shall mean the Director of Public Works and Engineering.
 - (c) "Landing Fees" shall mean the fees levied to a person for the use of the Airport and include Itinerant Landing Fees and Regular User Fees.
 - (d) "Regular User" shall mean any person who makes more than twenty (20) landings per calendar year at the Airport and whose aircraft is subject to Itinerant Landing Fees.

PART II. FEES

1. No person shall land an aircraft at the Airport without paying the Landing Fees invoiced as established in Schedule "A" attached hereto and forming part of this Bylaw.
2. No person shall park an aircraft for more than six (6) hours on public property at the Airport without first registering with the Director and paying the Parking Fees invoiced as established in Schedule "A" attached hereto and forming part of this Bylaw.

3. Fees invoiced for landing at the airport will be payable within thirty (30) days of the date of invoice.
4. Fuel tax collected on the sale of LL100 and Jet B Fuel will be collected at the rates as established in Schedule "A" attached hereto and forming part of this Bylaw.

PART III. ENFORCEMENT

1. (1) Any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction by a fine in an amount not exceeding:
 - (a) five hundred (\$500.00) dollars in the case of an individual;
 - (b) one thousand (\$1000.00) dollars in the case of a corporation;
2. (1) When a Special Constable, Bylaw Control Officer, or other person authorized by the Chief of Police or the Director to enforce this bylaw has reason to believe that a person or aircraft has contravened any provision of this Bylaw, that Police Officer or other person may issue the Notice of Violation to the person or mail the Notice of Violation to the registered owner of the aircraft.
 - (2) If payment is not received within thirty (30) days of the offence, a summons may be issued and an additional penalty of Twenty (\$20.00) Dollars shall be added to the amount owing the City once the summons has been issued. If voluntary payment is received by the City Treasurer prior to the returnable date of the summons, the person charged shall not be subject to further court action.
3. (1) Any Bylaw Control Officer, Police Officer or any other person authorized by the chief of Police or the Director may remove or cause to be removed any aircraft or vehicle that is unlawfully parked, placed, left or kept on any public parking place, other public place or municipally owned property.
 - (2) Any aircraft or vehicle removed pursuant to subsection (1):
 - (a) shall be impounded and stored at the City compound or any other place authorized by the director at the cost of the owner for a period of thirty (30) days after the date of removal of the vehicle unless the costs of removal, impoundment and storage and any outstanding fines are sooner paid.
 - (b) may be released to the owner on payment of the cost of removal, impoundment and storage and any outstanding fines within thirty (30) days after the date of the removal of the aircraft or vehicle.

- (3) If the vehicle is not redeemed within thirty days, pursuant to clause (3)(b):
- (a) the aircraft or vehicle shall be dealt with as lost or unclaimed personal property;
 - (b) the City shall have the right to recover from the owner of the aircraft or vehicle the costs of removal, impoundment and storage, including the actual cost of advertising, by:
 - (i) action in a court of competent jurisdiction;
 - (ii) sale of the vehicle at public auction;
 - (iii) private sale of the vehicle where the vehicle cannot be disposed of at a auction.

PART IV. REPEAL OF FORMER BYLAW

1. Bylaw No. 8/97 passed on the 24th day of February, 1997 providing for municipal airport landing fees and fuel tax is hereby repealed.

MAYOR

CITY CLERK

Introduced and read a first time this 21st day of July, A.D. 1997.

Read a second time this 11th day of August, A.D. 1997.

Read a third time and adopted this 11th day of August, A.D. 1997.

**SCHEDULE "A"
AIRPORT FEES**

Itinerant Landing Fees

Fees for landing at the Airport are applicable to Turbine and Twin Engine aircraft, and will be waived with the purchase of 200 litres of LL100 or 400 litres of Jet B. The Itinerant Landing Fees are as follows:

	<u>Twin</u>	<u>Turbine</u>
Minimum	\$10.00	\$10.00
<=21,000 kg	\$2.20/1000 kg	\$1.95/1000 kg
>21,000 kg	\$2.85/1000 kg	\$2.45/1000 kg
>45,000 kg	\$3.35/1000 kg	\$2.95/1000 kg

Regular User Fee

For Regular Users, the Landing Fees shall be as follows and are payable monthly:

\$3,600/year
\$2,600/6 months (winter months)
\$1,000/6 months (summer months)

Agricultural Spray Planes based out of and purchasing fuel at the Airport are exempt from Itinerant Landing Fees or Regular User Fees.

Parking Fees

Parking fees are applicable to all aircraft regardless of engine configuration and are applicable after a duration of 6 hours. Regular Users are exempted from paying parking fees.

	<u>Daily</u>	<u>Monthly</u>
<=2,000 kg	\$ 6.11	\$ 49.06
2,000 kg < 5,000 kg	\$ 6.11	\$ 49.06
5,000 kg < 10,000 kg	\$ 9.84	\$199.40
10,000 kg < 30,000 kg	\$18.19	\$370.97
>30,000 kg	\$28.18	\$570.83

Fuel Tax

The Fuel tax collected on the sale of LL100 and Jet B Fuel shall be as follows:

LLI00	\$0.05/1
Jet B	\$0.025/1