

VILLAGE OF PEMBERTON

AIRPORT ESTABLISHMENT, OPERATIONS & FEES BYLAW

BYLAW NO. 817, 2017

Fourth & Final Readings
June 6, 2017



OFFICE CONSOLIDATION: May 15, 2024

This document is an office consolidation of the Village of Pemberton Airport Establishment, Operations and Fees Bylaw No. 817, 2017 (adopted June 6, 2017) and subsequent amendments adopted by Village Council.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application that original bylaw should be consulted.

The Village of Pemberton will, in no event, be liable or responsible for damages of any kind arising out the use of this consolidation.

This is not the official version of the Village of Airport Establishment, Operations and Fees Bylaw No. 817, 2017, nor is it admissible in a court of law. For such purposes, official certified copies can be obtained from the Village Office or by contacting us at: admin@pemberton.ca.

Bylaw No	Section Amendment	Council Meeting	Date
Fees and Charges Bylaw No. 905, 2021	Amending Schedule A, inserting definition, amending Part 5. Referencing Fees and Charges Bylaw No. 905, 2021.	Regular Council Meeting No. 1543	July 27, 2021
Bylaw Notice Enforcement Amendment Bylaw No. 918, 2021	Part 2, INTERPRETATION, corrects numbering, adds provision that any referenced enactment is as amended or replaced; Deletes Schedule A; Part 7, OFFENSE, is updated. Part 8, SUMMARY CONVICTION, is deleted.	Regular Council Meeting No. 1551	December 7, 2021
Airport Establishment, Operations and Fees Bylaw No. 817, 2017, Amendment (Lease Application Deposit) Bylaw No. 941, 2023	Section 5, Fees and Charges, adds requirement for payment of deposit prior to undertaking work related to a lease.	Regular Council Meeting No. 1557	March 14, 2023

**VILLAGE OF PEMBERTON
AIRPORT ESTABLISHMENT, OPERATIONS AND FEES
BYLAW NO. 817, 2017**

A bylaw to establish a Village of Pemberton Airport Establishment, Operations and Fees

WHEREAS Council may, by bylaw, establish a license and fee for services and use of property owned by the municipality;

AND WHEREAS the Village of Pemberton wishes to establish an Airport Establishment, Operations and Fees Bylaw pursuant to Sections 15 and 194 of the *Community Charter*;

NOW THEREFORE, the Council of the Village of Pemberton, in open meeting assembled, **ENACTS AS FOLLOWS**:

1. CITATION

This Bylaw may be cited as “Village of Pemberton Airport Establishment, Operations and Fees Bylaw No. 817, 2017.”

2. INTERPRETATION

- i. For the purpose of this bylaw, the following terms have the following meanings: *(Amendment Bylaw No. 918, 2021)*

“**Airport**” shall mean the Pemberton Regional Airport.

“**Council**” shall mean the Council of the Village of Pemberton.

“**Village Official**” shall mean the Chief Administrative Officer for the Village of Pemberton or person authorized to act on the Village Official’s behalf.

“**Airport Manager**” means the person or their designate, appointed by Council, responsible for all Airport related operations.

“**Commercial Aircraft**” means any aircraft being operated or stored for the purpose of transporting cargo, goods, services or people including charter services.

“**Fees and Charges Bylaw**” means Village of Pemberton Fees and Charges Bylaw No. 905, 2021, as amended or replaced from time to time. *(Amendment Bylaw No. 905, 2021)*

- ii. In this Bylaw, a reference to an Act refers to a statute of British Columbia and a reference to any statute, regulation, or other enactment refers to the enactment as amended or replaced from time to time. *(Amendment Bylaw No. 918, 2021)*

3. AIRPORT LANDS

This Bylaw hereby establishes an Airport on those lands presently owned by the Municipality and known as:

District Lot's 4674, 766 and 4769, Lillooet Land District

which are generally located at 1850 Airport Road.

4. GENERAL PROVISIONS

- i. Council may construct buildings, structures and airport facilities including but not limited to, runways, taxiways, aprons, fuel stations, runway lights, beacons, and other navigational aids for the use of the Airport by the public.
- ii. All persons entering upon and using Airport Facilities and services shall do so pursuant to the rules and regulation that may be established from time to time by Council.
- iii. No person shall construct buildings, structures, undertake improvements or perform maintenance of or on airport lands or infrastructure without the express written permission of the Airport Manager in advance of any such work taking place.

5. FEES AND CHARGES *(Amendment Bylaw No. 905, 2021)*

- i. Council shall hereby levy fees, charges, and rates for tie-down and landing provided at the Airport.
- ii. Fees and charges for services that may be or are provided under this Bylaw shall be payable as set out in Fees and Charges Bylaw.
- iii. Council may set fees for uses not listed in Fees and Charges Bylaw.
- iv. Applicants seeking to lease a lot at the airport must submit a letter in writing outlining their proposal along with a deposit, as set out in the Fees and Charges Bylaw, which must be paid in full prior to undertaking any work related to a lease. The deposit is intended to cover the incremental cost of lease negotiation incurred by the Village, but not limited to, the survey of the lot, advertising the Notice of Disposition, any legal fees incurred by the Village in relation to the lease and registration of the lease.

(Amendment Bylaw No. 941, 2023)

6. AIRPORT MANAGER'S DUTIES AND RESPONSIBILITIES

- i. Council shall appoint a person as Airport Manager who will manage and supervise the general operations of the Airport in accordance with Council's rules, regulations and policies.
- ii. The Airport Manager may from time to time do the following:
 - a. The Manager or his/her designate may waive or negotiate fees, leases and services on a case by case basis.
 - b. Make incidental rules and regulations not inconsistent with this Bylaw;
 - c. Temporarily close the apron, runway or taxiways or a portion thereof for operations and/or maintenance purposes, for safety reasons or in the event of emergencies and/or special events;
 - d. Temporarily close any portion of the Airport Lands or a portion thereof to public use for operations and/or maintenance purposes, for safety reasons or in the case of emergencies and/or special events;
 - e. Levy and enforce fines for any contravention of this bylaw.

7. OFFENCE

- i. Every person who violates or breaches or who causes or allows to be violated as breached, any of the provisions of this Bylaw shall be guilty of an offence against this Bylaw and each day that such violation is caused or allowed to continue shall constitute a separate offence.
- ii. Any person who: *(Amendment Bylaw No. 918, 2021)*
 - a. Contravenes any provision of this Bylaw;
 - b. Causes or allows any act or thing to be done in contravention of any provision of this Bylaw; or
 - c. Fails or neglects to do anything required to be done by any provision of this bylaw,commits an offense.
- iii. Any person who commits an offense under this Bylaw is liable if: *(Amendment Bylaw No. 918, 2021)*

- a. If proceedings are brought under the Offense Act (B.C.), to pay a fine to a maximum of \$50,000 plus the costs of prosecution, and any other order imposed; or
- b. If a bylaw notice is issued under a bylaw made under the Local Government Bylaw Notice Enforcement Act, to pay a penalty to a maximum authorized under that Act.

8. Deleted *(Amendment Bylaw No. 918, 2021)*

9. **SEVERABILITY**

- i. If any section, subsection, clause or phrase of this bylaw is held to be invalid for any reason by a court or competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the bylaw.

10. **REPEAL**

“Village of Pemberton Airport Establishment, Operations and Fees Bylaw No. 472, 2002” is hereby repealed.

READ A FIRST TIME this 16th day of May, 2017.

READ A SECOND TIME this 16th day of May, 2017.

READ A THIRD TIME this 16th day of May, 2017.

ADOPTED this 6th day of June, 2017.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer