

ORDINANCE NO. 1239

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 16 AIRPORTS, TO AMEND SECTION 16-12 SPECIAL PROVISIONS PERTAINING TO ULTRALIGHT VEHICLES TO REQUIRE COMPLIANCE WITH THE TOWN'S ULTRALIGHT GUIDELINES; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section 1. In General

The Code of Wickenburg, Chapter 16 Airports, Section 16-12 Special Provisions Pertaining To Ultralight Vehicles is amended to include the following (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 16-12-1 Compliance with the Provisions of this Chapter Required; Compliance with Federal Aviation Regulations Required; COMPLIANCE WITH GUIDELINES ADOPTED BY THE TOWN COUNCIL REQUIRED.

A. Persons operating ultralight vehicles as defined in Section 16-1-1 shall, in addition to the provisions of this article, comply with all other provisions of this chapter, ~~and of the Federal Aviation Regulations, Part 103, AND THE GUIDELINES ADOPTED BY THE TOWN COUNCIL.~~

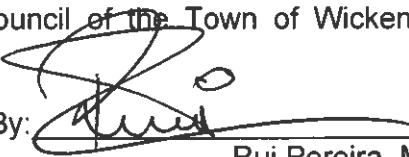
Section 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

Section 3. Providing for Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

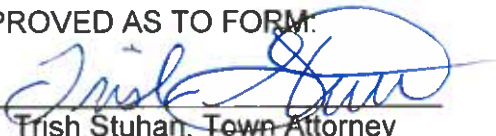
PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 15th day of April 2024.

By: 
Rui Pereira, Mayor

ATTEST:

By: 
Amy Brown, Town Clerk

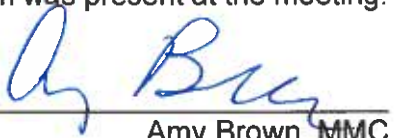
APPROVED AS TO FORM:

By: 
Trish Stuhan, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

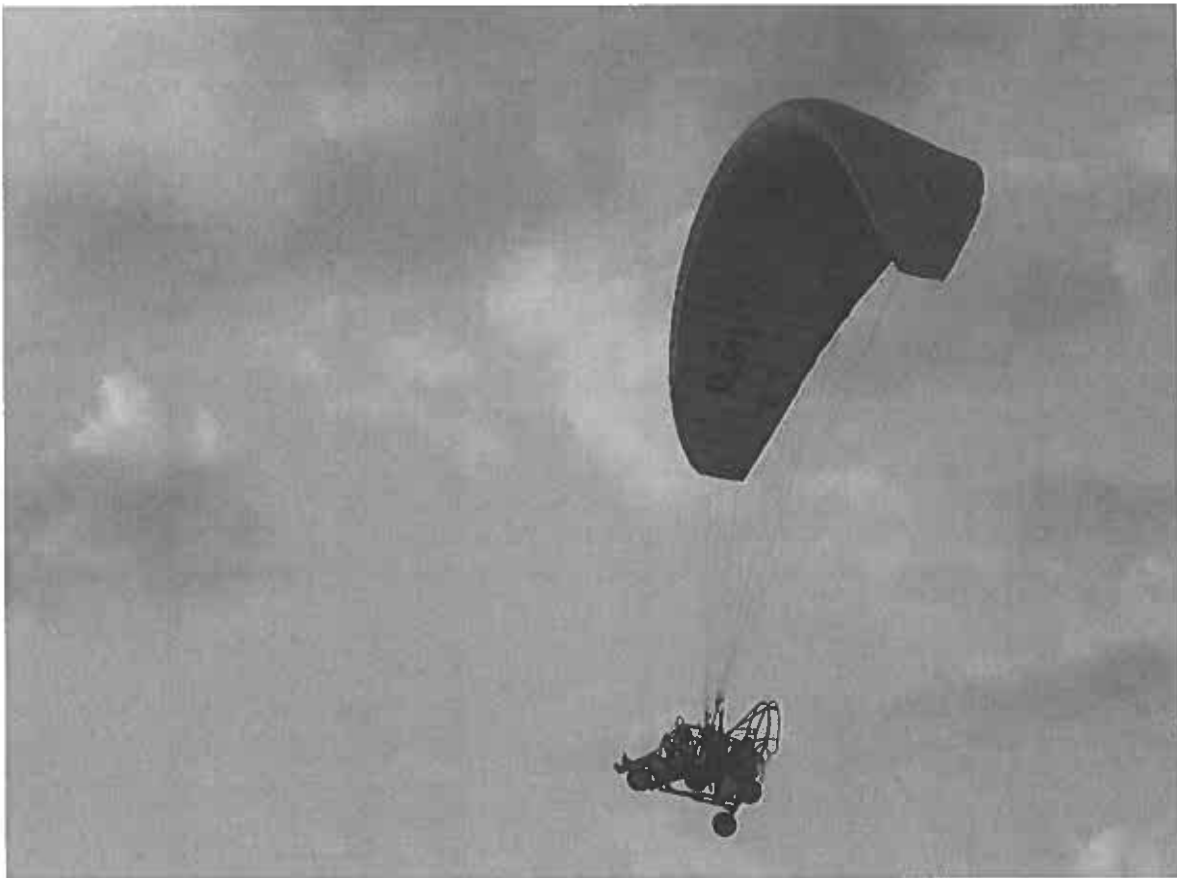
I HEREBY CERTIFY that the foregoing Ordinance Number 1239 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 15th day of April 2024 and that a quorum was present at the meeting.


Amy Brown, MMC
Town Clerk



Town of Wickenburg

Wickenburg Municipal Airport



Ultralight Vehicle Operating Guidelines

Section 1 – Purpose

- a) The purpose of this document is to establish rules for the operation of ultralight vehicles at Wickenburg Municipal Airport (the "Airport"). The term ultralight vehicle refers to ultralights meeting the applicability for operations under Federal Aviation Regulation ("FAR") Part 103 (or 14 CFR Part 103).
- b) All ultralight vehicles arriving at or departing from the Airport shall conform to the Federal Aviation Regulations for ultralight vehicle operations as well as these Operating Guidelines.

Section 2 – Rules and Regulations Governing Ultralight Vehicle.

- a) Pursuant to Wickenburg Town Code § 16-12-1(A), "[p]ersons operating ultralight vehicles . . . shall, in addition to the provisions of this article, comply with all other provisions of this chapter, and of the Federal Aviation Regulations, Part 103, and the guidelines adopted by the town council." These operating guidelines satisfy the spirit and intent of the Town Code.

Section 3 – FAA Regulations and Advisory Circulars

- a) FAR Part 103, "Ultralight Vehicles" (with supplementary information), Advisory Circular (AC) 103-7, "The Ultralight Vehicle" and AC 103-6, "Ultralight Vehicle Operations – Airport, Air Traffic Control, and Weather" govern the operation of ultralight vehicles in the United States.
- b) Those documents are incorporated into this document by reference and shall be adhered to as though they were reproduced in their entirety herein. Any future FAA Regulations or Advisory Circulars that are related to ultralights are automatically incorporated by reference as they are published.

Section 4 – Waivers and Exemptions

- a) In accordance with FAR 103.5 and AC 103-7 para 13.c., the Aircraft Owner's and Pilot's Association (AOPA) Air Safety Foundation (ASF), the Experimental Aircraft Association (EAA), and the United States Hang Gliding Association (USHGA) have been granted exemptions by the FAA from applicable aircraft regulations for the operation of two-place ultralights under Part 103 for limited training purposes and for certain hang glider operations. Except as specifically authorized by exemption, no person may operate an ultralight under Part 103 with more than one occupant.
- b) Accordingly, any person who desires to operate a two-place ultralight at the Airport must first present proof of compliance with the privileges, conditions, and limitations described in an FAA approved exemption and receive written permission from the Airport Director. The Airport Director shall provide this written permission within a reasonable timeframe of receiving the request, but no more than 30 days. All provisions of such exemptions are automatically incorporated into this document by reference and shall be adhered to as though they were reproduced in their entirety herein.
- c) Flights of a two-seat ultralight shall be limited to those persons who are conducting or receiving flight instruction as outlined by a training program exemption published by an organization approved by FAA. Recreational flying of a two-seat ultralight is prohibited by FAA.
- d) Other waivers and exemptions to FAR Part 103 must be obtained by the operator from FAA and provided to the Airport Director in writing before the waiver or exemption may be exercised at the Airport.

Section 5 – Operating Requirements and Course Rules

- a) A minimum insurance policy of \$1,000,000 is required by any ultralight vehicle instructor operating a business at the Airport. The insurance policy must cover the ultralight vehicle customer and the Airport. If the appropriate insurance policy is not commercially available, the ultralight vehicle operator must notify the Airport Director and provide reasonable alternatives in order to receive an exemption to use a lesser insurance policy.
- b) Any ultralight vehicle instructor flying to and from the Airport that cannot provide the minimum insurance policy must have all tandem customers sign a release and exemption of liability that includes

protection for the Town as the owner and operator of the Airport prior to the instructional flight.

- c) Like any other business operating on Town property, an ultralight vehicle instructor operating a business from the Airport is required to sign a lease with the Town, as well as obtain a business license from the Town.
- d) Night and IMC operations are prohibited. Ultralight vehicles that are equipped in accordance with FAR Part 103 may operate during the twilight periods 30 minutes before official sunrise and 30 minutes after official sunset. All other ultralight vehicles may only operate between the hours of sunrise and sunset.
- e) Only those support persons who are directly involved in ultralight vehicle operations (e.g., instructors, operators, and student operators) shall be allowed on the airside of the Airport. Non-support personnel (e.g., family, friends, observers, pets, etc.) may observe from areas open to the general public but shall not enter the airside of the Airport or other secure areas.

Section 6 – Wickenburg Municipal Airport Operations for Ultralights

- a) As depicted in the illustration below, ultralight vehicle operators shall utilize the taxiway for touch-and-go maneuvers and training, adhering to a right-hand traffic pattern positioned at midfield within the airport's designated pattern area. Ultralight vehicle operators may takeoff from the apron towards the southwest, moving away from the airport for flight operations and ascents to altitude, thereby avoiding direct airspace above the airport. For landings, ultralight vehicle operators may choose either the taxiway or the apron based on prevailing wind conditions:



- b) Ultralight vehicle operators should exercise extreme care to sequence their takeoffs and landings to avoid wingtip vortices and wake turbulence caused by arriving and departing aircraft.
- c) Each person operating an ultralight vehicle shall maintain vigilance so as to see-and-avoid aircraft and shall yield the right-of-way to all other aircraft.
- d) Per FAR Part 103, ultralight vehicles may not be operated over any congested area in the Town of Wickenburg or over any open-air assembly of persons. Determinations of what constitutes a congested area under the regulations are made on a case-by-case basis. No person may operate an ultralight vehicle in a manner that creates a hazard to other persons or property.
- e) Per FAR Part 103, flight visibility and cloud clearance requirements shall be adhered to. Visual reference to the surface must be maintained at all times.
- f) Ultralight traffic shall avoid low altitude flight over hangars and residential areas.
- g) Ultralight operators shall consider taking the following safety measures as a best practice:
 - a. Wear a helmet while flying.
 - b. Equip ultralight vehicles with an altimeter.
 - c. Equip ultralights with a red or white strobe light.
 - d. Operate with an FAA-approved radio.