

ORDINANCE NO. 4651

TITLE: AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 13.60, AIRPORT REGULATIONS AND REPEALING ORDINANCE NO. 4274, TIE-DOWN FEES AND AVIATION FUEL FLOWAGE FEES

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: That Albany Municipal Code Chapter 13.60 is amended to read as follows:

Chapter 13.60

AIRPORT REGULATIONS

Sections:

- 13.60.010 Definitions.
- 13.60.020 General rules.
- 13.60.030 Ground rules.
- 13.60.040 Taxying rules.
- 13.60.050 Landing and take off rules.
- 13.60.060 Fire regulations.
- 13.60.070 Intoxicating liquor.
- ~~13.60.080 Operation of airport.~~
- 13.60.090 Charges Fees

13.60.010 Definitions. As used in this chapter, unless the context otherwise requires:

(1) "Person" means any individual, firm, copartnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee or other similar representative thereof.

(2) "Airport manager" means that person specifically designated as airport manager by the city manager.

(3) "Airport" means all that property specifically set aside as a municipal airport for the city and located east of the right-of-way of Interstate Highway No. 5 and between U.S. Highway No. 20 and a county road designated as the Knox Butte Road.

(4) "Instructors" means those persons who are engaged in the instruction of persons in the skill of flying aircraft whether or not they receive remuneration.

(5) "Fixed Base Operator" means the proprietor of any commercial operation authorized by the City to offer aeronautical related activities or services to the general public.

(6) "FAA" means the Federal Aviation Administration.

13.60.020 General rules. (1) All aeronautical activities at the **Albany Municipal** Airport and all flying of aircraft departing from or arriving at the airport shall be conducted in conformity with the current pertinent regulations provisions issued by the Civil Aeronautics Board of the Federal Aviation Regulations.

(2) Subject to applicable orders, certificates, or permits of the FAA, no person shall use the Airport or any portion thereof, or any of its improvements or facilities, for revenue producing commercial business or aeronautical activities who has not first complied with local and FAA rules and regulations.

(3) The Airport Manager shall represent the City of Albany in regard to the Albany Municipal Airport. The Airport Manager:

(A) shall have authority to take such action as may be necessary to safeguard the public in attendance at the airport. Every pilot, mechanic or other person employed on or using the airport shall cooperate with the airport management to enforce these rules and regulations and to see that all persons upon the premises use due care and caution to prevent injury to persons or damage to property;

(B) The airport manager either directly or through an air traffic control operator may suspend or restrict any or all operations without regard to weather conditions, whenever such action is deemed necessary in the interest of safety;

(C) may suspend, as a means of safeguarding this airport and the public, the privileges of the airport and its facilities to any person refusing to comply with these rules;

(D) shall have authority to restrict operations to such portion or portions of the airport as may be necessary or desirable. Any part of the airport temporarily unsafe for aircraft operations which is not available for any cause shall be clearly marked in accordance with recommendations of the FAA;

(E) may issue permits for special events and/or demonstrations, provided FAA requirements are met, and no such events or demonstrations shall be conducted by anyone without such written permission;

(F) in any circumstances or emergencies not specifically covered by these rules, is authorized to make such decisions as seem proper.

(4) Instructors shall fully acquaint their students with the rules and regulations set forth in this chapter and shall be responsible for the conduct of students under their direction during dual instruction. When a student is flying solo, it shall be his that student's sole responsibility to observe and abide by these rules and regulations.

(e) The airport manager shall require any or all employees in the airport to wear a suitable uniform while on duty so that these employees will be easily identifiable at all times by persons using the airport;

(f) The airport manager shall replace all burned out lights or damaged shields within twelve hours with the supplies for this purpose to be furnished by the city and in the event of electrical failure of any facility at the airport, the city shall be notified by the airport manager within twelve hours of such failure, said notification to be in writing;

(g) The airport manager shall at least annually present a program of plans for the promotion of flying and interest in aviation and airport activities to the airport committee of the city council, and this program shall be adhered to by the airport manager

13.60.030 Ground rules. (1) Aircraft engines shall be started or warmed up only in places designated for such purposes by the airport manager. At no time shall engines be turned up when hangars, shops, or other buildings or persons in the observation area, are in the path of the propeller stream. When hand cranked, a competent operator shall be at the control and the wheels chocked.

(2) Aircraft shall not be parked, except in areas in a manner designated by the airport manager.

(3) All repairs to aircraft or engines, except emergency repairs, shall be made in the spaces designated for this purpose and not in the area reserved for landing and taking off.

(4) No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft, or other persons being personally conducted by airmen or airport attendants, should be permitted to enter the landing area proper. This does not give any person or persons so excepted the privilege of unrestricted use of the space within the landing area proper. These privileges are confined to the necessary use of this space in connection with flights, inspections or routine duties.

(e) The airport manager shall insure that all airplanes not hangared are properly blocked and securely tied to tie-down strips during inclement weather or at any time the same remain at the airport overnight

(5) Aircraft shall be properly blocked and tied down by the owner or fixed base operator when parked overnight or when conditions indicate that tie-down is desirable.

(6) No motor vehicle shall be driven into the landing area proper without the express permission of the airport manager or his designated representative, or otherwise in accordance with his instructions.

(7) No automobile shall be parked on the airport property, except in areas designated for that purpose by the airport manager.

(h) The airport manager shall maintain the area around the gas pumps and the apron in such condition so that it will be clear and unobstructed at all times.

(i) The airport manager shall clean all apron and hangar areas at least once each week and maintain them in a clean condition at all times

13.60.040 Taxying rules. (1) No person shall taxi an aircraft to or from the hangar line or to or from an approved taxi space until he has ascertained that there will be no danger of collision with any person or object in the immediate area by visual inspection of the area, and, when available, through information furnished by airport attendants.

(2) No aircraft shall be taxied, except at a safe and reasonable speed.

(3) No aircraft not equipped with adequate brakes shall be taxied near buildings or parked aircraft unless an attendant is at the wing of the aircraft to assist the pilot.

(4) Taxying aircraft shall be stopped at a minimum distance of one hundred fifty (50) feet from the active runway as marked by FAA standard broken yellow lines for engine run up and while awaiting take off clearance. Aircraft shall be turned to provide the pilot with a clear view of approaching aircraft, and it shall be his responsibility to remain clear of other traffic. No aircraft shall be moved onto a runway until ready for immediate takeoff.

(5) Aircraft taxying shall conform to the taxi patterns which are prescribed by the airport manager.

(f) The airport manager or his agent shall contact immediately the pilots of all airplanes which shall land at the airport and determine what service, if any, they shall require

13.60.050 Landing and take off rules. (1) Landings and take off shall be made directly into the wind or on the runway or landing strip most nearly aligned with the wind or when winds are light, in a direction designated by the airport manager

(b) No landing or take off shall be made, except at a safe distance from buildings and aircraft

(1) Landings and takeoffs shall be made in strict accordance with FAA flight rules and regulations, which are by reference made a part of these rules and filed with the Airport Manager.

(2) No turns shall be made after take off until the airport boundary has been reached and the pilot attains an altitude of at least four hundred feet and has ascertained there will be no danger of collision with other aircraft, unless exceptions are authorized by an air traffic control operator

(d) Aircraft landing or taking off shall conform to traffic patterns as established and published by the airport manager

13.60.060 Fire regulations. (1) All persons using in any way the airport area or facilities of the airport shall exercise the utmost care to guard against fire and injury to persons or property.

(2) No person shall conduct any welding or open flame operations in or adjacent to any hangar or building, unless specifically authorized by the airport manager.

(3) No person shall store or stock material or equipment in such a manner as to constitute a fire hazard.

(4) No person shall operate any radio equipment in an aircraft when such aircraft is in a hangar.

(5) No person shall smoke within fifty feet of any aircraft.

(6) No aircraft shall be fueled while the engine is running or while the aircraft is in a hangar.

(7) All aircraft shall be positively grounded when being serviced with gasoline.

13.60.070 Intoxicating liquor. (1) It is unlawful for any person to drink intoxicating liquor upon any portion of the airport, provided, however, that nothing in this section contained shall be deemed to apply to the drinking of any intoxicating liquor in any establishment located upon the airport property wherein the same may be sold for premises consumption under the laws of the state.

(2) It is unlawful for any person who is an habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic drugs to operate an aircraft on the airport.

13.60.080 Operation of airport. The city council may let contracts or enter into agreements with any person, firm or corporation for the operation of the airport. The contract or agreement so entered into may be revoked at any time by the city council for noncompliance with the terms of this chapter. Each such contractor shall give a bond payable to the city in the sum of five thousand dollars conditioned for the safe performance of the duties imposed by this chapter under the terms of the contract entered into with the city. Such contract or agreement shall also require that the contractor procure for the period covered by the contract full compensation insurance satisfactory to the city council and shall also require that the contractor carry public liability insurance to the extent of twenty thousand dollars for bodily injury of one or more persons and property damage insurance

to the extent of ten thousand dollars; such insurance to cover both the contractor and the city

13.60.090 Fees. Charges Fees Charges shall be made for the use of airport facilities and shall be established by resolution of the city council. A copy of the resolution establishing charges for use of the airport facilities shall be posted in the office of the ~~airport manager~~ **fixed based operator** at the airport. The airport manager shall be responsible for the collection of all charges and license fees. ~~which shall be established by resolution of the city council~~

Section 2: That Ordinance No. 4274, an ordinance establishing tie-down fees for airplanes upon airport property and establishing fuel flowage fees to be paid for aviation fuel is hereby repealed.

Passed by the Council: October 10, 1984

Approved by the Mayor: October 11, 1984

Effective Date: November 9, 1984

Donald B. Brading
Mayor

ATTEST:

[Signature]
City Recorder