

**RESOLUTION NO. 5983**

A RESOLUTION GRANTING THE AIRPORT MANAGER SPECIFIC AUTHORITY WITH REGARD TO AIRCRAFT THAT ARE NOT AIRWORTHY OR FOR WHICH THE APPROPRIATE FEES HAVE NOT BEEN PAID

WHEREAS, privately owned aircraft at the Albany Municipal Airport are customarily stored in private hangars, City-owned tee hangars, or in open storage for which the City provides tie-down services; and

WHEREAS, problems have arisen in some circumstances wherein aircraft have been maintained in open storage for extended periods during which the aircraft have fallen into disrepair and are no longer airworthy; and

WHEREAS, long-term storage of aircraft that are no longer airworthy is not an appropriate use of limited City tie-down space or limited City tee hangar storage space; and

WHEREAS, aircraft owners and/or operators who utilize City tee hangars or City tie-down areas without paying all customary City fees required for their use of airport facilities are unfairly utilizing limited public resources.

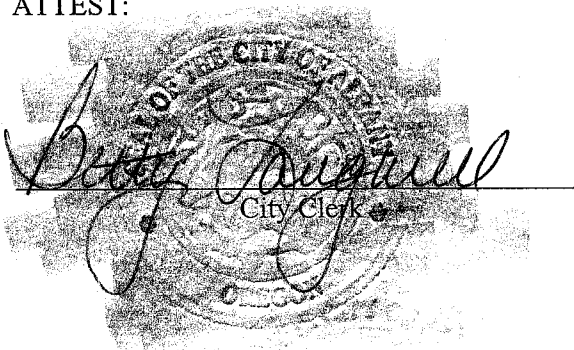
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the Airport Manager is authorized to require the removal of any aircraft in open storage at the Albany Municipal Airport or stored in a City-owned tee hangar if the aircraft is not airworthy. An aircraft will be deemed not airworthy if, in the reasonable judgment of the Airport Manager, the aircraft is not eligible for an airworthiness certification by appropriate regulatory officials and if that condition has continued for 90 of the previous 180 days; and

BE IT FURTHER RESOLVED that the Airport Manager is authorized to require the removal from the Albany Municipal Airport of any aircraft for which the applicable City fees have not been paid in full at any time within the prior 12 months; and

BE IT FURTHER RESOLVED that the Airport Manager is authorized to engage the assistance of the City Attorney to facilitate the removal of an aircraft subject to the terms of this resolution.

DATED AND EFFECTIVE THIS 23RD DAY OF FEBRUARY 2011.

ATTEST:

The seal of the City of Albany is circular and features a central emblem surrounded by the text "CITY OF ALBANY" and "1814". Overlaid on the seal is the signature of Betty Angell, City Clerk, with the text "City Clerk" printed below it.

*Betty Angell*  
City Clerk

A handwritten signature in black ink, appearing to read "J. Kays", is written over a horizontal line.

Mayor