

Approved by Ord. 2759

ORDINANCE NO. 2759

AN ORDINANCE OF THE CITY OF ALBANY REGULATING THE USE OF THE ALBANY MUNICIPAL AIRPORT; PROVIDING FOR THE MANAGEMENT OF THE ALBANY MUNICIPAL AIRPORT; PROVIDING FOR THE USE OF THE ALBANY MUNICIPAL AIRPORT AND PROVIDING PENALTIES FOR THE VIOLATION OF RULES AND REGULATIONS.

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

Section 1: DEFINITIONS -- as used in this Ordinance, unless the context otherwise requires:

- a) Person: Means any individual, firm, co-partnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee, or other similar representative thereof.
- b) Airport Manager: That person specifically designated as Airport Manager by the City Manager of the City of Albany.
- c) Airport: Shall mean all that property specifically set aside as a Municipal Airport for the City of Albany and located east of the right-of-way of U. S. Highway 99E, as proposed for the construction of a Free Way and between U. S. Highway 20 and a county road designated as the Knox Butte Road.
- d) Instructors: Those persons who are engaged in the instruction of persons in the skill of flying aircraft whether or not they shall receive remuneration.

Section 2: GENERAL RULES.

a) All aeronautical activities at the Airport, and all flying of aircraft departing from or arriving at the Airport, shall be conducted in conformity with the current pertinent regulations issued by the Civil Aeronautics Board.

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) The Airport Manager shall at all times 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 co-operate with the Airport management to enforce rules and regulations, to see that all persons upon the premises use due care and caution to prevent injury to person or damage to property.

d) Instructors shall fully acquaint their students with the rules and regulations set forth in this Ordinance 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 sole responsibility to observe and abide by these rules and regulations.

Section 3: GROUND RULES.

a) 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 controls and the wheels chocked.

b) Aircraft shall not be parked, except in areas in a manner designated by the Airport Manager.

c) 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.

d) 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) Aircraft shall be properly blocked and tied down by the owner or operator when parked for overnight or when conditions otherwise warrant.

f) No motor vehicle shall be driven unto the landing area proper without the express permission of the Airport Manager or his designated representative, or otherwise in accordance with his instructions.

g) No automobile shall be parked on the Airport property, except in areas designated for that purpose by the Airport Manager.

Section 4: TAXIING RULES.

a) 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

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any person or object in the immediate area by visual inspection of the area, and, when available, through information furnished by airport attendants.

- b) No aircraft shall be taxied, except at a safe and reasonable speed.
- c) 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.
- d) Taxying aircraft shall be stopped at a minimum distance of one hundred (100) feet from the active runway for engine run up and while awaiting take off clearance.
- e) Aircraft taxying shall conform to the taxi patterns which are prescribed by the Airport Manager.

Section 5: LANDING AND TAKE OFF RULES.

- a) 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.
- c) 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 (400) 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.

Section 6: FIRE REGULATIONS

- a) 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.
- b) 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.
- c) No person shall store or stock material or equipment in such a manner as to constitute a fire hazard.
- d) No person shall operate any radio equipment in a aircraft when such aircraft is in a hangar.
- e) No person shall smoke within fifty (50) feet of any aircraft.
- f) No aircraft shall be fueled while the engine is running or while such aircraft is in a hangar.
- g) All aircraft shall be positively grounded when being serviced with gasoline.

Section 7: INTOXICATING LIQUOR.

- a) It shall be 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 of Oregon.
- b) It shall be unlawful for any person who is a habitual user of narcotic drugs or who is under the influence of intoxicating liquor or narcotic drugs to operate an aircraft on the Airport.

Section 8:

- a) The City Council may let contracts or enter into agreements with any person, firm or corporation for the operation of the Airport. Such contract or agreement so entered into may be revoked at any time by the City Council for noncompliance with the terms of this Ordinance. Each such contractor shall give a bond payable to the City of Albany in the sum of \$ 5,000.00 conditioned for the safe performance of the duties imposed by this Ordinance under the terms of the contract entered into with the City of Albany. Such contract or agreement shall also require that said contractor procure for the period covered by the contract full compensation insurance satisfactory to the City Council of the City of Albany and shall also require that the contractor carry public liability insurance to the extent of \$ 20,000.00 for bodily injury of one or more persons and property damage insurance to the extent of \$ 10,000.00; such insurance to cover both the contractor and the City of Albany.

Section 9: CHARGES.

Charges shall be made for the use of Airport facilities and shall be established by Resolution of the City Council of the City of Albany. A copy of the Resolution establishing charges for use of the Airport facilities shall be posted in the office of the Airport Manager at the Airport. The Airport Manager shall be responsible for the collecting of all charges and license fees which shall be established by Resolution of the City Council.

Section 10: VIOLATION.

Any person who shall violate any of the provisions of this Ordinance shall upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment in the City Jail for not more than thirty (30) days, or both such fine and imprisonment.

Section 11: EMERGENCY DECLARED

Whereas, the existing conditions are such that the peace, health, and safety of the people of the City of Albany, Oregon, are involved, therefore, an emergency is hereby declared to exist and this Ordinance shall be in effect immediately upon its final passage and approval by the Mayor.

Passed by the Council: December 11, 1957

Approved by the Mayor: December 11, 1957

W L Siffert

Mayor

Effective Date: December 11, 1957

ATTEST:

Arthur P. Blum

City Recorder