

ORDINANCE 1282

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING A NEW CHAPTER 7 IN TITLE 2; ESTABLISHING A MUNICIPAL AIRPORT COMMISSION; PROVIDING FOR ITS COMPOSITION; ALLOWING TWO RURAL COUNTY RESIDENTS TO SERVE ON THE COMMISSION, ONE THROUGH APPOINTMENT BY THE PAYETTE COUNTY COMMISSIONERS; ALLOWING FOR MEMBERSHIP BY APPOINTMENT AND CONFIRMATION; ALLOWING FOR REMOVAL; ADOPTING MUNICIPAL STANDARDS AT THE AIRPORT; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

WHEREAS, the City of Payette is the owner of and responsible for the administration of the Payette Municipal Airport and does hereby establish an Airport Commission and Minimum Standards for providing services on the Airport; and,

WHEREAS, the Minimum Standards are intended to be threshold entry requirements for those wishing to provide aviation services to the public on the City Airport and to ensure that those who have undertaken to provide commodities and services as approved are not exposed to unfair or irresponsible practices; and,

WHEREAS, the uniform application of these Minimum Standards, containing the minimum levels of service that must be offered by the prospective tenant service providers, relates primarily to the public interest and discourages substandard entrepreneurs, thereby protecting both the established aeronautical activity and the Payette Municipal Airport patrons.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. The Payette Municipal Code is amended by the addition of a new Chapter 2.78, entitled "Airport Commission," which chapter shall read as follows:

Chapter 2.78

AIRPORT COMMISSION

Sections:

- 2.78.010 Created
- 2.78.020 Composition--Qualification--Term Of Office
- 2.78.030 Organization
- 2.78.040 Compensation--Secretary--Meetings
- 2.78.050 Powers and Duties
- 2.78.055 Force and Effect
- 2.78.060 Cooperation From City Departments Required--
Authority to Call for Assistance
- 2.78.070 Public Works Submittal for Study And
Recommendation
- 2.78.080 Coordination with Other Commissions and Boards
- 2.78.090 Expenditure of City Money; Council Authorization
Required
- 2.78.100 Standing Committees

2.78.010 Created: There is hereby created an airport commission for the City, which commission shall be known and designated as the "City of Payette Airport Commission". The Airport Commission may from time to time be referred to simply as the Commission.

2.78.020 Composition - Qualifications - Term of Office:

A. The Airport Commission shall consist of five (5) members to be appointed by the Mayor and confirmed by the Council. At least one of the five members shall be experienced in aviation, holding some level of pilot's license or some other aeronautical rating.

B. All members shall be residents of the City, except that two members may be residents of rural Payette County, one being appointed by the Payette County Commissioners as long as there is an Agreement in place between the City of Payette and Payette County for fiscal contributions to the Payette Municipal Airport.

C. The first board shall be appointed in a staggered manner. Two members appointed for a 1 year term, two for a 2 year term and one for a three year term. Thereafter, all appointed members of the Airport Commission shall be appointed for and shall hold office for a term of three (3) years. Members' three year terms shall end on June 30th of

the third consecutive year. A member of the Board will be appointed or reappointed each year. There will be no limit on the number of consecutive terms which a member may serve. In the event of the death, resignation or any vacancy in said Commission, such vacancy shall be filled by appointment by the Mayor and confirmation by the Council for the unexpired term of such member or members.

D. Any member can be removed with or without cause. In the event the removal is recommended by the Mayor, the removal shall be by a simple majority vote of the city council. In the event the removal is not recommended by the Mayor it shall take a unanimous vote of a quorum of the council to effect a removal.

2.78.030 Organization: The Airport Commission shall at its first meeting elect a president and a vice president, who shall be members appointed by the Mayor and confirmed by the Council and who shall hold office during the pleasure of the Commission.

2.78.040 Compensation - Secretary - Meetings:

A. Members of the Airport Commission shall receive no compensation.

B. The Airport Commission shall elect a secretary who need not be a member of the Commission. Such secretary shall keep an accurate record of all proceedings of the Commission and the Commission shall provide minutes of its meetings to the City after each regular or special meeting of the Commission. The Commission shall maintain such records as are required by law, provided for by policies of the Commission or as the City may from time to time request.

C. The Commission shall hold meetings at least once each calendar month and at such other times as may be necessary.

2.72.050 Powers and Duties:

It shall be the duty of the Airport Commission to:

A. Propose to the Council rules and regulations governing Airport operations, including without limitation, the use and maintenance of the City's Airport property,

operations conducted by the F B O, and the installation, maintenance and/or operation of hangars, repair shops, depots, taxiways, utilities and other facilities at the Airport.

B. Propose to the City plans for future growth and development of the Airport, to promote public interest and welfare and enhance the safe, environmentally sound and efficient operation of the Airport.

C. Execute Airport Ground Leases and Through the Fence Airport Access Agreements substantially in the form approved by the City and consistent with the approved Master Plan for Airport development.

D. Establish such other rules and regulations as are necessary or desirable to carry out the intent and purpose of this ordinance.

E. Keep the City advised as to the progress of Airport developments, the availability of federal and state grants, any problems associated with Airport operations, rules, regulations and laws applicable to Airport operations, and such other matters relating to Airport operations as may be requested by the City.

F. Propose to the Council a fee schedule for airport uses, collect any and all fees, rents and other sums due the City for use of the Airport, remit and account for those funds to the City Treasurer.

G. Pursue enforcement of all rules, regulations, ordinances and laws of the City, the State of Idaho and the United States of America insofar as the same are applicable to the operation of the Airport.

2.72.055 Rules and Regulations: The Board shall submit to the Council for approval such rules and regulations as the Board deems necessary for the Airport operation. Any rule or regulation which the City Council might approve and which would have a penalty associated with it in the event of a violation shall be approved in the form of a City ordinance.

2.72.060 Cooperation From City Departments Required--
Authority To Call For Assistance: Subject to the demands of

their own programs and supervisors, all departments and employees of the City are instructed to cooperate with and furnish to the Airport Commission maps, reports and all available data necessary for the Commission to properly and adequately carry out its functions. The Airport Commission is also authorized, without binding the City to any fiscal liability, to appoint such technical and advisory committees as are necessary to carry out its work, and to call upon the citizens of the community and the various civic organizations for cooperation and assistance to the end that a coordinated program of City Airport may be promoted.

2.72.070 Public Works Submittal For Study and Recommendation: All matters pertaining to the Airport, laying out, and the development and construction of public works shall be submitted to the Airport Commission for its study and recommendations before being presented to the Council. The various departments of the City government, in submitting plans and recommendations to the Council regarding the airport, are required to furnish copies in full duplicate to the Airport Commission.

2.72.080 Coordination with Other Commissions and Boards: Nothing in this Chapter shall be construed as infringing upon the authority previously granted to any existing commission or board but provides that such commissions or boards shall coordinate their efforts with the Airport Commission to the end that a more comprehensive plan of the City development may be evolved.

2.72.090 Expenditure Of City Money - Council Authorization Required: The Airport Commission shall have no authority to make expenditures on behalf of the City nor to obligate the City for the payment of any sum of money, unless authorized by the Council who shall specify the administrative method by which such funds shall be expended.

2.72.100 Standing Committees: The Mayor shall have the power to provide for various standing committees composed of members of the Airport Commission, and he shall appoint from the Airport Commission the members of each committee. Each standing committee shall have the duty and power to study the problems and conditions existing within its particular scope and field, and each standing committee shall submit its recommendations and suggestions relating to the problems

and conditions existing within its particular scope and field to the Airport Commission.

Section 2. The Payette Municipal Code is amended by the addition of a new Chapter 2.75, entitled "Adoption of Payette Municipal Airport Minimum Standards for Fixed Base Operators and Airport Tenants at the Payette Municipal Airport," which chapter shall read as follows:

Chapter 2.75

ADOPTION OF PAYETTE MUNICIPAL AIRPORT MINIMUM STANDARDS FOR FIXED BASE OPERATORS AND AIRPORT TENANTS AT THE PAYETTE MUNICIPAL AIRPORT

Sections:

- 2.75.010 Purpose
- 2.75.020 Standards Adopted
- 2.75.030 Violations

2.75.010 Purpose. These minimum standards are intended to provide threshold entry requirements for those wishing to perform commercial aeronautical activities, which provide aeronautical products and services to the public, at the Payette Municipal Airport. The minimum standards for the Payette Municipal Airport are made a part of this article as if fully set forth herein.

2.75.020 There is hereby adopted the "Minimum Standards for Fixed Base Operators and Airport Tenants at the Payette Municipal Airport" as adopted by the City Council on July 16, 2007, and as may be amended and approved by the City Council. A copy of this document is available at City Hall, the Payette Municipal Airport, and the Payette City Library.

2.75.030 Violators of these rules and regulations are subject to civil and criminal penalties as prescribed by the authorities of the City. Any violations for which penalties are not prescribed shall be considered misdemeanor violations and shall be punished by fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code § 50-302, as amended.

Section 3. This Ordinance may be published in summary form allowed by Idaho Code.

Section 4. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 5. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 6. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

Section 7. Any violation of this Ordinance shall be a misdemeanor punishable by fine and/or imprisonment up to but not exceeding the maximum penalties set forth in Idaho Code § 50-302, as amended.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 17th day of July, 2007.

CITY OF PAYETTE, IDAHO

by Douglas E. Henderson
DOUGLAS E. HENDERSON, Mayor

ATTEST:

Mary Cordova
Mary Cordova, City Clerk

State of Idaho)
) ss.
County of Payette)

On this 17th day of July, in the year of 2007, before me Kellie McCombs, a notary public, personally appeared MARY CORDOVA and DOUGLAS E. HENDERSON, personally known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.

Jennifer A Kelley

Notary Public for Idaho

Residing at: Payette Idaho

Commission expires: 12-11-2008

