

CHAPTER 2.4
AIRPORTS AND AIRCRAFT

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Sec. 2.4-10. Definitions

Unless the context otherwise requires, the following definitions in this section govern the construction of this chapter in order for more effective interpretation and enforcement.

(a) Airport means each and every airport and all airport property owned, operated, and controlled by the county. It shall include all improvements, facilities, and appurtenances.

(b) Aircraft means any machine or contrivance used for flying, whether heavier or lighter than air.

(c) Airport manager means a person hired by the Director of General Services, who has initial responsibilities for all airport business and operations, or the manager's designee.

(d) Aircraft ground movement area means the runway(s), taxiway(s) and parking apron(s) of the airport.

(e) Competent aircraft operator means a person holding a valid certificate from the Federal Aviation Administration.

(f) Fixed base operator means a person, firm, or corporation under contract to the county as a concessionaire at the airport.

(g) Fire chief means the fire chief or the chief's authorized representative of the local governmental entity having responsibility for fire protection in the airport area.

(h) Flying club means clubs organized and operated in strict compliance with FAA Order 5190.6A, Appendix 8, and any changes or amendments which may be made by the FAA or other governmental agency from time to time. (Ord. 1443, '1)

(i) Maintain aircraft shall mean any form of service, maintenance, or repair of aircraft.

(j) Operate aircraft shall mean the self propelled, pushed, or towed movement of aircraft on the ground or in flight.

(k) Owner shall mean any person, firm, or corporation designated as the legal owner of any certificate, permit, or license required for an aircraft by the United States of America.

(l) Regularly situated shall mean an aircraft based at the airport for a period in excess of ten (10) days.

(m) Hazardous material means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace of the environment.

(Ord. No. 1350, §1; Ord. No. 1380, §1; Ord. 1443, §1; Ord. No. 1642, §28)

Sec. 2.4-20. Regulations

The board of supervisors shall have the power to adopt, amend, and repeal rules and regulations for the operation and maintenance of the airport. Such rules and regulations may include a schedule of fees for the use of the airport.

(Ord. No. 1350, §2; Ord. No. 1380, §1)

Sec. 2.4-22. Regulations -- compliance

No person shall operate or maintain any aircraft at the airport except in strict conformity with all ordinances, rules and regulations of the county, and the regulations of the Federal Aviation Administration, and all other applicable laws.

All operators of aircraft are responsible for the complete knowledge of all laws, rules and regulations pertaining to the operation of the aircraft.

(Ord. No. 1350, §3; Ord. No. 1380, §1)

Sec. 2.4-24. Regulations -- business activities

(a) No person shall use the airport in any manner whatsoever for any commercial, profit, gainful or revenue-producing purposes, including, without limitation, flight instruction or aircraft mechanic work, without written approval of the county. No person shall post, display, or distribute any commercial or noncommercial signs, circular, handbills, or advertisements on the airport without the approval of the airport manager.

(b) It shall be the policy of the county to consider requests from privately owned business entities to have access to the taxiway systems of the Nut Tree Airport when such access is determined by the board of supervisors to be in the best interest of the county, when such entity has shown itself to be qualified for such access under the standards hereinafter listed, and if such entity and the county have entered into a written contract assuring compliance by such entity, its owners, tenants, employees, agents and successors, with the conditions and requirements hereinafter stated.

(Ord. No. 1350, §5)

Sec. 2.4-26. Regulations -- aircraft operating rules

No aeronautical activity shall be conducted at the airport except in conformance with current Federal Aviation Regulations. In addition, the following rules shall apply:

(a) Aircraft shall be parked in designated areas only and shall have parking brakes set and wheels firmly blocked to prevent movement and/or shall be firmly secured to the ground by ropes or other appropriate means.

(b) The Nut Tree traffic pattern is established at one thousand feet AGL (above ground level). Low flying is prohibited except when climbing from takeoff or descending for a landing, or except in emergencies.

(c) All aircraft shall observe the approved traffic pattern for the airport, emergency landings excepted.

(d) Aircraft shall be stopped and all engines shut off, at a minimum distance of twenty-five feet, before entering any hangar or building. No aircraft shall be started or run-up in any hangar or when the aircraft is tailed toward hangar doors or positioned in such a manner to constitute a danger to person or property. Taxiing in or out of hangars is specifically prohibited. Engine run-ups and tests

shall be performed in areas designated by the airport manager, and on certain occasions may be prohibited by the airport manager.

(e) Aircraft shall take off and land only on designated runways, unless prior approval is authorized by the airport manager. Unusual performance tests of aircraft on or from airport premises shall be accomplished in the manner and areas prescribed and authorized in advance by the airport manager.

(f) No person shall operate a non-licensed or unairworthy aircraft, or an aircraft with a known malfunction off the county airport without the prior approval of a Federal Aviation Administration permit.

(g) No aircraft shall remain idle on the airport runways. No aircraft shall block the entrance to the airport, taxiways, or runways other than for the normal time required to perform routine check-outs prior to takeoff. Aircraft shall not cross or enter upon a runway until the pilot has stopped and has assured, by visual inspection, that there is no danger of collision with any person or object.

(h) No engine shall be started or operated unless a competent aircraft operator is in the aircraft attending to the controls, the parking brakes are set, or the wheels properly blocked to prevent movement. Aircraft shall be taxied at all times at a reasonable and safe speed with a competent operator at the controls, and shall taxi at operator's discretion unless specifically directed otherwise.

(i) No passengers or freight shall be loaded or unloaded from any aircraft unless and until all engines have come to a complete stop.

(j) Only aircraft operators and/or aircraft owners of aircraft located on the county airport shall be granted access to the ramp. It shall be the aircraft operator and/or the owner's responsibility to control and supervise the access of all other persons involved in the loading and unloading of aircraft, and to close and keep closed any gates which lead to the apron or ramp.

(k) Spectators shall not be permitted on the ramp without approval of the airport manager, his representative, or the fixed base operator(s).

(l) The airport manager may refuse clearance or delay any flights or other operations at the airport when, in his discretion, he deems such action necessary in the interest of safety, and he may regulate touch-and-go landings whenever traffic volume is such that regulation is necessary for the safe and orderly operation of the airport.

(m) Instructions from an authorized control tower shall take precedence over the aforementioned rules, except those rules pertaining to the parking apron or ramp.

(n) Repealed.

(Ord. No. 1350, §6; Ord. No. 1380, §1; Ord. 1443, §2)

Sec. 2.4-27. Regulations -- flying clubs

Flying clubs wishing to base an aircraft, or aircraft, on airport property shall operate in strict compliance with FAA Order 5190.6A, Appendix 8. This order will be available to all prospective flying clubs and is incorporated into this ordinance by reference. Highlights of the FAA Order are as follows:

(a) Flying clubs shall be a non profit entity (corporation, association or partnership) organized for the express purpose of providing its members with an aircraft, or aircraft, for their personal use and enjoyment. All aircraft shall be vested in the name of the club or shall be owned ratably by all members. The property rights of the members shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.).

(b) The club shall not derive greater revenue from the use of its aircraft than the amount necessary for operations, maintenance, and replacement of its aircraft.

(c) The club may not offer or conduct charter, air taxi, or rental of aircraft operations.

(d) No flying club shall permit its aircraft to be utilized for the giving of flight instruction to any person, including members of the club, when such person pays or becomes obligated to pay for such instructions, except when instruction is given by a lessee based on the airport and who provides flight instruction.

(e) Any qualified mechanic who is a registered member of the club and part owner of the aircraft owned and operated by the club shall not be restricted from doing maintenance on aircraft owned by the club. The club does not become obligated to pay for such maintenance work except that such mechanics and instructors may be compensated by credit against club payment of dues or flight time.

(f) All flying clubs and their members are prohibited from selling or leasing any goods or services whatsoever to any person or firm other than a member of such club at the airport except that said club may sell or exchange its capital equipment.

(g) Each flying club shall furnish the airport office a copy of its charter, by-laws, articles of association, partnership agreement or other documents supporting its existence including names of officers and directors to be revised on a semiannual basis. Certificates of Insurance shall be provided to the airport

manager prior to commencement of operations in amounts specified from time to time by the County Risk Manager. Books and records of the club shall be available for review at any reasonable time by the airport manager or the manager's authorized agent.

(h) Any flying club operating at the airport shall abide by and comply with all Federal, State, and local laws, ordinances, and the rules and regulations of the airport.

(i) A flying club which violates any of the foregoing, or permits one or more members to do so, will be required to terminate all operations at the airport. A public hearing should be conducted for the purpose of considering such termination.

(j) A copy of FAA Order 5190.6A, Appendix 8, shall be provided to any flying club considering establishing operations at the airport.

(Ord. 1443, §3)

Sec. 2.4-28. Regulations -- motor vehicles

All persons using the airport shall operate automobiles, motorcycles, trucks, or tugs in accordance with the following rules:

(a) Vehicles shall be parked within the parking areas approved by the airport manager only.

(b) No common carrier vehicle or vehicle for hire shall load or unload passengers or stand at the airport in any place other than in the area designated by the airport manager.

(c) Vehicles shall not be operated beyond roads and parking area limits or on the ramps or aprons except by persons assigned to duty there or authorized by the airport manager.

(d) No person shall operate any vehicle in any of the landing or taxiway areas, unless authorized to do so by the airport manager and then only in the manner prescribed.

(e) Vehicle speed shall be limited to fifteen miles per hour within the airport parking areas.

(f) The airport manager shall have authority to move vehicles parked in improper locations, and the owners of such vehicles shall be responsible for payment of any towing charges necessitated thereby.

(Ord. No. 1350, §7; Ord. No. 1380, §1)

Sec. 2.4-30. Regulation -- firearms

No person, except peace officers; authorized federal, state, and county employees; or members of the Armed Forces of the United States on official duty, shall carry firearms or explosives on the airport without prior permission of the airport manager. No person shall hunt; conduct target practice, or discharge firearms or explosives on the airport.

(Ord. No. 1350, § 8; Ord. No. 1380, §1)

Sec. 2.4-32. Regulations -- fire safety

The following fire safety rules shall apply:

(a) No person shall store or operate passenger automobiles or trucks within hangars. Power operated industrial trucks and tractors used within hangars shall be of a type approved by the fire chief. Only those items approved by the fire marshal and designated in the county's storage permit may be allowed in each hangar.

(b) All tenants will post "no smoking signs" as designated by the fire chief. No person shall smoke any cigarette, cigar or pipe, or strike any match, or kindle any flame whatsoever within fifty feet of any aircraft while being fueled or within fifty feet from fuel islands or any flammable liquid container, or within any hangar or aircraft workshop located upon the airport, except where approved by the fire chief. Smoking may be permitted within areas designated by the fire chief.

(c) Cutting, welding, doping, and spray painting operations shall be conducted only within areas and buildings approved by the fire chief.

(d) Each fixed base operator shall institute training programs for employees in the use of portable fire extinguishing equipment and methods of evacuating or relocating occupants of the premises in case of fire or other emergency.

(e) Portable fire extinguishers shall be provided and installed by the fixed base operators as directed by the fire chief as to number, type, and location, and shall not be moved from designated locations for any reason other than as a precaution against an immediate hazard or to be recharged.

(f) Access to all fire extinguishing equipment shall be kept free and unobstructed at all times. Portable fire extinguishers shall be inspected periodically by the fire chief. Fire prevention inspection shall be made by the fire chief, and fire drills shall be held at his discretion.

(g) No person shall store or stock material or equipment, or place any flammable liquids, solids, gases, signal flares, or similar hazardous materials

within any hangar or building except in areas, containers, and in quantities specifically approved by the fire chief.

(h) All tenants of buildings shall provide metal containers, equipped with self-closing doors approved by the fire chief, for storage of oily wastes, rags, and similar combustible material. All such wastes shall be removed by the tenant daily.

(i) All tenants of buildings shall maintain the floors of hangars, and all areas leased by them, free and clear of oil, grease, and other flammable materials. No person shall use flammable substances for cleaning floors of hangars or other buildings.

(j) The cleaning of aircraft engines or other parts using solvents shall be limited in scope and only nonflammable or high flash point (one hundred degrees Fahrenheit or greater) solvents shall be used during any cleaning process. The disposal of gasoline, oil, solvent, flammable waste products, or other hazardous materials into any drain, manhole, open ditch, or other airport areas, is strictly prohibited.

(k) All electrical wiring, fixtures, and appliances shall be installed and maintained in accordance with the Electrical Code of the county.

(l) Every person who becomes aware of any fire, or smoldering combustion of an unwarranted or insidious nature which is not confined within equipment designed for fire, or which is any hazard to the premises, shall report said fire or smoldering combustion to the local fire department.

(m) All persons shall comply with all fire safety regulations established by the local governmental entity having jurisdiction for fire protection at the airport and the Fire Prevention Code of the county.

(Ord. No. 1350, §9; Ord. No. 1380, §1)

Sec. 2.4-34. Regulation -- financial responsibility

All owners of aircraft regularly situated at the airport shall be financially responsible in amounts as required from time to time by the county. Any such owner shall furnish the county with evidence of financial responsibility. The minimum financial responsibility required pursuant to this section, shall be as follows:

- (a) Each accident, five hundred thousand dollars;
- (b) Bodily injury or death, each person five hundred thousand dollars;
- (c) Property damage, five hundred thousand dollars.

Evidence of financial responsibility shall consist of a certificate of insurance or a bond issued by an insurance company or a surety company duly authorized to transact business in the state, naming Solano County as additional insured.

If the owner of an aircraft regularly situated at the airport fails or refuses to furnish the county with the required evidence of financial responsibility, the owner shall thereafter be prohibited from basing any aircraft which he may own at the airport until such time as he complies with the provisions of this section.

(Ord. No. 1350, §10; Ord. No. 1380, §1)

Sec. 2.4-36. Regulations -- damage to aircraft

Witnesses to, and participants in any aircraft causing damage to aircraft in the airport area shall promptly make a full report of such accidents to the airport manager or his representative. Aircraft operators, owners, or their agents shall be responsible for, and shall cooperate and assist in the prompt removal of damaged aircraft, parts, property, or debris resulting from any accident provided, however, that the airport manager or officials of the Federal Aviation Administration may prohibit the movement or removal of any damaged aircraft or property.

(Ord. No. 1350, §11; Ord. No. 1380, §1)

Sec. 2.4-38. Regulations -- damage to airports

Any person causing damage to the airport or any airport property, or any structure on the airport, shall be responsible for the cost of repair or replacement. All damage shall be promptly reported to the airport manager.

(Ord. No. 1350, §12; Ord. No. 1380, §1)

Sec. 2.4-40. Regulations -- cleanliness

All persons using the airport shall place all rubbish, garbage, or other debris, in appropriate containers. Operators performing routine maintenance on their own aircraft shall keep the area neat and uncluttered at all times.

(Ord. No. 1350, §13; Ord. No. 1380, §1)

Sec. 2.4-42. Regulations -- trespassing

No person shall trespass by walking, or conducting any activity of any kind whatsoever with any type of motorized equipment within the landing area and taxiing area of the airport, without prior approval of the airport manager.

(Ord. No. 1350, §14; Ord. No. 1380, §1)

Sec. 2.4-44. Regulations -- general standards for access to the Nut Tree Airport

(a) Before a contract for access to the Nut Tree Airport may be executed, it must be shown to be to the satisfaction of the board of supervisors of Solano County, as follows:

(1) That the purpose for which access is requested is a business purpose consistent with any county general plan or zoning ordinance, or regulation then in operation and effect. It is expressly acknowledged that any county plans, or ordinance, or regulations, will be consistent with and subordinate to federal law, regulations, and covenants under existing and future federal grant agreements.

(2) That the use to be made of such access will not diminish or endanger the revenues of the county.

(3) That the allowance of such access will not involve the granting of an exclusive right for the use of any landing area or air navigation facility upon which federal funds have been expended, or the granting of an exclusive right for the conduct of any activity on the airport.

(4) That the allowance of such access will not create an undue risk that it might deprive the county of possession or control, interfere with the use of the Nut Tree Airport for public airport purposes, or make it impossible for the county to carry out its agreements and covenants with the United States of America and State of California.

(5) That the applicant is financially able to provide and maintain the physical facilities which may be made necessary by the requirements of subparagraph (b) of this section.

(6) That the applicant is able to acquire insurance coverage of such kinds and in such amounts as are hereinabove required for all tenants.

(7) That the proposed access shall be consistent with the Nut Tree Airport Master Plan as adopted by the board of supervisors, if any.

(8) That the access agreement, in final form, has been reviewed by Cal Trans, Division of Aeronautics, and the Federal Aviation Administration, and written approval has been received from each.

(b) Facility standards: Any contract entered into between the county and an applicant for access to the Nut Tree Airport must include the following:

(1) A plan, showing in reasonable detail, all proposed taxiways, ramps, parking and tie down facilities, and other aeronautically oriented facilities to be

located or constructed on applicant's land, and showing the location of applicant's primary business use.

(2) That all taxiways or other access ways, if any to be connected to the Nut Tree Airport, will be connected to the Nut Tree Airport taxiway system, and will be so connected at the expense of the applicant.

(3) That all taxiways constructed on Nut Tree Airport land or connected thereto, will be constructed in accordance with county and Federal Aviation Administration pavement design specifications and standards required by federal, state, and county laws and regulations for the maintenance of public airport facilities.

(4) A requirement that for the term of the access contract, applicant will maintain all airport connecting taxiways in accordance with standards required by federal, state, and county laws and regulations for the maintenance of public airport facilities.

(5) A requirement that for the term of the access contract, applicant will keep and maintain, in full force and effect, liability insurance of such types and in such amounts as shall from time to time be required of all operators on Nut Tree Airport.

(6) A requirement that applicant will at all times comply with all safety laws and regulations adopted by the county, the state, and the Federal Aviation Administration, and which are applicable to the Nut Tree Airport.

(7) A provision that said access shall continue for a specified term of years and a provision for termination of such access for a material breach of contract.

(8) Use of aircraft is incidental to the applicant's business, and no aeronautical services are to be offered or performed.

(c) Procedure: Airport manager with the assistance of the aviation advisory committee and transportation department shall make rules and regulations to implement the policies and standards herein set forth.

(Ord. No. 1350, §15; Ord. No. 1380, §1)

Sec. 2.4-60. Violations

Any person who violates any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a period not to exceed six months, or a fine not to exceed the sum of five hundred dollars, or by both such imprisonment and fine.

(Ord. No. 1350, §4; 1380 §1)