

ORDINANCE 2016 - 14

 ORIGINAL

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE,  
WASHINGTON, ADOPTING NEW TITLE 14 – “AIRPORTS”  
OF THE SUNNYSIDE MUNICIPAL CODE PERTAINING  
TO THE SUNNYSIDE MUNICIPAL AIRPORT**

**WHEREAS**, the City of Sunnyside is responsible for the operations and maintenance at the Sunnyside Municipal Airport, which also includes the safety and compliance by all lessee’s with all state and federal regulations, as well as Federal Aviation Administration (FAA) requirements; and

**WHEREAS**, the City did not have a codified set of standards in which to monitor, regulate, and enforce the compliance of local, state, and federal laws; and

**WHEREAS**, on March 15, 2016, the Sunnyside Municipal Airport Advisory Board made a recommendation to the Sunnyside City Council to adopt Title 14 – “Airports” into the Sunnyside Municipal Code; and

**WHEREAS**, the City of Sunnyside City Council finds and determines that new Title 14 – Airport be adopted to enact the new referenced codes and is in the best interest of the residents of the City of Sunnyside and will promote the general health, safety and welfare;

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WAHSINGTON**, as follows:

**SECTION 1.** New Title 14 – “Airports” is adopted and is attached hereto as ‘Exhibit A’.

**SECTION 2.** This Ordinance shall be effective five days upon passage, approval, and publication as required hereon in accordance with law.

**PASSED** this 14th day of November, 2016.



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JAMES RESTUCCI, MAYOR

**ATTEST:**



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DEBORAH ESTRADA, CITY CLERK, CMC

**APPROVED AS TO FORM:**



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KERR LAW GROUP  
Attorneys for the City of Sunnyside

# **TITLE 14**

## **AIRPORTS**

Chapters:

14.02 General Provisions

14.04 Airport Use

14.06 Aircraft Operation

14.08 Minimum Functional Standards

14.10 Fueling, Loading, and Transporting Fuel or Containments

14.12 Motor Vehicles

14.14 General Safety Rules

14.16 Conduct

14.18 Emergency Procedures

14.20 Rates and Charges

## CHAPTER 14.02 GENERAL PROVISIONS

Sections:

14.02.010	Declaration of authority
14.02.020	Airport description
14.02.030	Definitions
14.02.040	Airport Manager

**14.02.010 Declaration of authority.**

The rules and regulations for the Sunnyside Municipal Airport ("Airport") are promulgated in this title pursuant to the power granted by the Municipal Airports Acts of 1941 and 1945 and Chapters 14.07 and 14.08 of the Revised Code of Washington ("RCW"). For the purpose of this title, unless specifically otherwise provided, the descriptions and definitions of words, terms, and phrases appearing in this chapter shall apply throughout and shall be liberally construed, consistent with the authority granted under state law, to accomplish the purpose of regulating and operating said Airport.

**14.02.020 Airport description.**

A. Location. The Airport is located at Latitude 46 degrees 19' 40" North, Longitude 119 degrees 58' 14" West, at the northeast end of the Sunnyside city limits and Urban Growth Area (UGA) boundary, approximately 2 miles east of the city center and 1 mile north of U.S. Interstate 82 (I-82). The Airport is immediately east of Washington State Highway 241 with surface access provided by East Edison Road. Washington State Highway 241 connects Mabton and Sunnyside, and extends north to Washington State Highway 24, which connects Moxie and Richland. The Airport elevation is 767 feet above mean sea level and has an area of approximately 80.9 acres.

B. Runway. The Airport has one runway, Runway 07/25 designed to accommodate small aircraft weighing 12,500 pounds or less with single wheel landing gear configurations. Runway 07/25 is paved and lighted with a published length of 3,422 feet and width of 60 feet. The runway has basic (visual) markings, runway edge lighting, threshold lighting and visual guidance indicators (VGI) at both ends. The runway has an effective gradient of approximately 0.643 percent, with a high point located at the east end of the runway.

C. Taxiways. Runway 07/25 has a south side parallel taxiway that extends outward from the ends of the main aircraft parking apron to each runway end. The east section of parallel taxiway (approximately 1,100 feet long) ends approximately 165 feet west of the Runway 25 threshold. The west section of parallel taxiway is approximately 1,600 feet long and extends fully to the end of Runway 07. The west section of parallel taxiway is 25 feet wide; the east section of parallel taxiway is 30 feet wide. Both sections of parallel taxiway are located 150 feet from the runway centerline. There are four (4) connecting taxiways between the parallel taxiway and runway (one at each runway end and one at the connections to the main apron.) The connecting taxiways vary in width from 50 to 60 feet.

D. Hours of Operation. The Airport operates under day and night visual rules (VFR). Runway lights are left on all night and the Airport is operational 24 hours a day.

E. National Airport System. The Airport is included in the National Plan of Integrated Airport Systems (NPIAS).

F. State Airport System. The Airport is identified as a public-use "General Aviation" airport in the Washington Aviation System Plan.

G. Facility Ownership. The Airport is owned by the City of Sunnyside ("City") and administered by the City of Sunnyside Airport Manager.

**14.02.030 Definitions.**

A. "Aircraft Movement Area" or "Movement Area" means the area designated by marking as the area intended exclusively for aircraft operations such as takeoff, landing, taxiing and safety areas.

B. "Airport" means the Sunnyside Municipal Airport.

C. "Airport elevation" means the highest point of an airport's useable landing area measured in feet from sea level.

D. "Airport Manager" means the Public Works Director for the City of Sunnyside, unless otherwise designated by the City Manager of the City of Sunnyside.

E. "Airport use" means any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations, etc.

F. "Approach surface" means an imaginary surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope.

G. "Apron" means the paved area used for aircraft parking or tie-down but which is not intended to be used as an aircraft movement area, such as a taxiway.

H. "City" means the City of Sunnyside, Washington.

I. "Conical surface" means an imaginary surface extending outward and upward from the periphery of the horizontal surface.

J. "SMC" means the Sunnyside Municipal Code.

K. "FAA" means the United States Federal Aviation Administration and includes any party with whom the United States Federal Aviation Administration has contracted to perform duties otherwise under its jurisdiction.

L. "FAA Form 7460-1, Notice of Proposed Construction or Alteration" means a form which the Federal Aviation Administration (FAA) required to be completed by anyone who is proposing to construct or alter an object that could affect airspace within the airport influence area and allows the FAA to conduct an airspace analysis to determine whether the object will adversely affect airspace or navigational aids. All site elevations and constructed elevations required by the 7460 -1 and 7460-2 processes shall be performed by a licensed land surveyor or a professional engineer.

M. "FAR Part 77 surfaces" means the part of 49 CFR of the Federal Aviation Regulations that deals with objects affecting navigable airspace.

N. "Fixed Base Operator" ("FBO") means a tenant authorized by written agreement with the City to provide a variety of aeronautical services at the Airport under compliance with such agreement and pursuant to these regulations and standards. By definition, an FBO has a "fixed base" of operations, i.e., an office, hangar, or shop on the Airport approved for commercial operations.

O. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

P. "Hazardous Materials" means any material designated as a hazardous or dangerous waste pursuant to or exhibiting any of the physical, chemical, or biological properties described as hazardous substances in WAC 173-303.

Q. "Minimum Functional Standards" means standards to protect and promote the best interests of the public by providing competent and qualified operation of aviation activities at the Airport.

R. "Nonconforming use" means any use, situation, lot, building or structure that legally existed prior to the adoption of a development regulation that would otherwise prohibit its use.

S. "NOTAMS" means Notice to Airmen containing information concerning the establishment, condition, or change in any aeronautical facility, service, procedures, or hazard, the timely knowledge of which is essential to personnel concerned with flight operations.

T. "Operator" means any person who uses the Airport for purposes of taxiing, flying, or maintaining an aircraft.

U. "Primary surface" means a surface longitudinally centered on a runway with a width for visual approaches. When the runway has a specifically prepared hard surface, the primary surface beyond each end of the runway as established by the Federal Aviation Administration. The dimensions of the Primary surface are based on the latest edition of the Airport Master Plan Update and Federal Aviation Administration requirements. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

V. "Runway" means a defined area on an airport prepared for landing and take-off of aircraft along its length.

W. "Transitional surfaces" means the imaginary surfaces that extend outward at ninety-degree angles to the runway centerline, and runway centerline extended, at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect with the horizontal and conical surfaces.

X. "Taxiway" means all areas designated as public use taxiways and used for exclusive use of aircraft movement while on the ground, but shall not include any areas under lease to a tenant or lessee on the Airport grounds.

Y. "Tenant" means a person who enters into a written or oral agreement with the City for the purpose of engaging in a business or other authorized occupancy on Airport premises.

#### **14.02.040 Airport Manager.**

A. Appointment. The Airport Manager shall be the City Manager or a Director of the department to which the Airport is assigned.

B. Authority. Subject to SMC and applicable state and federal law governing municipal airports, the authority for the construction, enlargement, improvement, maintenance, management, operation, and regulation of the Airport and Airport property is vested in the executive branch. The Airport Manager shall be the executive manager of the Airport and shall be responsible for the management and operation of the Airport.

#### **14.02.050 Application of Title 14 to Existing Leases.**

The City acknowledges that Lease Agreements currently exist between the City, as Landlord, and third parties, as Tenants, for property located at the Airport. The terms and provisions of these existing Lease Agreements may not conform to the rules and regulations of this Title. To the extent that rules and regulations of this Title are inconsistent with the terms and provisions of the Lease Agreements which existed as of the date this Title became effective, the terms and provisions of the Lease Agreements shall control so long as they remain otherwise lawful. The rules and regulations of Title 14 shall be fully effective upon the execution of a new lease or at the next lease renewal date for existing leases, regardless of lease term.



## CHAPTER 14.04 AIRPORT USE

Sections:

- 14.04.010 Application of regulations.
- 14.04.020 General principals.
- 14.04.030 Aeronautical use.

**14.04.010 Application of regulations.**

All aircraft, pilots, operators, companies, business organizations, governmental agencies, and all persons coming upon Airport property for any purposes are subject to the regulations set forth herein. It is the responsibility of instructors to fully acquaint their students with all relevant rules and regulations and make sure they are complied with during periods of dual instruction. When a student pilot is flying solo he or she is responsible for abiding by these rules and regulations.

**14.04.020 General principals.**

A. Conduct of Business. No person shall engage in any business or commercial activity of any nature whatsoever on the Airport except with the approval of and under such terms and conditions as may be prescribed by the Airport Manager.

B. Charges. Any guarantees, percentages, fees, and charges of any nature prescribed by the City or the Airport Manager shall be charged and collected under the authority of this title. The payment of monthly fees is due and payable in advance on the first day of the calendar month, except as may otherwise be specifically provided by the City in writing. Payment of daily parking fees shall be made prior to departure of aircraft, unless arrangements have been made and approved by the Airport Manager.

C. Unleased Property. All areas within the boundaries of the Airport not specifically leased shall be used only by permission of the Airport Manager, and no company, corporation, person, or agency shall hold any vested rights in the same, or exercise authority over the same, except as specifically granted.

D. Solicitation. Soliciting of funds for any purpose is prohibited on the Airport.

E. Advertisements. No person shall post, distribute, or display signs, advertisements, circulars, or any other printed or written matter at the Airport except with the written approval of the Airport Manager unless permitted by the terms and conditions of a lease.

F. Commercial Photography. No person shall take still, motion, or sound pictures for commercial purposes on the Airport without the written approval of the Airport Manager.

G. Use of Roads and Walks. No person shall travel on the Airport other than on the roads, walks, or places provided for that particular class of traffic. No person shall occupy the roads or walks in such a manner that could hinder or obstruct their proper use or the movement of others.

H. Use of Movement Area. No person shall walk, drive, or otherwise travel on the areas defined as aircraft movement areas without the explicit permission of the Airport Manager.

I. Public Demonstrations and Shows. No person shall walk in a picket line as a picketer or take part in any labor or other public demonstration on any part of the Airport except in those places that are specifically designated by the Airport Manager for such use. No person shall engage in any show, act, demonstration, contest, commercial or otherwise, or shall invite or urge others to participate, content, attend, or work at such type of activity at the Airport without specific approval of the Airport Manager and proof of insurance covering all hazards, damages, or claims that might result from such activities and holding the City and its officials thereof harmless from any such claims.

J. Waste Collection and Disposal. Collection and disposal of waste shall comply with all applicable state and federal laws and City ordinances; including but not limited to SMC 8.28 and 9.34. No person shall collect waste from the Airport for a fee except by written authorization of the City.

K. Contamination. No fuels, oils, dopes, paints, solvents, or acids shall be disposed of or dumped in drains, on the ramp areas, catch basins, ditches, or elsewhere on the Airport.

L. Safety and Security. All operators at the Airport have an obligation to assure that gate chains, gates, and other public safeguards are continually and conscientiously used in a manner so as to protect all persons and property. It shall be the duty and privilege of any and all aviation operators to report any person attempting to board or operate an aircraft illegally, or while such person is physically irresponsible by virtue of intoxication, impairment, incompetence, or announced intent to commit a dangerous or illegal act.

M. Weapons, Explosives, and Inflammable Materials. No persons, except members of the armed forces of the United States, or authorized state, City, or county law enforcement officers, shall carry any weapons, concealed deadly weapons, or explosive or flammable materials on the Airport without permission from the Airport Manager. When traveling with said weapons, registered owners of legal weapons may bring them onto the airfield if emptied of munitions and appropriately stored.

N. Animals. All animals are prohibited within the boundaries of the Airport except seeing-eye dogs on duty or dogs or other domesticated animals that are properly restrained by leash or properly confined.

O. Use of Shop Areas. All shops, garages, equipment, and facilities are expressly for the conduct of the City's or tenants' business and operations. No persons other than employees of the City or tenants shall make use of these facilities or loiter around such premises without individual and specific permission of the City or tenants. This section applies to City equipment and facilities, as well as the facilities and equipment of other governmental agencies.

P. Construction or Alteration. No construction work or alterations or addition of electrical or other equipment affecting the use of power or other utilities, Airport maintenance obligations, or permanent construction or plan of Airport or Airport-owned buildings, rooms, or areas shall be done, except by written permission from the City or by reason of contractual rights and pursuant to a permit issued by a proper authority.

Temporary or permanent construction activities require concurrence by the Federal Aviation Administration through the 7460-1 and 7460-2 process before ground disturbing activities to ensure the intended activity does not pose a hazard to airspace and aircraft operations. The applicant shall provide concurrence from the Federal Aviation Administration to the Airport Manager before proceeding with construction. The 7460-1 and 7460-2 process shall be complete for all temporary or permanent construction activities:

1. Any construction or alteration that is more than 200 ft. AGL at its site.
2. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes: (a) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway.
3. Any construction or alteration within the airport boundary.
4. Any construction or alteration for which notice is required by any other FAA regulation.

Q. Right of Entry. The Airport Manager, or his or her authorized representative, shall have the right of entry at all reasonable times for repair, maintenance, modification, or inspection of all records, rooms, areas, and buildings on Airport property, whether or not such is provided in the lease agreement.

R. Exceptions and Amendments. Special permission to act contrary to or in a broader sense than these regulations provide, may be obtained from the Airport Manager; provided, that each and every exception is petitioned for, jointly or separately, and that permission for such exception is obtained in writing from the Airport Manager. Such written permission shall state definitely the exception for which permission is granted, the reason therefor, and the time of duration or number of instances for which such exception is granted.

**14.04.030      Aeronautical use.**

A. All aeronautical activities at the Airport and all flying of aircraft departing from or arriving in the air space above the Airport shall be conducted in conformity with the current FAA regulations and any orders issued by the Airport Manager.

B. Safety of Persons on Operational Areas. It shall be the responsibility of all operators upon the field areas to insure the safety of all persons coming upon these areas and to warn, direct, or restrain the uninitiated and unauthorized persons from trespassing upon flight operations areas.

C. Information Regarding Aircraft and Pilots. Pilots of all aircraft using the Airport shall submit information when requested by the Airport Manager or his or her authorized representative to identify pilots, crew members, aircraft owners and/or operators while the aircraft remains at the Airport. Such information may include, but is not limited to, the following: name or names, government-issued photo identification, evidence of licenses or ratings held, certificate of ownership of aircraft, operational limitations of aircraft, airworthiness of aircraft, waivers for the use of aircraft, addresses, and telephone numbers.

## CHAPTER 14.06 AIRCRAFT OPERATION

Sections:

14.06.010	General.
14.06.020	Aircraft engine operation.
14.06.030	Pilot responsibility.
14.06.040	Aircraft taxiing.
14.06.050	Aircraft takeoffs and landings.
14.06.060	Aircraft tie-down.
14.06.070	Aircraft parking.
14.06.080	Disabled aircraft.
14.06.090	Nonpayment of fees.
14.06.100	Abandoned aircraft.
14.06.110	Aircraft servicing.

**14.06.010      General.**

A. Licenses. Only pilots certified by the FAA and having aircraft certificates or licenses, as required by statute in the state at which the aircraft is based, shall operate on or from this Airport; provided, however, that this restriction shall not apply to public aircraft of the federal government Department of Defense, Department of Homeland Security, or to aircraft licensed by foreign governments having a reciprocal agreement with the United States covering the operation of such licensed aircraft.

B. Payment for Use of Facilities. Payment for use of Airport facilities, storage, repairs, supplies, or other services rendered by flying service operators or others authorized to provide such services on the Airport, or any service or charge against the aircraft, the aircraft owner or owners, pilots, or persons in charge of the aircraft by the City shall be made, or satisfactory arrangements for payment of same shall be made with the proper authorities before permission may be granted for departure.

C. Incident Reports. Persons involved in aircraft incidents, mishap, or accidents occurring on the Airport shall make a full report thereof to the Airport Manager's office as soon after the event as possible, which report shall include their names and addresses; name of owner or owners of aircraft; number; type; and the airworthiness and operational certificates of aircraft; and the number of pilots' certificates and ratings held. Pilots shall also include a complete and detailed description of the incident, including complete information on the flight or movement immediately prior thereto and any other information requested by the Airport Manager, his or her authorized representative, or any other state or federal official having authority or jurisdiction over the aircraft incident.

D. Periodical Reports. All operators of flying services, companies, agencies, flying clubs, and individuals engaged in aeronautical activities shall make such periodical reports as may be required by the Airport Manager for the proper administration of his or her office.

E. Liability. All operators, aircraft owners, pilots, and other agencies shall use the Airport at their own risk and, in case of failure or error in operation or maintenance of equipment or facilities used, the City, its agents, or employees assume no responsibility.

F. Insurance. Minimum aircraft insurance requirements for interstate air carriers and interstate air taxi operators shall be as prescribed by the FAA. Minimum aircraft insurance requirements for all other aircraft shall be as prescribed by the Airport Manager and shall be developed with input from the City's Risk Manager and the aviation insurance industry.

G. Changes in Rules. The City of Sunnyside reserves the right to amend or change these rules and regulations in the exercise of its discretion or as conditions may warrant.

H. Student Instruction. All persons instructing students and all companies responsible for the instruction of pilots shall be held responsible to the Airport Manager for the conduct of such students while under their supervision or while such students are proceeding with uncompleted courses of flight instruction. No pilot shall instruct students unless he or she possesses the necessary certificates of competency prescribed by the FAA.

J. Lighting Facility Damage. Any person damaging any light or fixture by means of contact with aircraft shall report such damage to the Airport Manager's office immediately or as soon as communication can be established before leaving the Airport and shall be fully responsible for any costs to repair or replace the damaged facility.

K. Demonstration and Experimental Flight. No experimental flight or ground demonstrations shall be conducted on the Airport without the express approval of the Airport Manager and compliance with appropriate FAA regulations.

**14.06.020 Aircraft engine operation.**

A. No aircraft engine shall be operated unless a licensed pilot or mechanic is at the controls at all times.

B. Aircraft engines shall be started and operated only in areas designated for such purposes by the Airport Manager. Aircraft engines shall not be started or run inside hangars or shops.

C. No aircraft engines shall be operated in such a manner that persons, property, or other aircraft might be injured or damaged by propeller slipstream or jet blast from said aircraft.

D. Pilots of aircraft intercepted by an Airport guard or other authorized representative of the Airport Manager while taxiing on the field and directed by hand signal, or otherwise, to stop, shall immediately stop the aircraft and permit said official to approach close enough to explain the reason for such interception.

E. Engine Run-up. Aircraft shall not perform warm-up or prolonged engine test operations in any area that would result in a hazard to other aircraft, persons, or property and in no case where aircraft is parked in such a position to produce air-blast effect in the direction of hangars or other buildings within 100 feet.

**14.06.030 Pilot responsibility.**

The pilot in command of the aircraft is responsible for avoiding a collision with or otherwise causing injury to, other aircraft, persons, or objects on aprons, ramps, and taxiways.

**14.06.040 Aircraft taxiing.**

A. No aircraft shall be taxied into or out of any hangars or shops.

B. No aircraft shall be operated in a careless or reckless manner or taxied except at a safe and reasonable speed at which the pilot has complete control at all times.

C. No person shall taxi or, in any other manner, move an aircraft, until he or she has ascertained by visual inspection that there will be no danger of collision with or injury to any person or object in the immediate area.

D. During all hours of operation it shall be the responsibility of the pilot to operate their aircraft in accordance with the FAA rules governing uncontrolled airports.

E. Aircraft shall be taxied in accordance with the prescribed taxiing patterns when any particular runway is in use.

**14.06.050 Aircraft takeoffs and landings.**

A. No aircraft shall take off or land from any area of the Airport other than a designated runway unless such a landing is necessitated by an emergency situation, except that helicopters may operate from designated ramp or apron areas.

B. Report of Arrival. Pilots of inbound aircraft shall maintain radio contact with the nearest FAA air traffic control facility, shall report their positions and courses as directed and prescribed by the FAA, and shall comply with such clearances issued by the above authority.

C. Airport Manager may delay or restrain any flight or other operations at the Airport and may refuse take off clearance to any aircraft if he or she deems the same necessary for safety or security. The Airport Manager may also prohibit, in whole or in part, the use of the Airport for any purpose by an individual or group, except when said prohibition conflicts with contractual obligations or FAA regulations.

**14.06.060 Aircraft tie-down.**

A. It is the responsibility of the aircraft operator to make certain his or her aircraft is securely tied down and to ascertain that the tie-down mechanism employed is adequate for his or her aircraft. Any damage resulting to his or her aircraft, nearby aircraft, property, or any injury to persons caused by the aircraft operator not securing or improperly securing said aircraft shall be the liability of the operator or the owner.

B. Transient aircraft are to be tied down and Aircraft owners are responsible for any tie-down fees.

C. The aircraft owner or operator is responsible for containing any and all possible oil or fuel leakage from his or her aircraft. The owner or operator is liable for any contamination or other damage resulting from such leakage.

**14.06.070 Aircraft parking.**

A. No person shall park aircraft in any area on the Airport other than that prescribed by the Airport Manager or as directed by his/her authorized representative. Persons parking aircraft in violation of this section shall remove same when directed by the Airport Manager, or his/her authorized representative, and shall park the aircraft in a designated space and position directed by such authority.

B. Securing of Aircraft. No person shall leave an aircraft parked at any place on the Airport without first having secured such aircraft with ropes, chains, or other means of fastening to adequate tie-down facilities set in the ground or in the pavement or having delivered the aircraft into the care of an authorized representative of an aircraft-servicing company authorized to do business on the Airport.

C. Airport Manager reserves the right to remove or relocate the position of any parked aircraft if, in his/her judgment, it creates a safety hazard or adversely affects the overall operation of the Airport.

**14.06.080 Disabled aircraft.**

A. Any disabled aircraft interfering with normal runway or taxiway operations shall be removed immediately.

B. Disabled aircraft and parts thereof shall be promptly removed from the Airport by the owners upon request of the Airport management, unless required or directed to delay such action pending an investigation of an accident.

C. If the aircraft owner cannot remove his or her aircraft, the Airport maintenance personnel may effect said removal with Airport equipment. The full risk and expense of such removal shall be assessed against the owner.

D. In cases where it is found necessary for the Airport Manager to arrange for removal of an aircraft without the owner's consent, the owner, or owners, of such aircraft shall pay for the cost of such removal; and the Airport Manager, the City, and its officers shall not be held liable and shall be held harmless from all claims of any kind for damages sustained in removal operations.

**14.06.090 Nonpayment of fees.**

A. If an owner hanging or parking an aircraft on the Airport fails to pay any Airport charge owed, the owner's account is at least 60 days delinquent, and the owner's written contract includes the remedies provided in Section 2, Chapter 254, Laws of 1987 (Chapter 14.08 RCW), the Airport Manager, or his or her designee, may take reasonable measures including, but not limited to, moving the aircraft, or using chains, ropes, and locks to secure the aircraft within the Airport so that the aircraft is in the possession and control of the City. At the time of securing the aircraft, the Airport Manager, or his or her designee, shall attach to the aircraft a readily visible notice and send a copy of said notice to the owner, all in compliance with Section 2, Chapter 254, Laws of 1987 (Chapter 14.08 RCW).

B. An aircraft owner can obtain release of an aircraft secured due to nonpayment of fees by making arrangements satisfactory to the Airport Manager and by making payment to the City of all Airport charges, including the cost of storing said aircraft during its possession by the City.

**14.06.100 Abandoned aircraft.**

If an aircraft parked or hangared at the Airport is abandoned, the Airport Manager may authorize the public sale of the aircraft by authorized personnel to the highest and best bidder for cash pursuant to RCW 14.08.122(4).

**14.06.110 Aircraft servicing.**

A. Ramp Equipment. All equipment used for the servicing of aircraft, including motor vehicles, mobile equipment, loading stands, repair and maintenance equipment shall be removed from the aircraft parking aprons when not in use. Special permission must be obtained for the use or the storing of such equipment at any place on the landing area side of taxiways, ramps, or graded landing areas, and it shall be the responsibility of the person in charge of such equipment permitted beyond aprons and taxiways or on the field to equip same with flags or warning lights as directed by the Airport Manager or his/her representative.

B. Repair of Aircraft. No person shall repair an aircraft, aircraft engine, propeller, or apparatus in any area of the Airport, other than that specifically designated for such purpose by the Airport Manager, except that minor adjustments may be done while the aircraft is on a loading ramp preparatory to take-off when such adjustment is necessary to prevent a delayed departure.

## CHAPTER 14.08 MINIMUM FUNCTIONAL STANDARDS

Sections:

- 14.08.010 General principals.
- 14.08.020 Leases or rental agreements.
- 14.08.030 Construction or alteration.
- 14.08.040 Non-conforming uses or structures.
- 14.08.050 City-owned aircraft hangar waiting list.
- 14.08.060 Tenant responsibilities.
- 14.08.070 Landlord rights and responsibilities.
- 14.08.080 Minimum standards for specific services.

**14.08.010 General principals.**

A. No person, firm, or corporation shall engage in any commercial activity or business of any nature whatsoever on the Airport except with the approval of the Airport Manager or a signed lease or rental agreement with the City.

B. No person authorized to operate on or conduct business activities at the Airport shall conduct any of its business or activities on any area except those specified by appropriate documentation with the City. All business shall be conducted from an established fixed location on the Airport, the establishing of which has been arrived at by the negotiation and execution of a license, lease, rental agreement, or other legal document between the operator and the City and in compliance with these minimum functional standards.

C. All activities at the Airport must comply with Airport, City of Sunnyside, State of Washington and federal laws, ordinances, rules, and regulations. In the event that any Airport or City laws, ordinances, or regulations, as they exist or as hereafter amended, conflict with applicable FAA regulations, the latter shall be deemed to control.

D. Airport Manager shall evaluate all proposed operations or activities at the Airport based on principles of uniformity with other operations or activities of the same class and on consistency with the Airport Master Plan, Airport business plan, and approved Airport budget. Proposed operations or activities at the Airport may be denied by the Airport Manager if such proposed operations or activities are found to be inconsistent with these minimum functional standards or with the principles of uniformity with other operations or activities of the same class and/or with the Airport Master Plan, Airport business plan, and approved Airport budget.

E. Competition among fixed base operators, fuel providers, and flight instructors is encouraged. To the extent feasible within normal market conditions, the Airport should have more than one provider of each of these types of services.

F. No right, privilege, permit, or license to do business on the Airport or any portion thereof, or any lease of any area of the Airport shall be assigned, sold, subleased, rented, or otherwise transferred or conveyed by any means, in whole or in part, without the prior written consent of the City. If any assignment, sale, sublease, rental, or other transfer of any leasehold is approved by the City, the City shall require compliance by the assignee or sub lessee with all of the terms of these minimum functional standards and all other requirements of the original lease.

G. No person shall throw, dump, or deposit any waste, refuse, or garbage on the Airport. All waste, refuse, or garbage shall be placed and kept in closed garbage cans or containers and all operating areas shall be kept in a safe, neat, clean, and orderly manner at all times and in such a manner as to minimize any hazards. No burning or dumping of any material shall be permitted without approval of the Airport Manager.

H. No person on the Airport shall store or stack material or equipment in such a manner as to constitute a hazard to personnel or property. Permission of the Airport Manager shall be required prior to stacking any material or equipment. Material storage within any defined object free area regulated by the Federal Aviation Administration is prohibited. All stored or stacked material shall not obstruct any imaginary surface regulated by the Federal Aviation Administration.

I. Tenants, licensees, and grantees shall be fully responsible for all damage to buildings, equipment, real property, and appurtenances in the ownership or custody of the City caused by negligence, abuse, or carelessness on the part of their employees, agents, customers, visitors, suppliers, or persons with whom they may do business.

J. All complaints against any operator for violation of these minimum functional standards shall be made in writing to the Airport Manager, signed by the party submitting the complaints, and shall specify in detail the nature of the complaints, dates, times and witnesses, if any.

K. The City shall have the right to terminate any lease or other agreement authorizing an operator to conduct any services or business at the Airport and to revoke any tenant's authorization or permit to do business upon the Airport for any cause or reason provided in these minimum functional standards or by law, and, in addition thereto, upon any one of the following circumstances:

1. Filing for bankruptcy.
2. Assignment for the benefit of creditors and/or without prior City approval.
3. Abandonment or discontinuance of any required operation at the Airport.
4. Failure of the tenant to remedy any default or breach or violations of these minimum functional standards or other lease provisions within thirty (30) days from the date written notice has been mailed or delivered to the tenant's place of business.
5. Unsafe or abnormal or reckless practices in the operation of an aircraft or vehicle at the Airport.
6. Creation of a safety hazard at the Airport.
7. Violation of any federal, state, or local law or regulation.
8. Use of false information or failure to fully disclose information in applying for a lease or in supporting documents.

If such lease or agreement is terminated, the City shall have the right to take full possession of the tenant's space and may remove all parties and any and all goods and chattels not belonging to the City that may be found on tenant's space at the expense of the tenant and without being liable for prosecution or any claim for damages.

L. No person shall conduct business operations at the Airport under a business name the same as or deceptively similar to the business name of any other tenant previously established at the Airport. No person shall conduct business operations at the Airport under a business name other than that which is shown on the business lease, licenses, or other related documents.

M. All marketing and servicing operations and practices performed by tenants for their Airport businesses shall be of the highest and most responsible character.

N. Only a tenant that qualifies as a fixed base operator pursuant to other sections of this chapter may sell aircraft fuels.

O. Nothing contained in these minimum functional standards shall be construed as requiring the City to maintain, repair, restore, or replace any structure, improvement, or facility that is substantially damaged or destroyed due to an act of nature or other condition or circumstance beyond the control of the City.

**14.08.020 Leases or rental agreements.**

A. Applications to lease or rent Airport property, including buildings, except for City-owned aircraft hangars, shall be evaluated based on a written application to the Airport Manager. Such written application shall contain, at a minimum, the information specified in this section and shall be supplemented with any additional information required by the Airport Manager.

1. Name and address of applicant and applicant's business.
2. Description of proposal, including site plan, amount of land and/or buildings to be leased or rented, services to be provided, proposed construction and cost of construction, date of commencement of operations, number of persons to be employed, and number and type of aircraft to be based at the Airport.
3. Declaration of insurance coverage at the minimum amount as required by the FAA or the Airport Manager as described in Section 14.06.010(F).
4. Evidence of financial capability to perform the scope of the proposal described in subsection 14.08.020.A.2 SMC. Such evidence may include, but is not limited to, current financial statements prepared by a Certified Public Accountant, a list of assets owned or being purchased that will be used in business at the Airport, current credit report covering all areas in which the applicant has done business during the last ten years, references, and authorization for release of information for the FAA and all other public agencies with which the applicant has engaged in aviation business or other business as proposed.

B. Applications to rent City-owned aircraft hangars shall contain the following information:

1. Name, address, and telephone number of applicant.
2. Aircraft type and registration number.
3. Date of request.

C. Leases of vacant land shall be for purposes consistent with the Airport Master Plan. Leases for vacant land shall be granted through a Request for Proposal.

D. Airport Manager may deny a prospective tenant for any of the following reasons:

1. The prospective tenant has been found to have a business background or proposed financing that is deemed to be inconsistent with the best interests of the Airport or the City. This includes a credit report that contains derogatory information indicating that the applicant does not have a satisfactory business responsibility and reputation or conviction of a crime or violation of any ordinance that would indicate the applicant would not be a desirable operator on the Airport.
2. The proposed use is found to be inconsistent with the Airport's Master Plan or business plan.
3. The proposed operations or construction will create a safety hazard at the Airport or would create congestion that would result in depriving other Airport tenants of operations.
4. The proposal would require the City to spend City funds that would result in a financial loss to the City or would result in a financial loss to the City in some other way.
5. The applicant is found to have misrepresented or have failed to fully disclose material facts on the application or supporting documents.
6. The applicant is found to have a history of violating minimum functions standards or the rules and regulations of any other airport or the FAA.

7. Failure to perform the obligations of any other lease or agreement with the City.

8. Considerations relating to the protection of the health, welfare, or safety of the public, including environmental considerations.

E. Lease and monthly rental rates for City-owned property shall be established on the basis of fair market value. Said fair market value shall be established by appraisal no less frequently than every six years.

F. If all other factors under this Chapter are equal, applications to lease or rent Airport property shall be approved on a first-come, first-served basis; provided, however, that all applications for lease must be approved by the City Council.

**14.08.030 Construction or alteration.**

A. No buildings, structures, tie-downs, ramps, paving, taxi areas, drains, earth work, or any other improvements or additions to the Airport shall be placed or constructed at the Airport or altered or removed without the prior approval of the City. Two (2) sets of detailed plans and drawings for any construction or alteration shall be submitted to the City and all required permits shall be obtained prior to commencement of any work. In the event of any construction, the City may, at its discretion, require an appropriate bond to guarantee the completion of the construction in accordance with the City's approval.

B. Construction and alteration of all buildings at the Airport shall meet the following standards:

1. No building shall be constructed of wood frame or wood exterior, other than the use of wood for decoration.

2. All exterior walls shall be finished with masonry, face brick, painted steel, or approved other.

3. Other exterior materials may be permitted by the City, if such materials are equal in quality and compatible with those already in use throughout the Airport, with the exception of exterior materials utilized prior to the adoption of this chapter.

4. All buildings which may be erected facing Airport Way shall not be nearer than sixty-five (65) feet to the center line of those roads, or any other roads as may be constructed in the future.

5. Buildings may not be nearer than twenty (20) feet to the side line of the lot on which erected nor nearer than twenty (20) feet to the rear line thereof.

6. Tee hangar buildings must be at least eighty (80) feet apart from the facing sides of Tee hangar buildings on adjoining lots.

7. The maximum height of buildings erected at the Airport shall be thirty-eight (38) feet and must not obstruct any FAR Part 77 or imaginary surfaces. A building height may be lower if it's proven to obstruct any FAR Part 77 or imaginary surfaces. A determination from the FAA that the improvement is not a hazard to air navigation by submission of the FAA Form 7460-1 is required before building construction or alteration. The City may grant height variances to accommodate special requirements; provided that those variances must be approved by the City Council.

C. All capital improvements constructed on tenant leaseholds shall be removed within 90 days as pursuant to SMC 17.66.090.

D. Airport areas on which tenant facilities, if any, are to be constructed or operated shall be specified by the City or the Airport Manager in accordance with these minimum functional standards and the Airport Layout Plan.

E. Unless modified in the lease, plans and specifications for all construction shall be submitted to the City for its approval within one hundred-twenty (120) days of the approval of the application, and construction

shall commence within ninety (90) days after approval of the plans and specifications by the City. All construction shall be completed by the lessee within twelve (12) months of the date of the City's approval of the plans and specifications. All construction shall comply with this chapter and all applicable building codes.

F. Building which may be erected shall not be nearer than 65 feet to the center line of any road that may now exist or be constructed in the future.

G. The applicant shall demonstrate compliance with the 7460-1 and 7460-2 process mandated by the Federal Aviation Administration for all new construction, redevelopment of existing structures, and temporary construction activities.

H. The City may require lights or markers as a warning to aircraft on any building, structure, communication tower, use, or tree(s), or to top the tree to reduce its height when recommended by the Federal Aviation Administration, WSDOT Aviation Division or the Airport Manager. Lights and markers shall meet FAA specifications.

**14.08.040 Non-conforming uses or structures.**

A. City acknowledges that there currently may exist uses or structures on the Airport property which are lawful, but do not conform to the provisions of this Title. Any such non-conforming uses or structures currently existing on the Airport property may continue so long as they remain otherwise lawful. When a nonconforming structure is damaged or destroyed, the City shall permit the structure to be rebuilt as it was immediately prior to the damage or in a manner that is less nonconforming. A nonconforming use or structure shall become discontinued when it is:

1. Succeeded by another use or structure that is more conforming;
2. The nonconforming use has been discontinued or abandoned and not reestablished within eighteen months, provided that any nonconforming use specifically permitted by a written lease between the City and the owner of the building shall not be deemed discontinued or abandoned at any time during the term of the lease;
3. The nonconforming structure has been damaged or destroyed and application for rebuilding or replacement is not made within twelve (12) months, and is not completed within twenty-four (24) months, of such damage or destruction.

B. For a use that is nonconforming due to height, the height may not be increased unless approved by the Airport Manager.

**14.08.050 City-owned aircraft hangar waiting list.**

A. A waiting list for City-owned aircraft hangars will be maintained by the Airport Manager. Interested parties must contact the Airport Manager to be placed on the Airport Aircraft Hangar waiting list.

B. Unless otherwise requested by the applicant, the Airport Manager will select the hangar size appropriate for the applicant's aircraft.

C. Applicants who do not respond within 30 days of receiving notification of an available hangar shall be removed from the waiting list.

**14.08.060 Tenant responsibilities.**

The following obligations, including additional detail about them if necessary and appropriate, shall be set forth in leases and monthly rental agreements for use of Airport land and/or buildings. Other clauses and covenants will be included in leases based on the specific tenant and type of business, provided that those additional terms shall be consistent with the principles of these minimum functional standards.

A. All ground lease tenants are responsible for maintenance of land and facilities within the boundaries of the leasehold and shall maintain the leasehold in a clean, neat, and well-maintained condition, and free of snow and ice, weeds, rocks, debris, and other material.

B. Tenants of City-owned buildings shall be responsible for general upkeep of the building and shall maintain a clean and neat appearance inside and outside the building. No structural or decorative changes or additions of any type may be made to City- owned buildings without prior permission of the Airport Manager.

C. All tenants of the Airport are responsible for removal of trash, garbage, surplus equipment and materials from their leaseholds to dumping areas designated by the Airport Manager. Areas to be used for trash or for garbage containers shall be designated by the Airport Manager and no other areas shall be used. Such areas shall be kept clean and sanitary at all times. Trash containers must be kept covered. Vehicles used for hauling trash, dirt, or any other materials shall not be operated on the Airport unless such vehicle is constructed and covered so as to prevent the contents thereof from dripping, sifting, leaking, or otherwise escaping therefrom. No person shall spill dirt or any other materials from vehicles operated on the Airport.

D. Tenants of City-owned aircraft hangars may use the hangars for aircraft storage and related purposes only.

E. All tenants shall maintain their leased property in a condition as to repair, cleanliness, and general maintenance in a manner agreeable to the City, or in accordance with their individual lease agreements. Failure to adhere to these points may be considered sufficient reason to warrant cancellation of a lease agreement, in part or in whole, by the City.

F. Each tenant or lessee shall supply and maintain such adequate and readily accessible fire extinguishers as are approved by Fire Underwriters or the City Fire Marshall for the particular hazard involved or as may be deemed necessary by the Airport Manager.

G. No tenant may store hazardous materials at any leasehold without the express written authorization of the Airport Manager. Such authorization shall only be given if the tenant provides specific assurances that all federal, state, and local environmental statutes and regulations shall be followed and provides proof of such insurance as the City may require. This does not pertain to household cleaners, solvents, and lubricants in normal household quantities.

H. Tenants shall be responsible for the proper usage of areas designated as freight and mail loading and unloading, regardless of whether such usage is accomplished by their own personnel or by persons with whom they do business. They shall be likewise responsible in the matter of using only the area as designated for the purposes as stated therein.

I. All tenants shall, upon being authorized by the City and as the construction of any required physical facilities permit, promptly commence and conduct all business activities and services authorized. Said completion date and commencement of business activity date shall be agreed to at the time the lease is fully executed.

J. Business tenants shall operate the premises leased for the use and benefit of the public. They shall:

1. Furnish services on an equal and nondiscriminatory basis to all users of said services.
2. Furnish good, prompt, and efficient services.
3. Not discriminate in any employment action or business practice because of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, or the presence of any sensory, mental, or physical handicap.

4. Operate with specified business hours.
5. Adequately staff and equip their facilities.

K. Any aircraft owner may perform services including, but not limited to, maintenance and repair on its own aircraft, including with its own employees; however, no tenant may hire vendors of services, aircraft parts, or fuel from off-Airport premises to perform services on the Airport without prior approval of the Airport Manager.

L. Nothing in these minimum functional standards or included in tenant leases may be construed to grant or authorize the granting of an exclusive right forbidden by Section 308 of the Federal Aviation Act of 1958 or for aeronautical activities such as, but not limited to:

1. Charter operations.
2. Pilot training.
3. Aircraft rental.
4. Aerial photography.
5. Crop dusting.
6. Sale of aviation petroleum products.
7. Air carrier operations.
8. Aircraft sales and services incidental thereto.
9. Any other activity which, because of direct relationship to the operation of aircraft, can be regarded as an aeronautical activity.

M. All tenants shall comply with these minimum functional standards and all other regulations of the Airport and any future revisions to them.

N. All tenants are responsible for strict compliance with all City, state, and federal laws pertaining to employees including, but not limited to, Social Security, unemployment compensation, and wages and hours.

O. All lessee personnel required to hold FAA or any other certificates and ratings shall maintain such certificates and ratings current and in good standing.

P. All tenants shall maintain current insurance coverage of \$2,000,000.00 as established by the Airport Manager and described in the lease. The tenant must notify the City no less than 30 days prior to the cancellation of any policy required in the lease.

Q. All tenants shall promptly pay, when due, all charges for sewer, water, power, telephone service, and all other utilities and services supplied to tenant's operation at the Airport; all wages or salaries; and all rentals, fees, and payments payable to the City. The tenant shall be responsible for all fees and costs incurred in the performance of tenant's business.

R. Unless otherwise provided by the City, all tenant operations shall be conducted in one area of sufficient size to accommodate all services for which the operator is approved, allowing for future growth and additional services as contemplated by the City, to the extent that space is available at the Airport. The tenant shall carry on its business operations strictly within the area assigned by the City and its operations shall not in any way interfere with the operations of other Airport users. The tenant shall not use any common use areas except as authorized by the City.

S. Tenants shall cooperate with the Airport Manager regarding the operation, management, and control of the Airport and shall do all things reasonable to advance or promote the Airport and aeronautical activities thereon and to develop the Airport into an attractive, efficient, and modern Airport.

T. All tenants shall indemnify, defend, and save the City, its authorized agents, officers, representatives, and employees harmless from and against any and all actions, penalties, liabilities, claims, demands, damages, or loss resulting from claims or court actions, whether civil, criminal, or in equity, and arising directly or indirectly out of acts or omissions of the tenant, its agents, employees, servants, guests, or business visitors.

**14.08.070 Landlord rights and responsibilities.**

The following rights and responsibilities of the City shall be set forth in leases for use of Airport land and/or buildings.

A. City shall be responsible for performing major maintenance and repairs needed on City-owned structures leased to tenants, unless otherwise agreed to in an individual lease agreement.

B. City shall reserve the right to further develop or improve the aviation facilities of the Airport as it sees fit, regardless of the desires or view of the lessee and without interference or hindrance.

C. City shall reserve the right to maintain and keep in repair the landing areas of the Airport and all publicly-owned facilities of the Airport, together with the right to direct and control all activities of Airport tenants.

D. During a time of war or national emergency, the City shall have the right to lease the landing area or any part thereof to the United States government for military or naval use, and, if such lease is executed, the provisions of leases insofar as they are inconsistent with the provisions of the lease to the government shall be suspended.

E. The City shall reserve the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstruction, together with the right to prevent the lessee from erecting or permitting to be erected any building or other structure that, in the opinion of the City, would limit the usefulness of the Airport; interfere with Airport operations; planning, or development; constitute a hazard to aircraft; or, in any way, place the Airport in a position of noncompliance with FAR Part 77 of the FAA regulations.

F. The lease shall be subordinate to the provisions of any existing or future agreement between the City and the United States relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport. Failure of the lessee or any occupant to comply with the requirements of any existing or future agreement between the City and the United States, following reasonable notice to make appropriate corrections, shall be cause for immediate termination of the lease and lessee's rights thereunder.

G. The City shall have the right to inspect, during regular business hours , or anytime that Airport Manager deems necessary for public health and safety reasons. all Airport premises, together with all structures or improvements, all aircraft equipment, and all licenses and registrations. Inspection of premises will be made in the presence of the lessee or owner if practicable.

**14.08.080 Minimum standards for specific services.**

In addition to meeting all other minimum functional standards set forth in this title, tenants shall meet the following standards for specific types of services.

A. Fixed Base Operations- 14.02.030(H). Fixed base operators shall provide employees during normal working hours of 8:00 a.m. to 5:00 p.m. who are able to provide full service to tenant and transient aircraft, including, at a minimum, aircraft refueling services, maintenance, and ground-handling of aircraft.

B. Aircraft Sales. Tenants providing aircraft sales services shall have a sale or distributorship franchise from a recognized aircraft manufacturer or an established used aircraft inventory and shall have FAA-certificated and currently airworthy aircraft for sale during normal working hours of 8:00 a.m. to 5:00 p.m. Such tenants shall also provide a minimum of one fully qualified demonstrator pilot employed with current and appropriate FAA pilot and approved medical certificates. Leases for aircraft sales must include sufficient land on which to locate all required improvements, service, and display areas as well as adequate parking space for office and customer use. Such tenants must provide for adequate servicing of aircraft and accessories during warranty periods.

C. Aircraft Parts and Accessories Sales. Tenants selling aircraft parts and accessories shall be authorized to display and sell aircraft parts and engage in aircraft accessory sales and must provide sufficient office space and other accommodations to engage in sales activities.

D. Aircraft Charter and Taxi. Tenants providing aircraft charter and taxi services shall have a minimum of one FAA-certificated pilot with current commercial and instrument ratings and approved medical certificates. Leases for aircraft charter and taxi services must include exclusive use of adequate and approved space in a building for passenger shelter, restrooms, telephone, and similar services. Additionally, tenants for aircraft charter and taxi services must provide satisfactory arrangements for checking in passengers, meeting security requirements, handling luggage, ticketing, ground transportation, and related services. Such tenants must own or lease, maintain, and provide at least one currently certified and continuously airworthy aircraft properly certificated for air charter or air taxi service.

E. Aircraft Rental and Commercial Flying Club. Tenants operating aircraft rental services or commercial flying clubs shall have a minimum of one instructor pilot available with appropriate and current FAA pilot and medical certificates and shall demonstrate the capacity to continue to meet requirements for certification of flight instructor personnel and aircraft by the FAA. Additionally, tenants operating aircraft rental services or commercial flying clubs shall have at least one aircraft owned or leased by and under the exclusive control of the tenant that is properly equipped and FAA-certificated for flight instruction and rental. Leases for aircraft rental or commercial flying clubs shall include exclusive use of adequate and approved space in a building for classrooms and/or office space, rest rooms, telephone, and shall have available, on a full-time employment basis, a minimum of one instructor with appropriate and current FAA-certified flight instructor rating and approved medical certificates.

F. Maintenance, Manufacturing, Overhaul or Repair Services. Leases to tenants operating aircraft maintenance, manufacturing, overhaul, or repair services shall include adequate space to provide waiting rooms, rest room facilities, and shop building(s) of sufficient similar services, and shall provide adequate parking space for customers. Such tenants shall assure that personnel operating rental equipment obtained from the tenant have appropriate and current FAA pilot and approved medical certificates.

G. Flight Instruction and Ground Schools. Leases for tenants operating flight instruction and ground schools shall include exclusive use of adequate and approved space in a building for classrooms and/or office space, rest rooms, telephone, and similar services, and shall provide adequate parking space for customers. Additionally, such tenants shall own and/or lease and have based on the Airport one or more aircraft suitable for flight instruction that comply with the rules and regulations of the FAA size to accommodate at least one twin-engine aircraft. The tenant shall equip the shop with such tools, machinery, equipment, parts, and supplies normally necessary to conduct a full-time business operation

in connection with the service being offered and shall staff the shop with mechanics and personnel who are qualified and competent and who hold any and all necessary FAA certificates.

H. Aircraft Storage. Leases to tenants providing aircraft storage shall include sufficient office space and storage space to accommodate all aircraft used by the tenant in its own operations and all aircraft that will be parked or stored by the operator. If the tenant provides inside hangar storage, the lease shall include an area of sufficient size to accommodate the building or buildings with proper access to and from such facilities.

I. Aircraft Radio and Instrument Sales and Service. Leases to tenants providing aircraft radio and instrument sales and service shall include sufficient space for the tenant to have for its exclusive use an adequate and approved shop and storage space and to provide satisfactory arrangements for access to and storage of aircraft being worked on. Such tenant shall also have available a FAA-certificated technician in the field of aircraft electronics and/or aircraft instruments with proper Federal Communications Commission license to conduct complete aircraft transmitter, receiver, and antennae repair.

J. Self-Fueling. Self-fueling by aircraft owners and operators is permitted subject to the conditions specified in Chapter 14.10 SMC; provided, that the aircraft is fueled in an area specified by the Airport Manager.

K. Line Services. A tenant who desires to engage in line services and who is authorized for this service shall be required to perform at least one additional service from among those listed in subsections 14.08.070.A through J, "Minimum standards for specific services." Additionally:

1. Leases to such tenants shall include adequate space in an area designated for fuel and oil sales and service to all types of aircraft making use of the field and sufficient land area for the placement of those facilities necessary for successful operation of the services such as buildings, aircraft parking area, dispensing equipment, and fuel trucks. Such tenant shall lease or construct a building of sufficient size to provide lighted and heated space to perform work, office space, storage, public waiting area that includes rest rooms, and a public use telephone.

2. The tenant shall at all times maintain an adequate supply of fuels, oils, other petroleum products, and fluids normally called for at the Airport and shall also provide air and water for general aviation operation.

3. The tenant shall provide and maintain metered filter-equipped pumps, tanks, mobile fuel trucks, and other fueling facilities that may be necessary. All fuel equipment and fuel areas shall meet all applicable safety requirements, including ground rods and equipment. Separate pumping equipment shall be maintained for each grade of fuel and their locations must be approved by the City. Fuel may not be delivered into any aircraft unless it has first been placed in a suitable and approved filtration tank. There shall be no fueling direct from a common carrier transport truck into the refueling vehicle or aircraft. During refueling, the aircraft and the dispensing apparatus shall both be grounded and bonded to a point, or points, of zero electrical potential. All necessary safety and fire suppression equipment, as specified by the City, shall be provided by the tenant.

4. All fueling installations and systems shall be in accordance with the applicable safety requirements and shall comply with the Sunnyside Municipal Code, the laws and code of the state of Washington, and regulations of the City and Washington State Fire Marshals. All fuel storage shall be in bulk storage areas that are approved by the City and are constructed and maintained according to the Sunnyside Municipal Code for bulk storage of fuels. The manner and method of soliciting the sale of aircraft fuel in areas other than those leased by the operator shall be subject to the regulation of the Airport Manager. Aviation fuel shall be sold or commercially dispensed at the Airport only by those certified by the City as having satisfied these minimum functional standards and holding a valid operating agreement.

5. The tenant will ensure that all fueling operations and storage are maintained in accordance with City, county, state, and federal codes, standards, ordinances, and laws, and will hold the City harmless from any and all aircraft fuel storage and dispensing operations; failure to meet city, county, state, or federal codes, standards, ordinances, or laws; dispensing of wrong or contaminated fuels, and bodily injury or death and physical damage caused by such operations or storage.

**CHAPTER 14.10**  
**FUELING, LOADING, AND TRANSPORTING FUEL OR CONTAINMENTS**

Sections:

- 14.10.010 General requirements.
- 14.10.020 Equipment.
- 14.10.030 Fueling and defueling procedures.
- 14.10.040 Spill procedures.

**14.10.010 General requirements.**

A. All tenants or operators at the Airport who provide fuel service or who self-fuel must comply with the conditions prescribed in this chapter.

B. Routes for fueling equipment and fueling points will be designated by the Airport Manager.

C. All persons with bulk storage fuel or oil products in containers with capacities of 55 gallons or greater must provide to the Airport Manager:

1. A tabulated inventory of all tanks listing the maximum storage capacity, type of liquid stored, type of tank(s), and a description of the secondary containment for each tank, and
2. A site plan showing the location of the storage tanks.

D. Persons engaged in fueling, defueling, loading, or transporting fuel or contaminants shall exercise care to prevent spillage of fuel, oil, or other harmful or contaminating substances.

E. Personnel handling fuel on behalf of an employer must be trained annually in fire safety procedures and be so certified by a local fire department. Certification must be provided upon application for authorization and annually within ten days of the anniversary of vehicle use authorization.

F. Personnel handling fuel on behalf of an employer must be trained annually in hazardous materials handling, spill prevention, and cleanup procedures and so certified by a recognized qualified agency. Certification must be renewed annually and kept current.

G. Airport Manager may establish additional regulations for fueling and defueling including, but not limited to, procedures, annual fees for vehicle use authorization, and fuel flowage fees. The Airport Manager may retract authorization to fuel or defuel at the Airport if the operator incurs any violation of the provisions of this title or fails to abide by and fully comply with procedures established by the Airport Manager.

H. Storage of fuel for self-fueling shall be in accordance with City, county, state, and federal codes, standards, ordinances, and laws.

I. Any person handling fuel at the Airport shall indemnify, defend, and save the City, its authorized agents, officers, representatives, and employees, harmless from and against any and all actions, penalties, liability, claims, demands, damages, or loss resulting from claims or court actions, whether civil, criminal, or in equity, and arising directly or indirectly out of acts or damages associated with or resulting from self-fueling. Self-fueling operations are subject to Chapter 14.04 SMC.

**14.10.020 Equipment.**

A. Fuel distributing, defueling, and all other bulk oil storage or handling equipment shall be of an approved type, shall be well maintained in a safe and non-leaking condition, and may be subject to inspection under regulations established by the Airport Manager. The Airport Manager may develop and enforce specific requirements for this equipment, including Fuel/Oil tenders. Fuel/Oil tenders shall be frequently inspected and in condition to pass the standards of the National Board of Fire Underwriters and the FAA Air Carrier Division inspections regarding water, accumulation of other foreign matter in the

fuel, leakage of fuel lines, static grounding equipment, pumps, location, and condition of mufflers, fire extinguishers, lights, brakes, and other necessary equipment used for servicing aircraft. Nondestructive integrity testing of all shop fuel and oil containers shall be performed by a licensed tank inspector at a minimum of every ten years, and a copy of the inspection shall be provided to the Airport Manager. Fire extinguishers shall be carried on all fueling equipment and shall be within ready reach of all persons engaged in fueling or defueling operations. These extinguishers shall be filled and in a good operating condition.

B. Vehicle operators must have proof of a valid Washington State Driver's License.

C. Fuel/Oil tenders must meet all fuel vehicle standards required for licensing by the state of Washington. A copy of a valid State of Washington Fuel/Oil tender license must be submitted upon request.

D. Fuel/Oil tenders must be inspected every six months by a local fire department and must be evaluated as "satisfactory" on each inspection item on a form to be provided by the Airport Manager. Any items evaluated as "unsatisfactory" must be remedied and the vehicle re-inspected, and no fuel vehicle shall be permitted to resume transportation and storage until all inspection items achieve a "satisfactory" evaluation.

E. Fuel/Oil tenders must be stored outside of any structure and kept locked when not in use by the authorized operator.

F. Any person who owns or operates a Fuel/Oil tender at the Airport must provide and maintain a bond for fire or hazardous spill incidents in an amount prescribed by the Airport Manager. A copy of the bond must be provided to the Airport Manager prior to use of the Fuel/Oil tender at the Airport. In addition to the above-referenced bond, the operator must agree to defend, indemnify, and hold the City, its employees, elected officials, contractors, subcontractors, and agents harmless for any claims, demands, judgments, and damages to persons or property, and groundwater, arising out of its fueling operations, including "response costs" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601 et al., if applicable, and remedial action costs under the Model Toxics Control Act, Chapter 70.105D RCW, and its implementing regulations at Chapter 173-340 WAC.

G. Any owner or operator of a Fuel/Oil tender used at the Airport must provide annual certification of accident and fire insurance, including identification by the naming of the City as an additional insured in the amount of \$2,000,000 or as prescribed by the Airport Manager, whichever is greater.

#### **14.10.030 Fueling and defueling procedures.**

A. No aircraft shall be fueled inside a hangar. Aircraft being fueled shall be positioned so that fuel tank openings or fuel vents are no closer than 25 feet from any Airport building (other than FBO's fuel dispensing structure).

B. During fueling and defueling operations, the aircraft and all fuel dispensing apparatus shall be grounded to a point, or points, of zero electrical potential. Fuel nozzles, hoses, and funnels used during fueling or defueling shall also be grounded. No person shall use any material during fueling or defueling that may cause a static discharge.

C. When backing Fuel/Oil tenders, a signal person must be available to guide the driver. The driver must remain in the vehicle cab and is forbidden to stand on the running board or fender while backing. Fuel/Oil tenders will at no time be blocked or so positioned as to prevent a rapid removal of such tender.

D. Aircraft Radios and electrical apparatus shall be off during fueling and defueling aircraft.

E. During fueling and defueling operations, care shall be taken to prevent overflow of fuel. If such spillage occurs, it is the responsibility of the persons or company causing the overflow to clean the area immediately. If damage occurs from such spillage, the Airport Manager may require the offending person

or his or her employer to pay for repair of said damage. No aircraft engine shall be started when there is fuel on the ground under said aircraft.

F. No aircraft may be fueled or defueled while an engine is running nor while being warmed by applications of exterior heat.

G. No person may start or run an engine of any aircraft when there is any volatile liquid spillage on the ground under or around the aircraft.

H. No person may smoke, light matches, use aircraft radios or any electrical apparatus or spark-producing equipment or object within 50 feet of any aircraft being fueled or defueled.

I. Fueling and defueling of aircraft requiring a loading ramp may be done with passengers aboard only when the loading ramp is in position, the cabin door is open, and at least two crew attendants are inside the aircraft at or near the cabin door.

J. Enplaning and deplaning of passengers during fueling operations is allowed only when offside underwing refuelers are being used and is expressly prohibited when over-the-wing fueling is in progress.

K. Fuel/Oil tender operators must have a spill prevention, containment, and cleanup manual on or in the vehicle at all times. In addition, the operator shall maintain a small spill preparedness kit.

**14.10.040 Spill procedures.**

A. All fuel and oil handling personnel shall comply with the Airport's Spill Prevention, Control and Countermeasures ("SPCC") plan available at the Airport Manager's office. All Airport tenants with an aggregate fuel or oil storage capacity greater than 1,320 gallons (including all containers with a storage capacity of 55 gallons or greater) shall prepare an SPCC plan specific to their operations. The SPCC plan must be prepared in accordance with the requirements of the federal government, 40 CFR 112. With approval and inspection by the Airport Manager, the Airport tenants, who are required to have an individual SPCC plan, may adopt the Airport SPCC plan by reference and have a copy of the Airport SPCC plan located in their office. If adopted by the Airport tenant, the tenant must provide a written letter to the Airport Manager stating that the Airport's SPCC plan has full approval of the management at a level of authority to commit the necessary resources to fully implement the SPCC Plan as it pertains to the tenant's operations. This letter must also include the on-site tenant manager responsible for SPCC compliance and 24-hour contact information. A copy of this letter must accompany the tenants SPCC plan and also be located in the tenant's office.

B. Persons responsible for spillage of any fuel, oil, or other harmful or contaminating substances shall immediately report such spillage to the Airport Manager.

C. Persons responsible for spillage of fuel, oil, or other harmful or contaminating substances on paved areas shall immediately cover it with an approved absorbent sufficient to absorb all liquid after which the area shall be swept clean to the satisfaction of the Airport Manager. In the event this action is not taken, Airport equipment and personnel will remove the substance or contract for its removal, and the person(s) responsible for the spill shall be required to pay an appropriate fee sufficient to reimburse the City for this work and/or repair of damages.

D. In the event of a spill, the operator shall comply with all applicable federal, state, and local laws governing such incidents.

## **CHAPTER 14.12 MOTOR VEHICLES**

Sections:

14.12.010	General requirements.
14.12.020	Insurance.
14.12.030	Speed.
14.12.040	Operation rules.
14.12.050	Reporting of accidents.
14.12.060	Restrictions.
14.12.070	Parking

**14.12.010      General requirements.**

- A. No person shall operate any motor vehicle on the Airport contrary to the provisions of this chapter.
- B. All signs, speed limits, and conditions set forth in this chapter are to be obeyed.
- C. The provisions of Chapter 10.04 SMC "Model Traffic ordinance", Sections 10.04.010 through 10.06.070 SMC, shall apply to all motor vehicles operated on the Airport. Violations are subject to the jurisdiction of the Sunnyside Municipal Court.
- D. Any violation of this chapter that is not a violation covered by the provisions of Sunnyside's Model Traffic ordinance shall be deemed a traffic infraction and be subject to all the provisions of Chapter 46.63 RCW.

**14.12.020      Insurance.**

All persons who operate any motor vehicle on the Airport shall comply with the liability insurance requirements of Title 46, RCW, as adopted by Sunnyside's Model Traffic ordinance.

**14.12.030      Speed.**

No person shall operate a motor vehicle of any kind on the Airport in excess of the speed limit posted at the entrances to the Airport; except that the speed limit shall be ten miles per hour in ramp, apron, aircraft parking areas, hangar or service areas. Posted Airport speed limits shall not exceed 25 miles per hour.

**14.12.040      Operation rules.**

The following operation rules shall be in addition to rules governing motor vehicles included within Sunnyside's Model Traffic ordinance.

- A. Pedestrians, when walking in lanes or areas on the Airport authorized for pedestrian use, shall at all times have right-of way over vehicular traffic.
- B. No person shall operate a motor vehicle on the Airport contrary to the directions of posted traffic signs or markings.
- C. No person under the influence of liquor or narcotic drugs shall operate a motor vehicle or aircraft on the Airport.
- D. No person shall operate on the Airport any motor vehicle which is overloaded or carrying more passengers than the number for which the vehicle was designed. No person shall ride on the running board, stand up in the body of a moving vehicle, or ride on the outside of the body of a vehicle or with arms or legs protruding from the body of a motor vehicle.

E. The driver of any vehicle operated on the Airport must at all times comply with the lawful order, signal, or directive of an authorized representative of the Airport Manager.

F. All vehicles shall pass to the rear of taxiing aircraft, and no vehicle shall approach closer than 50 feet from any aircraft when aircraft engines or propellers are in motion.

G. When parking adjacent to a runway, all vehicles must park parallel to the runway at least 100 feet to the outside of the runway lights and drivers shall face in the direction from which aircraft are landing and taking off.

H. All vehicles within the movement area shall display an amber beacon or such warning lights as shall be designated by the Airport Manager.

I. Vehicles not equipped, as specified above, but permitted within the movement area, must be operated by or under direct control of an Airport employee or authorized representative of the Airport Manager and, if permitted to be operated by other than Airport personnel, shall be accompanied in person or by a vehicle driven by an authorized Airport employee at a distance of not more than 50 feet.

J. Under emergency conditions, drivers of authorized vehicles will operate according to emergency procedures published by the Airport Manager and, in no case, shall operate within the movement area unless specifically cleared by the control tower (when in operation) or Airport Manager or a designated emergency representative.

K. No person shall abandon or store any motor vehicle or trailer on the Airport, nor shall any person park a motor vehicle on the Airport for a period in excess of 24 hours unless express approval for such parking is obtained from the Airport Manager or his representative.

L. No person shall park a motor vehicle in an area requiring payment for parking thereon without paying the required parking fee.

M. Any person directed to remove a vehicle shall comply with such order and the Airport Manager, or his or her representative, shall have authority to remove vehicles illegally and improperly parked without liability for any claim for damages of any kind occasioned thereby, and the owner of such vehicle shall be held liable for all costs in connection with such removal.

N. No person shall tamper with, enter into, or use any vehicle, either privately or publicly owned, upon the Airport without the express permission of the owner or lessee of the same.

#### **14.12.050 Reporting of accidents.**

Any persons involved in an accident on the Airport grounds, or witnesses thereto, shall report the accident within 24 hours to the office of the Airport Manager. Persons involved in motor vehicle accidents shall also comply with the reporting provisions of Chapter 46.52 RCW.

#### **14.12.060 Restrictions.**

A. Loading and Unloading. The Airport Manager may designate areas for loading and unloading.

B. Runways and Taxiways. No vehicles are permitted within the movement area except those operated by the City or its agents or FAA personnel, or those persons specifically authorized by the Airport Manager, such as certain fixed base operators and contractors.

C. Apron/Ramp Areas. Vehicle traffic on apron/ramp areas is restricted to aircraft owners or operators driving to their tie-down area or hangar for loading and unloading, deliveries to aircraft owners or tenants whose aircraft or business fronts an apron area, or vehicle specifically authorized by the Airport Manager. All vehicles on apron/ramp areas are restricted to a speed of ten miles per hour. Taxiing aircraft on apron/ramp areas have the right-of-way over motor vehicles.

D. Designation of Areas. It is the motor vehicle operator's responsibility to inform himself or herself which Airport areas are designated runways, taxiways, aprons, ramps, and parking.

**14.12.070 Parking.**

A. General Conditions. All motor vehicles on the Airport are to be parked only in designated parking lots or in a manner and place prescribed by the Airport Manager. All Airport roadways are areas of restricted parking. Parking on grass or sod areas is not permitted except with special permission of the Airport Manager (during special events such as air shows, etc.).

B. Prohibited Parking Areas. It shall be unlawful for the operator of a vehicle to park such vehicle in or on any of the following places, except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a public safety officer or traffic control sign or signal:

1. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, traffic control signal, or traffic devices located at the side of the roadway;
2. In front of or within fifteen (15) feet of a fire hydrant or standpipes;
3. On a sidewalk or parking strip;
4. Within any space marked as a fire exit;
5. On that portion of any street contiguous to or opposite any outside court, corridor, passage, fire escape, exit or entrance door, or any other place adjacent to any door opening in any outer wall of any building containing, in whole or in part, any place of public assembly through which the public must pass to leave such building while such building is being utilized for public gatherings. It shall be incumbent upon and the duty of the owner or agent of the business used for the purpose herein specified to designate such prohibited areas by the placement of stanchions, signs, or curb markings of the form and type satisfactory to the Airport Manager;
6. At any place where official traffic signs have been erected prohibiting parking; and
7. In front of or adjacent to hangars, except while making deliveries (not to exceed fifteen 15 minutes). Tenants of hangars may park their cars in their hangars while operating their aircraft.

C. Identification of No Parking and Restricted Parking Areas. Except where this section provides otherwise, the Airport Manager shall identify designated "No Parking" and "Restricted Parking" areas by using appropriate signing and/or curb painting or lettering. It shall be unlawful for any person, company, or private organization to paint curbs or paint on parking signs without the permission of the Airport Manager. No regulations imposing parking time limits or prohibiting parking shall be effective unless the signs and/or curb markings authorized herein are in place at the time of any alleged violation or infraction.

1. "NO PARKING AREAS" shall be so identified either by a yellow painted curb or appropriate signing.
2. "FIRE ZONES" shall be so identified either by a red painted curb or appropriate signing.
3. "HANDICAPPED PARKING STALLS" shall be designated as such by appropriate markings.
4. "RESTRICTED PARKING ZONES" and other restricted parking areas shall be so identified by appropriate signing.

D. Restricted Parking Zones.

1. Thirty Minutes Parking Zones. No person shall park a vehicle for a longer continuous time than 30 minutes of any day in areas marked with signs advising of such restrictions.

2. Loading Zones. No person shall park for any reason other than loading and unloading of passengers, products, or packages, in areas marked as loading zones with signs and white curb paint advising of such restrictions.

3. Handicapped Zones. No person shall park a vehicle in marked handicapped parking zones on public or private property without an appropriate permit or license being displayed by the vehicle.

4. Fire Zones. No person shall park a vehicle in fire zones marked by red curb paint or signs advising of such restrictions.

E. Parking for Certain Purposes Unlawful. No person shall park any vehicle upon any street or parking area for the principle purpose of:

1. Displaying advertising and/or campaigning.
2. Displaying such vehicle for sale.
3. Selling merchandise from such vehicle except when authorized.
4. Loitering.

F. One Vehicle—One Space. No person shall park in such a way as to occupy parts of more than one parking space or parking a vehicle other than at the angle to the curb indicated by such markings.

G. Parking on Aircraft Tie-down Locations. Tenants with aircraft tied down on the Airport may park their vehicles on the aircraft tie-down while operating their aircraft.

H. Right to Move Vehicles. The City reserves the right to move any vehicles for purposes of sweeping, snow removal, or for reasons of safety or convenience, or by reason of violation of rules or regulations applicable to the Airport.

I. Authority. The parking regulations set forth in this chapter shall be enforced by the Airport Manager by and through law enforcement officers of the City and such other employees of the City as are designated by the Airport Manager. The Airport Manager shall post signs as required by RCW 46.55.070 near the public entrances to the Airport and at not less than four other spots within the Airport in clearly conspicuous locations visible to those who park on Airport property.

## **CHAPTER 14.14**

### **GENERAL SAFETY RULES**

Sections:

- 14.14.010 Smoking regulations.
- 14.14.020 Combustible material storage and use.
- 14.14.030 Disposal of waste.

**14.14.010 Smoking regulations.**

Smoking is not permitted within 50 feet of aircraft being fueled or defueled. No smoking is permitted within 50 feet of any fuel carrier vehicle or designated buildings where fuel or combustible material is stored. Smoking is not permitted inside City-owned structures. Smoking is not permitted in any area where "NO SMOKING" signs are posted. Smoking materials are to be discarded in ash trays or receptacles. Persons discarding lighted smoking materials on Airport property are subject to a fine in accordance with City ordinances.

**14.14.020 Combustible material storage and use.**

A. Storage in Hangars or Buildings. No gasoline, paints, cleaning fluid, or flammable materials may be stored in any building on the Airport grounds, other than buildings so designated for this purpose by the Airport Manager. Such designated buildings are to meet safety standards as required by the Airport Manager and City Fire Marshal. Lubricating oil kept in hangars must be in sealed cans.

B. Cleaning of Floors. The use of volatile flammable liquids is not permitted for the cleaning of floors of hangars or other buildings on the Airport grounds.

C. Painting Requirements. Painting of aircraft and doping processes shall be conducted only in buildings approved by the Airport Manager that comply with fire codes and field regulations.

D. Cleaning of Aircraft. Cleaning of aircraft or accessories with flammable or volatile materials is prohibited in hangars and buildings not specifically designated or designed for this purpose.

**14.14.030 Disposal of waste.**

A. Rags, Trash, and Rubbish. Hangars and Airport buildings shall be cleaned daily of rags, waste material, trash, and rubbish. Tenants shall provide suitable metal receptacles with covers for the above items. These receptacles shall be stored away from sources of heat.

B. Petroleum Products. No petroleum products shall be dumped or allowed to spill on any Airport property, including ditches, sewers, or paved or unpaved surfaces. Adequate and authorized containers shall be used for collecting petroleum waste products. In the event of violation, the City may charge the cost of correcting such dumping or spillage to the offender.

## CHAPTER 14.16 CONDUCT

Sections:

- 14.16.010 Disorderly conduct.
- 14.16.020 Sanitation.
- 14.16.030 Preservation of property.
- 14.16.040 Airport and equipment.
- 14.16.050 Penalty.

**14.16.010 Disorderly conduct.**

The provisions of Chapter 9.60.010 SMC, relating to Disorderly Conduct, shall apply to the conduct of all persons while on the Airport, and penalties for violation of any of the provisions of said chapter shall be as provided therein.

**14.16.020 Sanitation.**

- A. No person shall dispose of garbage, paper, refuse, or material of any kind on the Airport, except in the receptacles provided for that purpose.
- B. No person shall use a comfort station other than in a clean and sanitary manner.
- C. No person shall expectorate or spit on the floors, walls, or other surfaces of any Airport building.

**14.16.030 Preservation of property.**

No person shall:

1. Destroy, injure, deface, or disturb in any way any building, sign, equipment marker, or other structure, device, tree, flower, lawn, or other property on the Airport;
2. Alter, make additions to, or erect any building or sign, or make any excavations on the Airport, except when duly authorized;
3. Willfully abandon any personal property on the Airport.

**14.16.040 Airport and equipment.**

No person shall interfere with the use of, tamper with, or injure any Airport equipment or any part of the Airport.

**14.16.050 Penalty.**

Any person, firm, corporation, or other legal entity found to have violated any provision of Sections 14.16.020 through 14.16.040 SMC of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding \$500 and/or imprisoned in the Sunnyside City Jail for a term not to exceed thirty (30) days.

## **CHAPTER 14.18**

### **EMERGENCY PROCEDURES**

Sections:

- 14.18.010 Issuance.
- 14.18.020 Authority.
- 14.18.030 Volunteer assistance.
- 14.18.040 Liability for injury or damage.
- 14.18.050 Responsibility for acts.

**14.18.010 Issuance.**

Emergency procedures for the Airport will be issued at the discretion of the Airport Manager under the authority of this section and in accordance with the Emergency Operations Procedures of the City of Sunnyside, state and federal law.

**14.18.020 Authority.**

Under any emergency conditions, all personnel on the Airport will act strictly in accordance with the procedures, as set up, and under the direct control of the Airport Manager or his or her authorized representative.

**14.18.030 Volunteer assistance.**

No person shall enter upon the landing areas, ramps, or taxiways of the Airport for the purpose of attending, observing, or assisting at the scene of an accident, except persons requested or permitted to do so by the Airport Manager and or Incident Commander at the time of the accident.

**14.18.040 Liability for injury and damage.**

The City, and all employees and officers thereof acting in official capacity, shall not be held liable for death, injury, expense, or damage to equipment or property of any person who volunteers to assist, in any way, in case of accident on the Airport or during an emergency.

**14.18.050 Responsibility for acts.**

The City and its Airport employees shall not be held liable for the results of any action, decision, error, or circumstances caused by any person other than the above, whether or not proceeding under direct order of the proper Airport authority.

## **CHAPTER 14.20**

### **RATES AND CHARGES**

Sections:

- 14.20.010      General conditions.
- 14.20.020      Daily fees.
- 14.20.030      Monthly fees.
- 14.20.040      Aviation fuel sales.

**14.20.010      General conditions.**

A. Aircraft storage charges, fuel flowage fees, and landing fees may be established, amended, revised, deleted, or added onto by the Airport Manager with 30 days' notice to the public.

B. A current copy of rates, fees, and charges will be available upon request from the Airport office.

C. Any Airport user that is delinquent in payment of Airport charges may be removed from the Airport by order of the Airport Manager and refused the further use of the Airport and its facilities.

**14.20.020      Daily fees.**

A. Daily rates shall apply to aircraft parked overnight.

B. Payment of daily parking fees shall be made prior to departure of aircraft unless arrangements have been made and approved by the Airport Manager.

**14.20.030      Monthly fees.**

A. Monthly rates will apply whenever the accumulated daily rate becomes the greater of the two.

B. The payment of monthly fees is due and payable in advance on the first day of the calendar month.

**14.20.040      Aviation fuel sales.**

A. Aviation Fuel Sales—User Fees. Any firm or individual taking delivery of aviation fuel on the Airport shall pay a fee on that fuel. Said fee shall be established by the Airport Manager. Collections of fuel fees shall be remitted each month to the Airport, less any exemptions, on a form prescribed by the Airport Manager along with copies of receipts showing the amount of fuel delivered.

**MUNICIPAL AIRPORT ADVISORY BOARD SPECIAL MEETING**  
**Meeting Minutes**  
**March 15, 2016**

**Sunnyside Fire Station**  
**513 S. 8<sup>th</sup> Street, Sunnyside, Washington**

**CALL TO ORDER – ROLL CALL**

The Sunnyside Municipal Airport Advisory Board special meeting was opened at 5:30 PM by Vice Chairman Shane Fisher.

**Board Members Present:**

Larry Dolan, Chairman  
Shane Fisher, Vice Chairman  
Jim Restucci  
Don Day  
Scott Stiltner  
Jim Grubenhoff  
Ted Durfey  
Alan VanBeek

**Board Members Absent**

**City Staff Present:**

Jacqueline Renteria, Public Works Administrative Assistant

**Legal Present:**

Eric Ferguson, Kerr Law Group  
Robert Faber

**1. ACTIVE AGENDA:**

A. Accept Minutes of Previous Meeting February 16, 2016

Scott Stiltner moved to approve and Jim Restucci seconded to approve the meeting minutes from February 16, 2016.

B. Title 14 – Airport Municipal Code discussion with City Attorney

The board voted to have the Sunnyside Council review and approve Title 14.

**2. ITEMS FROM COMMITTEE MEMBERS:**

None

**3. ITEMS FOR NEXT MEETING:**

Discuss the next airport project

Discuss Hospital upgrades and how that will affect the airport

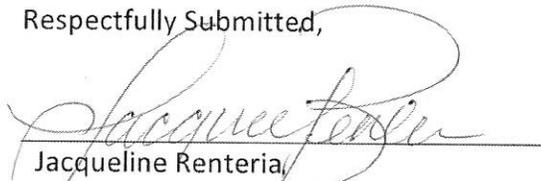
**4. NEXT MEETING**

Tuesday March 15, 2016 at 5:30 PM

**5. ADJOURN:**

With there being no further business to come before the board, Vice Chairman Shane Fisher adjourned the meeting at 5:33 PM.

Respectfully Submitted,



Jacqueline Renteria,  
Public Works Administrative Assistant