

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting of August 28, 2018

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
ADDING CHAPTER 19 TO DIVISION 4 OF TITLE II OF THE HUMBOLDT COUNTY CODE
RELATING TO THE DEPARTMENT OF AVIATION AND AMENDING SECTIONS 265-2, 265-
3, 265-4, 265-5, AND 265-8 TO CHAPTER 5 OF DIVISION 6 OF TITLE II OF THE HUMBOLDT
COUNTY CODE RELATING TO RULES AND REGULATIONS OF HUMBOLDT COUNTY
AIRPORTS**

ORDINANCE NO. 2609

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Sections 2419-1 and 2419-2 of Chapter 19 of Division 4 of Title II of the Humboldt County Code are hereby added as shown on the attached pages.

SECTION 2. Sections 265-2, 265-3, 265-4, 265-5, and 265-8 are hereby amended to Chapter 5 of Division 6 of Title II of the Humboldt County Code as shown on the attached pages.

SECTION 3. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this 28th day of August, 2018 on the following vote, to wit:

AYES: Supervisors Fennell, Bass, Sundberg, Bohn
NOES: Supervisors --
ABSENT: Supervisors Wilson



Ryan Sundberg, Chair
Board of Supervisors of the County of Humboldt,
State of California

(SEAL)
ATTEST:
Kathy Hayes, Clerk of the Board of Supervisors
of the County of Humboldt, State of California

By: 

Ryan Sharp, Deputy

TITLE II - ADMINISTRATION

DIVISION 4

COUNTY DEPARTMENTS AND OFFICES

CHAPTER 19

THE HUMBOLDT COUNTY DEPARTMENT OF AVIATION

2419-1. Creation of the Humboldt County Department of Aviation.

(a) The Humboldt County Department of Aviation is hereby created. (Ord. ____, § ____, ___/___/2018)

(b) The Department of Aviation shall be charged with the enforcement and administration of all laws, ordinances, and policies regarding aviation and County airports. (Ord. ____, § ____, ___/___/2018)

2419-2. Director of Aviation.

The Department of Aviation shall be under the supervision of a Department Head to be known as the Director of Aviation, who shall be employed by the Board of Supervisors. The Director of Aviation shall perform those duties and exercise those powers delegated to him/her by Aviation Law, Federal Aviation Administration, Transportation Security Administration, Humboldt County Code sections 265-1 et seq., and other acts of the legislature, and such other powers and duties as may be delegated by the Board of Supervisors. (Ord. ____, § ____, ___/___/2018)

TITLE II - ADMINISTRATION
DIVISION 6
BUILDING AND PROPERTY
CHAPTER 5
RULES AND REGULATIONS OF HUMBOLDT COUNTY AIRPORTS

265-2. Introduction.

(a) The Federal Aviation Act of 1958 authorizes the Administrator to prescribe Air Traffic Rules and Regulations governing the flight of aircraft.

(1) The Federal Aviation Regulations promulgated by the Administrator covers all flights on or in the vicinity of all County airports, and, by reference, the Federal Aviation Regulations are made a part hereof.

(2) Aircraft operators, pilots and other users of said airports are required to be familiar with the Federal Aviation Regulations; and, in particular, Part 91, General Operating and Flight Rules, of said regulations.

(b) The ~~Public Works~~ Director of Aviation is empowered to oversee the operations of the County airports and to apply and enforce these rules. The rules contained herein are supplemental to the Federal Aviation Regulations and apply specifically to the County airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

265-3. General.

(a) All persons using any County airport shall be subject to, and governed by, these rules and regulations, all County ordinances and resolutions, State and Federal laws and FAA regulations. (Ord. 1603, § 2, 7/12/1983)

(b) All aeronautical activities at the County airports and all flying of aircraft departing from or arriving at said airports, shall be conducted in conformity with the current pertinent provisions of the Federal Aviation Regulations. (Ord. 1603, § 2, 7/12/1983)

(c) The County airports shall be open for public use subject to the rules and regulations set forth herein, and subject to such restrictions due to inclement weather, or the condition of the landing area, as may be determined by the County. (Ord. 1603, § 2, 7/12/1983)

(d) The privilege of using any County airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof and he shall release, hold harmless, and indemnify the County and its officers and employees from such use as well as against claims of third persons against the person using an airport. (Ord. 1603, § 2, 07/12/83)

No person shall obstruct, impair or unreasonably interfere with the use of any County airport by any other person, or obstruct, impair, or unreasonably interfere with the passage of safe, orderly and efficient use of any County airport by any other person, vehicle or aircraft. (Ord. 1603, § 2, 7/12/1983)

(e) Subject to applicable orders, certificates or permits of the FAA or CAB, or their successors, no person shall use a County airport or any portion thereof, or any of its improvements or facilities, for revenue-producing commercial business or activities who has not first complied with the Humboldt County Code and applicable ordinances and airport minimum standards. Such business or commercial activity shall include, but not be limited to, any solicitation of data or statistical information; any advertisement or promotion of goods or services; any offer to sell, rent or lease goods or services; or any offer to buy, rent or lease goods or services directed to the public, whether by a profitable or charitable organization. (Ord. 1603, § 2, 7/12/1983)

(f) Commercial operations shall be conducted by operators having current valid contracts which have been approved by the Board. (Ord. 1603, § 2, 07/12/83)

(1) Such contracts shall define the areas of airport land and facilities to be used by the tenant or operator.

(2) Such contracts shall stipulate services to be rendered and the operator may charge reasonable fees for such services.

(g) Any person not so authorized by contract or permit as aforesaid shall not engage in any activities on a commercial basis, or operate, service or repair aircraft on County airport premises for hire or carry on any business of any nature whatsoever on any County airport. (Ord. 1603, § 2, 7/12/1983)

(h) The ~~County Superintendent of Airports~~ Director of Aviation shall act as Airport Manager, and when the term ~~Superintendent~~ Director is used herein, it means the person currently in charge of the airport, or his/her authorized agent. The ~~Superintendent of Airports~~ Director of Aviation shall

represent the County at all times in regard to all County-owned and operated airports as follows:

(Ord. ____, § ____, ___/___/2018)

- (1) He/She shall at all times have authority to take such action as may be necessary to safeguard the public in attendance at any County airport. Every tenant, pilot, mechanic or other person employed on or using a County airport shall cooperate to enforce these rules and to see that all persons upon the premises use care and caution to prevent injury to persons or damage to property. (Ord. 1603, § 2, 7/12/1983)
 - (2) He/She may suspend or restrict any or all operations at any County airport without regard to weather conditions whenever such action is deemed necessary in the interest of safety. (Ord. 1603, § 2, 7/12/1983)
 - (3) He/She may suspend, as a means of safeguarding a County airport and the public, the privileges of a County airport and its facilities to any person refusing to comply with these rules. (Ord. 1603, § 2, 7/12/1983)
 - (4) He/She shall have authority to restrict operations to such portion or portions of any County airport as he/she may deem necessary or desirable. Any part of a County airport temporarily unsafe for aircraft operations which is not available for any cause, shall be clearly marked in accordance with recommendations of the FAA. (Ord. 1603, § 2, 7/12/1983)
 - (5) He/She may issue permits for special events and/or demonstrations, provided FAA requirements are met, and no such event or demonstration shall be conducted by anyone without such written permission. (Ord. 1603, § 2, 7/12/1983)
 - (6) In any contingencies or emergencies not specifically covered by these rules, the Superintendent Director is authorized to make such decisions as to him may seem proper. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, ___/___/2018)
- (i) Radio contacts between pilots and Fixed Base Operators at any County airports shall be conducted in accordance with the procedures and by means of the phraseologies recommended by the F.C.C. wherever practicable. (Ord. 1603, § 2, 7/12/1983)
 - (j) Flight instructors shall fully acquaint their students with these rules and shall be responsible for the conduct of their students under their direction during dual instruction. When a student is flying solo, it shall be his/her sole responsibility to observe and abide by these rules. (Ord. 1603, § 2, 7/12/1983)
 - (k) No person shall enter any County airport terminal or landing area with any animal (seeing eye dogs and animals being transported excepted.) Animals may be permitted in other areas of County
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airports if restrained by leash or confined in such a manner as to be under control. (Ord. 1603, § 2, 7/12/1983)

(l) No person involved in an accident at any County airport which results in damage to persons or property shall fail to report promptly such occurrences to the County. (Ord. 1603, § 2, 7/12/1983)

(m) No person shall enter any portion of any County airport designated a restricted area unless authorized to do so by the Director Superintendent of Airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(n) No person, except peace officers, duly authorized government employees, or members of the Armed Forces of the United States, when such person is on official duty which authorizes the possession of a firearm, shall carry or possess any firearm, explosive, or inflammable material on any County airport. This section shall apply to persons carrying firearms in cases, broken down, or unloaded when said firearms are being transported for the purpose of sale, demonstration, hunting or other sport activities. (Ord. 1603, § 2, 7/12/1983)

(o) No person shall post, distribute or display signs, advertisements, circular, or any other printed or written matter at any County airport, except as authorized in writing by the Director of Public Works or his/her designee. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(p) No person shall solicit fares, contributions or funds for any purpose on any County airport without the permission of the Director of Public Works or his/her designee. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(q) No person shall dispose of garbage, papers, refuse or other material on any County airport except in receptacles provided for that purpose. (Ord. 1603, § 2, 7/12/1983)

(r) No person, except representatives of the press on duty or during official assignment, shall take still, motion, or sound pictures for commercial purposes on any County airport without permission of the Director of Public Works or his/her designee. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(s) All commercial photographers, whether still or motion picture, shall, before arriving at the airport, advise the Director Superintendent of Airports, in writing, of the number of personnel and items of equipment to be used, and probable time and location of the work. They shall advise the Director Superintendent of Airports of any changes in plans at the earliest possible moment. (Ord. 1603, § 2, 07/12/83; Ord. ____, § ____, __/__/2018)

The company shall execute a hold harmless agreement with the County and shall furnish the Director Superintendent of Airports a certificate of insurance naming the County of Humboldt as an additional insured and shall add insurance in favor of the County, and evidencing such insurance

coverage in such amounts and of such kinds as may be required by the County's Risk Manager. (Ord. 1603, § 2, 07/12/83; Ord. ____, § ____, __/__/2018)

The Superintendent of Airports Director may, by written notice, specify the hours during which the facilities can be used and impose such conditions as are necessary to insure that the activities approved shall not interfere with the operation or safety of the airport, nor unduly inconvenience the public using the facilities, and the Director Superintendent of Airports shall have the right to terminate such activities at any time without cause. (Ord. 1603, § 2, 07/12/83; Ord. ____, § ____, __/__/2018)

The determination as to the necessity for the use of airports personnel shall rest with the Director Superintendent of Airports, and his/her decision shall be final and conclusive. No photographic work shall be done on the airfield area without arranging for operations escort. (Ord. 1603, § 2, 07/12/83; Ord. ____, § ____, __/__/2018)

Fees and charges for the use of the airport for photographic purposes shall be set by the Board of Supervisors by resolution, and such fees and charges may be changed by the Board of Supervisors from time to time in the same manner. (Ord. 1603, § 2, 7/12/1983)

(t) *Experimental Aircraft.* Demonstrations or testing or experimental aircraft or motor vehicles shall not be conducted on an airport without the express approval of the Director Superintendent of Airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(u) *Aircraft Storage and Parking.* Aircraft shall only be stored or parked at places designated by the Director Superintendent of Airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(v) *Hang Gliders, Powered Hang Gliders, Ultra Light Aircraft.* Aircraft of the ultra light category covered by the Federal Aviation Rules and Regulations, Part 103, shall operate in accordance with those rules and must have express written approval of the Director Superintendent of Airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(w) *Model Aircraft.* Model Aircraft shall not be operated from, on or over the airport, under the airport pattern, within the Arcata Airport Control Zone (5.0 mile radius) or at an altitude more than 400 feet (400') above ground level. (Ord. 1603, § 2, 7/12/1983)

265-4. Motor Vehicles.

(a) Every person who operates any motor vehicle or mobile equipment on any County airport shall comply with all applicable provisions of the laws of the State of California and any special regulations

prescribed herein for the control of such vehicles excepting cases of emergency involving life or property.

(b) The County shall designate by appropriate posting:

(1) Places where vehicles may or may not be parked in public parking areas, including but not limited to a general aviation T-hangar are where the paved ways are taxiways, not streets. Automobiles shall not be left standing on these taxiways. Pilots and aircraft owners driving upon said taxiways for the purpose of reaching a T-hangar area shall park on the entrance way to the T-hangar, maintaining a clearance of 25 feet (25') from the center line of said taxiway. (Ord. 1603, § 2, 7/12/1983)

(2) The period of time for which vehicles may be parked at any place on a County airport. (Ord. 1603, § 2, 7/12/1983)

(3) The County shall be authorized to remove any vehicle parked on any roadway, parking area, or other posted area of any County airport in violation of this Section, and to impound the same at owner's expense and without liability to the County for damages which may result from, or in the course of, such moving. (Ord. 1603, § 2, 7/12/1983)

(c) The County shall be authorized to remove any vehicle parked on any roadway, parking area, or other posted area of any County airport in violation of this Chapter, and to impound the same at owner's expense and without liability to the County for damages which may result from, or in the course of, such moving. (Ord. 1603, § 2, 7/12/1983)

(d) Motor vehicles shall not be driven onto any apron, taxiway, or runway without the express permission of the Director Superintendent of Airports, and not person shall go upon these areas except that: (Ord. ____, § ____, __/__/2018)

(1) The following classification of vehicles which, by the provisions of this chapter, are permitted to be driven and operated on or about runways, taxiways, and ramps shall be distinctly painted or marked in accordance with the provisions of the current FAA Requirements or marking of vehicles used on landing areas as said provisions are now in effect or may hereafter be adopted: (Ord. 1603, § 2, 07/12/83)

(A) Ambulances;

(B) Crash, fire and rescue fighting equipment;

(C) Service, maintenance and construction equipment.

(2) Bicycles and motorcycles are prohibited from going upon any runways, taxiways, or aprons. (Ord. 1603, § 2, 7/12/1983)

(3) Automobile parking may be permitted in specified general aviation T-hangar areas in accordance with subsection (b). (Ord. 1603, § 2, 7/12/1983)

(e) No vehicle shall be driven upon any road or upon other areas within the perimeter of any airport owned or operated by the County in excess of the speed which is posted at the entrance of every vehicle shall adhere to any sign posted to regulate vehicular traffic on or about any public airport for the public safety. (Ord. 1603, § 2, 7/12/1983)

(f) All vehicles except emergency vehicles engaged in emergency activity shall at all times yield right-of-way to any and all aircraft. (Ord. 1603, § 2, 7/12/1983)

265-5. Ground Rules.

(a) Aircraft shall be parked in areas owned and operated by the County, areas rented to commercial operators or in hangars operated by them. Aircraft owners or operators may also park aircraft in privately-owned hangars erected on land leased by the owner from the County of Humboldt. (Ord. 1603, § 2, 7/12/1983)

(b) Fixed base operators may charge such reasonable fees for use of his/her leased facilities as he/she may deem proper. Appeals to such charges may be made to the ~~Superintendent of Airports or Public Works~~ Director. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(c) For special events, aircraft shall be parked only in areas designated by the Director Superintendent for this purpose. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(d) No aircraft shall be parked in areas not under lease without special written permission of the Director Superintendent, who may authorize such parking as a temporary measure or as an interim measure pending the execution of a lease or contract. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(e) Taxiway areas shall be maintained open to taxiing aircraft at all times, and no aircraft shall be parked in such taxiway areas of left unattended in such a manner as to interfere with the free flow of traffic. (Ord. 1603, § 2, 7/12/1983)

(f) No aircraft shall be unattended on any County airport unless properly secured in a tie-down or within a hangar. Owners of aircraft shall be responsible for damages resulting from failure to comply with this section. (Ord. 1603, § 2, 7/12/1983)

(g) The designated area of airline terminal apron at the Arcata Airport shall be maintained for the parking of air carrier aircraft only. All other aircraft shall remain clear of said apron except that: (Ord. 1603, § 2, 07/12/83)

(1) Passengers may be picked up or discharged from private, corporate or military aircraft, when such activity does not interfere with a scheduled airline arrival or departure. (Ord. 1603, § 2, 7/12/1983)

(2) Private, corporate, or military aircraft may be temporarily parked if pilot attended and such temporary parking does not interfere with scheduled airline arrival or departure. (Ord. 1603, § 2, 7/12/1983)

(h) Aircraft engines shall be started or warmed up only in the places designated for such purposes. At no time shall engines be run up when hangars, shops, other buildings or persons in the observation area are in the path of the propeller slipstream. (Ord. 1603, § 2, 7/12/1983)

(i) No persons except airmen/airwomen, duly authorized personnel, passengers or other persons going to or from aircraft, personally conducted by airmen/airwomen or airport attendants, shall be permitted to enter the area of aircraft activity or parking, or on the apron. Any person or persons so excepted do not have the privilege or unrestricted use of the apron. These privileges are confined to the necessary use of such space in connection with flights or routine duties. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

(j) Aircraft owned and their agents and pilots shall be responsible for prompt disposal of disabled aircraft and their parts, unless required or directed to delay this action pending investigation of an accident. Damaged, disabled or unworthy aircraft shall not be tied down or stored at an airport without the express permission of the Director Superintendent of Airports. (Ord. 1603, § 2, 7/12/1983; Ord. ____, § ____, __/__/2018)

265-8. Traffic Patterns.

(a) All aircraft arriving at or departing from any County airport shall conform to the FAA rules for operations at airports without a control tower. (Ord. 1603, § 2, 7/12/1983)

(b) The traffic pattern shall be established for each County airport and promulgated by the Director Superintendent of Airports. Airports' standard patterns shall be as follows: (Ord. _____, §____, ___/___/2018)

(1) Standard left-hand rectangular, unless designated right-hand by segmented circle. (Ord. 1603, § 2, 7/12/1983)

(2) Approximately one-half (½) mile distance from and parallel to the runway in use and with crosswind and base legs. (Ord. 1603, § 2, 7/12/1983)

(3) Entrance to pattern shall be at 45° angle to the downwind leg and shall be in the middle third of the downleg. Aircraft entering an airport traffic pattern shall be at pattern altitude at least one-half mile before entering the pattern. (Ord. 1603, § 2, 7/12/1983)

(4) The normal departure procedure for light planes from any runway shall be an initial 45° turn in pattern direction after attaining at least 400 feet (400') altitude and clearing an airport by one-half (½) mile. Departures may be made straight out, in which case no turn shall be made until well clear of the pattern. The above may be altered for mountainous terrain airports (Ord. 1603, § 2, 7/12/1983)

(5) Straight-in approaches are prohibited except under IFR conditions or controls. (Ord. 1603, § 2, 7/12/1983)

(6) Aircraft that have a normal pattern airspeed in excess of 100 mph may adjust the one-half mile pattern to prevent steep turns into base leg or final approach. (Ord. 1603, § 2, 7/12/1983)

(7) All aircraft intending to remain in an airport pattern shall climb to pattern altitude and shall thereafter follow the prescribed pattern. (Ord. 1603, § 2, 7/12/1983)

(8) All aircraft approaching to determine an airport's conditions shall remain at 1,500 feet (1,500') or more above the airport until entering the pattern. (Ord. 1603, § 2, 7/12/1983)

(9) Helicopters arriving at or departing from a County airport shall operate clear of the traffic pattern as specified herein and shall operate on or over the field well clear of fixed-wing traffic. (Ord. 1603, § 2, 7/12/1983)

(Ord. 1603, § 2, 7/12/1983)
