

ORDINANCE NO. 6821

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO THE OPERATIONS OF THE AUBURN MUNICIPAL AIRPORT, REPEALING CHAPTER 8.36 AND VARIOUS SECTIONS OF CHAPTER 12.56, AMENDING VARIOUS OTHER SECTIONS OF CHAPTER 12.56, AND ADDING A NEW SECTION TO THE AUBURN CITY CODE.

WHEREAS, the City of Auburn modified the management structure of the Auburn Municipal Airport from contract management services to management by city employees; and

WHEREAS, this management structure change has resulted in the need to repeal and/or amend various provisions of the Auburn Municipal Code related to airport operations to clarify, organize and simplify the City's code regarding airport operations; and

WHEREAS, a new section regarding derelict aircraft should be added to the code to clarify and enhance airport staff's ability to address such aircraft on airport property for the safety and efficiency of airport operations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Repeal of certain Auburn City Code chapters and/or sections.

The following Auburn City Code Chapters and/or sections and underlying ordinance language are hereby repealed:

ACC Chapter 8.36	Ultralights
ACC 12.56.200	Aircraft – Posted traffic pattern conformance required
ACC 12.56.300	Aircraft – Operation in hangars
ACC 12.56.310	Aircraft – Moving

Section 2. New Section to City Code. A new section, ACC 12.56.385 “Derelict Aircraft,” is added to ACC Chapter 12.56 to read as follows:

ACC 12.56.385 Derelict Aircraft.

A. Storage of derelict aircraft prohibited. No person may park or store a derelict aircraft on airport property. A derelict aircraft is an aircraft or any aircraft components:

1. not being actively restored, constructed, or maintained; or
2. not in flyable condition; or
3. not certified airworthy by the Federal Aviation Administration.

B. Removal of derelict aircraft.

1. The Airport Manager or designee may immediately remove a derelict aircraft that obstructs a taxiway, runway, or parking area, or that endangers the safety of persons or property at the airport.
2. Otherwise, upon finding a derelict aircraft on airport property, the Airport Manager or designee may post a notice on the aircraft and/or give written notice to the aircraft owner requiring removal of the aircraft from airport property within 10 business days. The Airport Manager or designee may remove any derelict aircraft thereafter remaining on airport property.
3. In either case, the costs of towing, removal and/or storage of the aircraft shall be paid by its owner. The City shall not be liable for any costs or damages resulting from the removal.

Section 3. Amendment to City Code. Certain sections within Auburn City Code Chapter 12.56 are amended to read as set forth on Exhibit A of this ordinance.

Section 4. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Published: _____