

Chapter 6

AVIATION*

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***Cross reference(s)**--Department of public works and transportation, § 2-336 et seq.

State law reference(s)--Powers of home rule charter cities, Mo. Const. art. VI, § 19(a); aircraft and airports, RSMo ch. 305.

ARTICLE I. IN GENERAL

Secs. 6-1--6-25. Reserved.

ARTICLE II. MUNICIPAL AIRPORT*

Sec. 6-26. Violations and penalties.

Any person violating any of the provisions of this article or refusing to comply therewith shall be deemed guilty of a misdemeanor, punishable as provided in Section 1-14 of this code. (Code 1969, § 4-19; G.O. 1696, 5-3-99)

Sec. 6-27. Designation of municipal airport.

Wherever in this code the words "Rosecrans Field" or any reference to the municipal airport may appear, the wording shall be deemed to refer to Rosecrans Memorial Airport, which shall be the correct designation for the municipal airport. (Code 1969, § 4-1; G.O. 1696, 5-3-99)

Sec. 6-28. Applicability.

The provisions of this article for the regulation, control and use of the municipal airport are adopted and shall apply in all instances. (Code 1969, § 4-2; G.O. 1696, 5-3-99)

Sec. 6-29. Airport manager; employees.

(a) There is established among the unclassified personnel of the city the position of airport manager.

(b) The airport manager shall be appointed by the director of public works and transportation.

(c) The director of public works and transportation or his agent shall have the power to appoint such classified employees as are necessary for the efficient operation of the airport and its facilities from the classified service in the same manner as other city employees are appointed, subject to the availability of funds.

(d) Compensation of airport employees shall be in accordance with the classification and compensation plan in effect in the city. (Gen. Ord. No. 849, § 1(4-21), 2-4-91; G.O. 1696, 5-3-99)

Cross reference(s)--Officers and employees, § 2-111 et seq.

Sec. 6-30. Rules and regulations for operation of airport.

(a) The director of public works and transportation shall have the power to promulgate reasonable rules and regulations for the efficient operation of the municipal airport, provided that no rule or regulation shall be effective until ten days after filing a written copy thereof with the city clerk.

(b) All rules and regulations shall be posted conspicuously at the airport administration building and other principal facilities at the airport.

(c) All rules and regulations promulgated by the director of public works and transportation may be modified or repealed by the city council acting through an ordinance. (Gen. Ord. No. 849, § 1(4-22), 2-4-91; G.O. 1696, 5-3-99)

Sec. 6-31. Applicability of fees.

The fees imposed in this article shall not apply where different amounts are provided in contracts with the city. (Code 1969, § 4-25; G.O. 1696, 5-3-99)

Sec. 6-32. Payment of fees.

All fees imposed at the airport pursuant to this article shall be paid in advance, either by mail or in person, to the director of finance at city hall. (Code 1969, § 4-26; G.O. 1696, 5-3-99)

Sec. 6-33. Observance of regulations.

In addition to all provisions contained in this chapter, all persons must observe all applicable federal, state and local rules or regulations, including, but not limited to, Federal Aviation Administration, National Fire Protection Association, Environmental Protection Agency, Code of Ordinances or Airport Rules and Regulations, etc., copies of which are available in the airport manager's office. Failure to comply

***Cross reference(s)**--Aviation board, § 2-656 et seq.

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with the rules and regulations adopted in this section shall also constitute a violation of this section.

(Code 1969, § 4-4; G.O. 1696, 5-3-99)

Sec. 6-34. Aircraft incident/accident.

(a) Witnesses of and participants in an accident on or near the airport shall report the accident to the office of the airport manager as soon after such accident as possible, leaving their names and addresses and rendering such reports as may be required.

(b) The airport manager at all times shall have the authority to take such action as may be necessary in the handling, conduct and management of the public in attendance at the airport.

(c) The aircraft owner, his pilot or agent shall be responsible for the disposal of wrecked aircraft and parts thereof. However, such action shall not be taken until permission to do so has been granted by the airport manager.

(Code 1969, § 4-6; G.O. 1696, 5-3-99)

Sec. 6-35. Taxiing of aircraft.

(a) Pilots will taxi their aircraft on designated taxiways and ramps at the Federal Aviation Administration approved speed and may back-taxi on the runways only after clearance from the air traffic control.

(b) No aircraft shall be taxied in or out of any hangar. No person other than a mechanic or pilot certified by the Federal Aviation Administration shall taxi aircraft on any part of the airport. No person other than a certified mechanic or pilot shall be at the controls of any airplane while its motors are being started. Ships not equipped with adequate brakes shall have warm-up blocks in front of each wheel before its motors are started. This subsection shall not apply to United States military personnel taxiing or working on military aircraft.

(Code 1969, § 4-7; G.O. 1696, 5-3-99)

Sec. 6-36. Use of airport for commercial purposes.

No person shall use the airport as a base or terminal for carrying on commercial aviation or carrying passengers, freight, express or mail or for student flying, instructions, communications,

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demonstrations, sales or other commercial or private use, without first making written request to the airport manager. Each person shall enter into a lease or obtain an otherwise prescribed permit and pay such fees and charges as may be prescribed for such privileges, the use of the airport, its facilities and services rendered, and such persons shall use diligence in obtaining the registration of all pilots. The provisions of this section shall not apply to scheduled airline equipment, but the condition of use of the airport shall in such cases be determined by contract between the city and scheduled airline operators.

(Code 1969, § 4-8; G.O. 1696, 5-3-99)

Sec. 6-37. Private operation

(a) A private operator is a person who owns or operates aircraft in pursuit of his own pleasure and/or business and who shall not operate for hire.

(b) A private operator or his pilot shall be possessed of a valid pilot's certificate issued by the Federal Aviation Administration. Private aircraft must be registered in the office of the airport manager, and such registration, when accepted, shall be deemed permission for use of the airport for private operations.

(c) The private operator shall operate only aircraft that is certified by the Federal Aviation Administration, and all private operations shall be in conformity with the Federal Aviation Administration safety regulations and the airport rules and regulations governing the operation of aircraft.

(Code 1969, § 4-12; G.O. 1696, 5-3-99)

Sec. 6-38. Use of intoxicating liquor, drugs while around aircraft.

No person shall operate or ride as a passenger in or work upon or about any aircraft while under the influence of intoxicating liquor or narcotic drugs.

(Code 1969, § 4-15; G.O. 1696, 5-3-99)

Cross reference(s)--Alcoholic beverages, ch. 4; offenses against morals, § 20-281 et seq.; drug offenses, § 20-321 et seq.

Sec. 6-39. Monthly report of flying operations.

Each operator using the airport as a base for operations shall turn in a monthly report of flying operations on the first of each month. These

forms are available on request at the office of the airport manager.

(Code 1969, § 4-16; G.O. 1696, 5-3-99)

Sec. 6-40. Operation, parking of vehicles.

Motorcars shall park only in parking areas provided at the airport and not upon ramps or areas provided for taxiing, operation or storage of aircraft. No motor vehicle shall park or operate upon the landing area proper, runways, taxi strips or within any space used for the operation of aircraft, except tractors, gas trucks and trucks owned by tenants of the airport and properly authorized city official cars.

(Code 1969, § 4-18; G.O. 1696, 5-3-99)

Cross reference(s)--Traffic, ch. 28.

Sec. 6-41. Airport t-hangar rental contract, form.

Any person or entity that desires to lease any t-hangar located at Rosecrans Memorial Airport may do so by entering into a lease agreement with the city. The rental rates for each t-hangar shall be published on a list prepared by the director of public works and transportation and on file with the city clerk. The council may increase the published rates by the adoption of a resolution indicating the new rates. The form of the lease agreement shall be in a standard format that sets out the terms, conditions and responsibilities of the parties. The director of public works and transportation, or his or her designated representative, shall have the authority to enter into this agreement on behalf of the city. The council shall approve the specific form of the t-hangar lease agreement by resolution.

(G.O. 1704, 6-14-99)