
CHAPTER 1062
Rogue Valley International-Medford Airport

EDITOR'S NOTE: Order 94-95, passed March 15, 1995, changed the name of the Medford-Jackson County Airport to the Rogue Valley International-Medford Airport.

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CROSS REFERENCES

Endangering aircraft and aviation - see ORS 164.885
Joint exercise of powers with Transportation Department - see ORS 836.040
Funds - see ORS 836.220, 836.230, 836.245
Airports and landing fields; authority of counties - see ORS 836.245
Registration of aircraft; report to County Assessor - see ORS 837.060
Airport Department - see ADM. Ch. 238
Airport Advisory Committee - see ADM. Ch. 251

1062.01 PREVIOUS AND SPECIAL REGULATIONS.

- (a) Previous Regulations. The regulations set forth in this chapter supersede and cancel all other previous regulations as set forth by the County.
- (b) Special Regulations, Notices or Directives. Special regulations, notices, memoranda or directives of an operational nature, of interest to persons engaged in business with the Rogue Valley International-Medford Airport, shall be issued under the authority of this chapter.
- (c) Any violation of any federal, state or local government laws, statutes, codes, regulations, ordinances, or administrative rules of the Federal Aviation Administration, Transportation Security Administration, and other applicable federal agencies or state agencies constitutes a violation of this chapter and may be enforced by authority of this chapter.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.02 DEFINITIONS.

As used in this chapter:

- (a) Air Operations Area - means all areas of the Airport in which aircraft might move in a normal manner, including, but not limited to, the landing field, all runways, taxiways, aprons or ramps and hangar areas.
- (b) Aircraft - means any contrivance, now known or hereafter invented, used or designed for navigation of or flight in air.
- (c) Airport - means the Rogue Valley International-Medford Airport and all improvements and appurtenances contained thereon.

- (d) Airport Advisory Committee - means that body appointed by the Board of County Commissioners to formulate and advise policies pertinent to airport operations.
- (e) Airport Authority - means the Airport Department, a department of Jackson County located at the Rogue Valley International-Medford Airport.
- (f) Airport Department - means the department of Jackson County that operates the Airport, synonymous with “Airport Authority.”
- (g) Airport Director - means the Director of the Rogue Valley International-Medford Airport.
- (h) Airport Employee - means an employee whose normal base of employment is the Airport and whose employer holds a current commercial operating agreement with the Airport.
- (i) Commercial Operating Agreement - means any instrument used to set down terms and conditions agreed to by any person and the County.
- (j) Commercial Operator - means any person or organization engaged in any commercial business, not within the scope of a fixed base operator, whose base or locus of operation is the Airport. A commercial operator is authorized to conduct such business by virtue of a contract with the County. A commercial operator shall maintain those facilities agreed upon in his or her commercial operating agreement.
- (1) Commercial aviation operators holding a valid Federal contract and offering no other service need not maintain an office on the Airport.
- (k) Critical Air Operations Area - means those taxiways, runways and ramp areas that are used by scheduled air carrier aircraft.
- (l) Driver - means any person who is in actual physical control of a vehicle.
- (m) Emergency Vehicle - means police, sheriff and fire department vehicles, ambulances and any vehicle conveying an Airport official or employee in response to an emergency official call.
- (n) Enforcement Officer - means every enforcement officer authorized by the Airport Department to direct or regulate traffic and to enforce Airport rules and regulations.

(o) Fixed Base Operator - means any person or organization that has entered into a written lease or agreement with the County at the Airport for the use of any building, shop or hangar, or for the site upon which such a building might be erected. Fixed base operators shall further guarantee to provide to the public services on the Airport as required by the minimum standards and shall also guarantee to abide by all minimum standards as are currently in place or may be amended.

(1) Any person wishing to offer any of such services must be a fixed base operator and meet the required minimum standards for such activities.

(2) Some examples of fixed base operations are:

A. An aircraft repair station staffed by FAA licensed personnel;

B. Student pilot training and facilities for such training in accordance with FAR 141;

C. Line services, to include fueling;

D. Charter and air taxi service under current FAA certifications; and

E. Sale, rental and leasing of aircraft to the general public.

(p) Instructor - means any individual giving or offering to give instruction in the operation, construction, repair or maintenance of aircraft or aircraft power plants and accessories, including the repair, packing and maintenance of parachutes.

(q) Motor Vehicle - means every vehicle that is self-propelled.

(r) Nonscheduled Operator - means any person using the Airport for the purpose of landing and taking off of any aircraft, the purpose of which aircraft is the taking on or unloading of passengers, mail, express, freight or cargo for hire, gift, remuneration or reward, or for the purpose of refueling, and whose operations shall not be required to meet the regulations demanded of a scheduled air carrier as provided by the Federal Government. This includes air taxi and commercial operators of small aircraft, FAR Part 135, whose base or locus of operations is other than the Rogue Valley International-Medford Airport.

(s) Nonsignatory Airline - means any airline providing scheduled or unscheduled service to the Airport which is not a Signatory Airline.

(t) Person - means any individual, firm, copartnership, corporation, company or association, and includes any trustee, receiver or similar representative thereof.

(u) Public Area - means those areas, including the various concessions, restrooms, terminals, lobby sections, ticketing sections and concourses, used for public thoroughfares, gathering, waiting and viewing, and streets, roads, sidewalks and other areas normally used by the general public. All other areas are considered operational areas and access thereto is permitted only upon express consent of the Airport Director.

(v) Refueling Trucks - means any motor vehicle used for the transporting, handling or dispensing of aviation fuel, oils and lubricants.

(w) Scheduled Air Carrier - means any person engaged in the operation of any aircraft for the purpose of transporting passengers, mail, express, freight or cargo, whose operation is either intrastate or interstate and in compliance with all of the Federal regulations governing or pertaining to the operation of the same, including FAR Parts 121, 127 and 135.2.

(x) Scheduled Operator - means any person using the Airport on a scheduled basis for the purpose of landing and taking off of any aircraft, the purpose of which aircraft is the taking on or unloading of passengers, mail, express, freight or cargo for hire, gift, remuneration or reward, whose operations need only comply with FAR 135 and whose base or locus of operations is other than the Rogue Valley International-Medford Airport.

(y) Signatory Airlines - mean those scheduled airlines, including code, alliance partnering, sharing or wholly owned subsidiaries of such airlines, providing Air Transportation to passengers to and from the Airport. A signatory airline shall have substantially similar agreements to provide passenger air travel service with Jackson County.

(z) Vehicle - means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.03 (Order 24-74. Passed 3-13-74; Ord. 2002-8. Passed 2-13-02; Ord. 2006-2. REPEALED 3-29-06.)

1062.04 BUILDING REQUIREMENTS AND GROUND RENTALS.

(a) Any person desiring to erect or construct a building on the Rogue Valley International-Medford Airport shall be required to submit plans and specifications for the same to the office of the Airport Director. The plans shall include a general layout, drawn to scale, showing the desired amount of ground actually required for the operation of such building, in addition to the portion occupied by the building proper.

(b) All buildings erected upon the Airport shall conform to the Fire Building Code requirements of the City of Medford.

(c) All persons desiring to erect or construct on the Rogue Valley International-Medford Airport, who have approved plans, must pull all required permits with the appropriate jurisdictional authority prior to construction and must file a copy of those permits with the Airport Director.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.05 NONLIABILITY OF COUNTY.

The permission granted by the County to use the Rogue Valley International-Medford Airport and its facilities, or to fly to, from or over the same, shall be, at all times, conditioned upon the assumption of full responsibility therefor by every person exercising or taking advantage of such permission. Further, it shall be a condition thereof that each person, as a consideration for the use of the Airport and its facilities, shall, at all times, release, hold harmless and indemnify the County, the Airport Director and their agents and employees from any and all responsibility, liability, loss or damage resulting to any such person, or caused by or on his or her behalf, and incident to the manner in which the Airport is operated, constructed or maintained, served from within or without, or used from without. The use of the Airport by any person for any purpose, the paying of fees therefor or the taking off or landing of aircraft thereon, shall be itself an acknowledgment that such person accepts such privileges with the conditions set forth in this section.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.06 POWERS AND DUTIES OF AIRPORT DIRECTOR.

The Airport Director shall supervise the Rogue Valley International-Medford Airport. He or she shall be responsible for the operation, management and maintenance of the Airport and all facilities and equipment in connection therewith and for the enforcement of this chapter.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.07 ACCIDENT REPORTS.

All persons involved in any accident, personal, aircraft, or automotive, outside individual work areas, occurring on the premises of the Rogue Valley International-Medford Airport, shall notify the Airport Director and make a report to the Medford Police Department as soon as possible, giving all pertinent information as requested by the officer in charge, and provide the Airport with a copy of the report.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.08 PARADES, DEMONSTRATIONS AND OBSTRUCTIONS.

No person shall conduct or participate in any parade, march, patrol, demonstration, sit-down, assemblage or distribution of pamphlets or other materials, or carry or display signs or placards in or upon, or in any manner obstruct buildings, grounds, roads, walks, approaches or any of the property of, the Rogue Valley International-Medford Airport, without the written permission of the Airport Director therefor.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.09 SOUND-AMPLIFYING DEVICES.

Sound trucks and amplified record-playing machines are prohibited on the Rogue Valley International-Medford Airport, except as authorized by appropriate County authority. Only such public address systems as are commonly employed, announcing the arrival and departure of scheduled airline aircraft, shall be permitted on the Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.10 USE OF STREETS AND SIDEWALKS.

Airport highways may be used as a means of ingress and egress by highway vehicles to, from and between the city streets with which such highways connect and various buildings and land areas at the Rogue Valley International-Medford Airport abutting upon such highways. Sidewalks along such highways (and other portions of such highways when designated for that purpose) may be used by pedestrians as a means of ingress and egress to, from and between various portions of the Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.11 RESTRICTED AREAS.

All areas of the Rogue Valley International-Medford Airport, except public areas, are restricted, and no person shall enter upon the landing field, runways, taxiways, airline communications offices of the Terminal Building, control tower, utility and service rooms or areas, hangars or aprons of the Airport, or any other areas that may be "RESTRICTED", except:

- (a) Persons assigned to duty therein, who are badged to be in that area or appropriately escorted;
- (b) Pilots with a valid pilot's license going to or from their aircraft or hangar on general aviation business;
- (c) Authorized representatives of the FAA, with the appropriate Airport authorized badges;
- (d) Persons authorized by the Airport Director;
- (e) Passengers under appropriate supervision entering the apron or private hangars for the purpose of enplaning and deplaning;
- (f) Business representatives in the conduct of their affairs with the airlines or other tenants who are badged or escorted; or
- (g) Authorized badged tenants.
- (h) Temporary access by any other person will be allowed with the express consent of the Airport Director, and such persons will be under supervision or escort.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.12 PUBLIC PARKING.

Public vehicle parking shall be permitted only in those areas designated by signs. Vehicles parked in undesignated areas may be towed away at the owner's expense.

(Order 24-74. Passed 3-13-74.)

1062.13 LICENSING AND REGISTRATION OF VEHICLES AND AIRCRAFT.

(a) No person shall operate motorized ground equipment of any kind on the Rogue Valley International-Medford Airport without a valid State operator's license.

(b) No person shall operate any motor vehicle in the air operations area without first registering the same with the Airport Director and obtaining a permit for the operation of such equipment. Such permit shall be issued upon payment of any fee, if required, as established from time to time by the Board of County Commissioners and upon such terms as may be prescribed by the Airport Director.

(c) No person shall operate from the Airport any aircraft that is not fully certificated by the Federal Aviation Administration, registered with the Administration and carrying a current certificate of airworthiness, with the exception of government-owned aircraft.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.14 RULES OF OPERATION GENERALLY.

(a) No person shall operate a motor vehicle of any kind on the Rogue Valley International-Medford Airport in a reckless manner or in excess of the speed limits prescribed by the Airport Director.

(b) Pedestrians and aircraft shall at all times have the right of way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft and on the field side of parked aircraft and shall pass not nearer than a twenty-foot horizontal distance from any wing or tail section of a parked aircraft.

(c) No person operating a motor vehicle on the Airport shall fail to give proper signals or fail to observe the directions of posted traffic signs.

(d) No person under the influence of intoxicating liquor or narcotic or dangerous drugs shall operate a motor vehicle or aircraft on the Airport.

(e) No person shall operate any motor vehicle on the Airport that is overloaded or carrying more passengers than that for which the vehicle was designed. No person shall ride on the running board, stand up in the body of or ride with arms or legs protruding from the body of a motor vehicle.

(f) No vehicle shall be operated on the Airport if it is so constructed, equipped or loaded as to endanger persons or property.

- (g) No person shall operate a motorcycle, truck or other motor vehicle without exhausts protected by screens or baffles to prevent the escape of sparks or the propagation of flame in any hangar on the Airport.
- (h) When parking adjacent to a runway, all vehicles must be parked parallel to the runway and at least 200 feet to the outside of the runway lights.
- (i) Two-way radio communications with the tower will be required of all authorized vehicles traversing on the air operations area (excluding resident general aviation tie-down apron and private hangar areas) and such vehicles shall display and fly on the rear thereof an all-yellow or checkered flag, or light as required under Federal regulations, of a size not less than three feet square. All vehicles operating on usable runways or taxiways used by air carriers without radio equipment shall be escorted by a vehicle having two-way radio communication. The escort vehicle must be in continuous communication with the control tower.
- (j) No vehicle shall cross a runway or active area unless specific clearance is obtained by the operator thereof from the traffic control tower by radio communications.
- (k) Emergency conditions existing at the time on the Airport will not suspend these regulations or excuse their violation. During such conditions, the driver of any vehicle, civilian or military, shall make certain that he or she does not move his or her vehicle in any direction, unless specifically cleared by the traffic control tower to do so. Permits issued under Section 1062.13 shall be rendered invalid until the emergency situation has been alleviated. The Airport Director shall determine when normal operations may be resumed.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.15 SPEED LIMITS.

- (a) No person shall drive a motor vehicle or a motor bicycle upon any public street or road within the territorial limits of the Rogue Valley International-Medford Airport at a speed greater than is reasonable and prudent or posted, having regard to the traffic, surface and width of the street or road, hazard at intersections, other conditions then existing and use of the street and road.
- (b) Any speed in excess of posted and authorized speed limit shall be prima facie evidence of a violation of subsection (a) hereof.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.16 CARELESS OPERATION.

No person shall operate a motor vehicle or motor bicycle upon any street or road within the territorial limits of the Rogue Valley International-Medford Airport in a careless manner. As used in this section, "careless manner" means in a manner that endangers or would be likely to endanger any person or property.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.17 PARKING.

(a) No person shall park a motor vehicle for loading, unloading or any other purpose on the Rogue Valley International-Medford Airport other than in the areas specifically designated for parking and in the manner prescribed by signs, lines or other means. No person shall abandon any motor vehicle on the Airport. No person shall park a motor vehicle in a manner as to obstruct roadways, or in aircraft parking areas or on grassed areas.

(b) No person shall park a vehicle in any space marked for parking in such a manner as to occupy part of another marked space, nor shall any person park, stand or stop any vehicle in any reserved or restricted area so marked.

(c) Parking in designated public parking areas is open to all members of the public using the Airport. An employee parking lot is provided for the exclusive use of Airport employees working in the Terminal area of the Airport.

(d) All employees of organizations and agencies having tenancy in the Terminal Building area shall park private vehicles in the employee parking lot, as may be designated by the Airport Director. Only those vehicles bearing an authorized parking permit shall be permitted in the employee parking lot. Registration of vehicles for permits shall be made in the office of the Airport Director. The quarterly fee, if required, for such permit shall be as established from time to time by the Board of County Commissioners. All expiring employee parking permits shall be replaced by a new permit issued by the Airport Director's office. There shall be a charge as established from time to time by the Board of County Commissioners for lost and misplaced keycards.

(e) All service vehicles, including utility company trucks, government-owned vehicles, delivery trucks, etc., shall be parked in specially reserved and marked areas as may be designated by the Airport Director.

(f) Limousine and taxi waiting and standing areas shall be those specifically reserved and marked as may be designated by the Airport Director.

(g) In the event of a conflict between any of the provisions of this section, Section 1062.12 and Section 1062.48, and Chapter 440 of the Traffic Code, the provisions of Chapter 440 shall prevail.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.18 CLEANING AND REPAIR OF VEHICLES; TAMPERING.

No person shall clean or repair vehicles anywhere within the Rogue Valley International-Medford Airport boundary, other than in shops or other areas designated for such purposes, except minor repairs necessary to remove such vehicle from the Airport. No person shall move, interfere with or tamper with any vehicle, put the engine in motion or take or use any vehicle part, instrument or tool thereof without permission of the owner or satisfactory evidence of the right to do so presented to the Airport Director.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.19 TAXICABS, LIMOUSINES AND BUSES.

All individuals, partnerships and corporations operating taxicabs, limousines or buses on the Rogue Valley International-Medford Airport for the purpose of transporting persons or passengers for hire shall comply with the following rules and regulations:

(a) Pay County a shuttle fee for operating at the Airport. The monthly fee shall be established from time to time by the Board of Commissioners.

(b) All taxicabs, limousines and buses shall be parked in such manner and in such areas as may be designated from time to time by the Airport Director.

(c) All vehicles operated by taxicab or limousine companies shall be kept in good operating condition and appearance, and the Airport Director is authorized to order the immediate removal from service of vehicles that are deemed by him or her to be unsafe or are continuously unkempt in appearance.

(d) Charges made by any taxicab, limousine or bus owner or operator for the conveyance of persons in such vehicles shall be posted in an appropriate place in the vehicle and made available to the Airport Director.

(e) Provide Airport Department with a valid copy of insurance certificate in not less than an amount to be established and may be changed from time to time.

(f) Any company not in full compliance may be denied the ability to operate at the Rogue Valley International-Medford Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.20 RADIO EQUIPMENT.

(a) All vehicles operating in the critical air operations area shall be equipped with a two-way radio and shall be in continuous communication with the control tower, with the exception of the following equipment, which shall be accompanied by an escort vehicle when operating or working on or within 150 feet of usable runways or taxiways:

- (1) Crash equipment while attending an accident; and
- (2) Operational, agricultural and maintenance equipment not engaged in working on runways proper.

(b) The installation of two-way radios does not permit the operation of vehicles on the Rogue Valley International-Medford Airport without a vehicle operation permit issued by the Airport Director.

(c) The operator of any vehicle that has been permitted to operate on the Airport shall not proceed closer than 200 feet from the edge of the runways nor across any of the runways prior to being cleared by the control tower. All vehicle operators shall be conversant with the standard Airport light signal, regardless of whether or not the vehicle is radio equipped.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.21 OPERATION OF AIRCRAFT.

(a) All aircraft in flight within the Rogue Valley International-Medford Airport control zone or in motion or parked on runways, taxiways, aprons, hardstands or ramps of the Airport shall be governed by the current Federal Aviation Administration rules and regulations concerning flight and all written or oral instructions of the air traffic controller. All aircraft shall follow the appropriate taxiway and runway guidance lines when operating on the Airport.

(b) No aircraft shall be operated on the surface of any public landing area, public aircraft ramp and apron area, public passenger ramp and apron area, public cargo ramp and apron area or public aircraft parking and storage area in a careless or negligent manner, in disregard of the rights and safety of others, without due caution and circumspection, at a speed or in a manner which unreasonably endangers persons or property, while the pilot or other person aboard controlling any part of the operation thereof is under the influence of intoxicating liquor or any narcotic or dangerous drug or if such aircraft is so constructed, equipped or loaded as to unreasonably endanger or be likely to unreasonably endanger persons or property.

(c) If the Airport Director believes the surface conditions of the Airport to be unsafe or safe for landings or takeoffs, it shall be within his or her authority to issue a notice to airmen to close or open the Airport or any portion thereof.

(d) Aircraft engines shall be warmed up only in places approved for such purpose by the Airport Director. At no time shall aircraft with engines running or engines being tested be left unattended by any person. At no time shall engines be warmed up or operated when hangars, shops, offices, buildings, persons, equipment, passengers or aircraft landing, parked or taking off are in the path of the propeller stream or jet engine exhaust. Propeller and exhaust noises shall be kept to a minimum at all times. Operation of aircraft engines shall be restricted to qualified personnel.

(e) No person shall park an aircraft or leave the same standing on a public landing area, public aircraft ramp and apron area, public passenger ramp and apron area, public cargo ramp and apron area, public aircraft parking and storage area or operational area of any terminal, except at such places prescribed or permitted by the Airport Director. When in such area, every aircraft shall be adequately tied down. Aircraft parking at the Airport shall be subject to parking fees. Upon direction from the Airport Director, the operator of any aircraft parked or stored at any site shall move such aircraft from the place where it is parked or stored to any other designated place. If the operator refuses to comply, the Airport Director may tow such aircraft to such designated place at the operator's expense and without liability for damage which may result in the course of such moving. A service fee as established from time to time by the Board of County Commissioners may also be charged by the County for each case in which an aircraft must be moved by the Airport Director.

(f) The basing and operation of personal and company-owned aircraft at the Airport shall be by written agreement with the County. If such aircraft are used for hire or other commercial purposes, they are required to have appropriate permits, including a written agreement with the County.

(g) No person shall, for a fee, charge or other valuable consideration, repair an aircraft, aircraft engine, propeller or other aeronautical equipment or apparatus, or employ a certificated aircraft mechanic, in any area of the Airport other than that specifically designated for such purposes, and then only after securing an appropriate commercial operating agreement with the County and payment of proper fees, except that minor adjustments may be made while the aircraft is on a loading ramp preparatory to departure. No fuel shall be placed in any aircraft by any person or company, except by those licensed for this operation by the County in accordance with Section 1062.30 or aviation customers utilizing a card-accessed facility provided by a fixed base operator.

(h) No experimental flight or ground demonstration shall be conducted on the Airport without the express approval of the Airport Director.

(i) Any person damaging any light, fixture or other Airport property or equipment shall report such damage to the Airport Director's office immediately and shall be fully responsible for any costs required to repair or replace the damaged facility.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.22 CATEGORIES OF AIRCRAFT.

Final determination as to proper category designation of any aircraft shall rest with the Airport Director.

(a) Private Aircraft:

- (1) Privately owned aircraft will be operated noncommercially by the owner.
- (2) Private aircraft may be used by persons other than the owner, provided that no part of the cost of operation of an aircraft, other than replacement of fuel and oil, is received in money or otherwise by the owner for such use.
- (3) The aircraft may be used in connection with the owner's business comparable to an owner's use of his or her private automobile.
- (4) Company and corporation-owned aircraft that are operated for the free transportation of personnel and/or products are classified as private aircraft and are subject to the restrictions listed in paragraph (a) (2) hereof.

- (5) Club aircraft shall be owned and operated by a nonprofit partnership or nonprofit State corporation, and each club member must be a bona fide owner of a part of the aircraft or a share in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of its aircraft and shall file and keep up to date with the Airport Director a list of membership. At any time the Airport Director has reason to believe that a club aircraft is being so operated that it falls under the commercial classification, he or she shall so notify the club and if it fails to remedy conditions complained of, the Airport Director shall reclassify the aircraft and levy fees necessary to the pertinent type of operation.
 - (6) New or old aircraft held for sale by the owner may be demonstrated to prospective purchasers, or, when sold, may be used to instruct the new owner in its operation.
- (b) Commercial Aircraft. A commercial aircraft is any aircraft used for the following:
- (1) To carry passengers for hire on local flights;
 - (2) For rental, hire or charter;
 - (3) For student instruction;
 - (4) For freight operations; or
 - (5) For commercial purposes not otherwise covered in these regulations.
- (c) Certificated Air Carriers. Certificated air carriers (signatory and non-signatory) are classified as follows:
- (1) Contract - (Signatory [long-term]). All Federally certificated air carriers holding a contract with the Airport Authority for airport usage; or
 - (2) Noncontract - (Nonsignatory). All Federally certificated air carriers not covered in paragraph (c) (1) hereof.

(Order 24-74. Passed 3-13-74; Ord. 2002-8. Passed 2-13-02.)

1062.23 AIRCRAFT EQUIPMENT.

(a) No aircraft shall be operated on the Rogue Valley International-Medford Airport unless it is equipped with a tail wheel or nose wheel and wheel brakes, except with the permission of the Airport Director. When any pilot of an aircraft that is not equipped with adequate brakes receives permission from the Airport Director to taxi such aircraft, such pilot shall not taxi such aircraft near buildings or parked aircraft unless an attendant is at the wing of the aircraft to assist the pilot. However, an aircraft with wings and tail higher than five feet from the ground that does not have adequate brakes shall not be taxied on the Airport, but shall be towed if it is necessary to move such an aircraft.

(b) Pilots of aircraft shall not land, taxi or take off without a clearance from the control tower by radio or light signal during tower operating hours.

(c) All aircraft based or using Airport facilities shall be equipped with a properly functioning two-way radio which, under normal conditions, is capable of receiving the tower within a five-mile radius from the Airport.

(d) Transient aircraft landing at the Airport without full operational radio equipment, except in emergencies, shall obtain, in person or by telephone, general instructions from the control tower prior to taxiing out for takeoff during tower operating hours.

(e) During non-tower operating hours, aircraft operations will be conducted in a manner pursuant to non-towered regulations as required by the Federal Aviation Administration.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2015-13. Passed 10-07-15.)

1062.24 TAXIING.

(a) No person shall taxi an aircraft until he or she has ascertained that there will be no danger of collision with any person or object in the immediate area by visual inspection of the area.

(b) No aircraft shall be operated in a careless or reckless manner or taxied, except at a safe and reasonable speed.

(c) Pilots shall not taxi onto or across any runway until specifically cleared to do so by the control tower operator.

(d) Aircraft shall be taxied in accordance with prescribed taxiing patterns at all times.

(e) No person shall start or run any engine in an aircraft unless a competent person is in the aircraft attending the engine controls. Blocks shall always be placed in front of the wheels before starting the engine, unless the aircraft is provided with adequate parking brakes.

(f) No person shall run the engine of any aircraft at any location on the Rogue Valley International-Medford Airport in such manner as to cause damage to other aircraft or property, or in such manner as to blow paper, dirt or other materials across taxiways or runways in such manner as to endanger the safety or operations on the Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.25 LANDING AND TAKE-OFF.

(a) All activities which are of an aeronautical nature and all flying of aircraft departing from or arriving at the Rogue Valley International-Medford Airport shall be conducted in conformity with the current pertinent provisions of Federal Aviation Administration regulations and any regulations issued by the Airport Director which are authorized hereby.

(b) All aircraft shall conform to traffic patterns promulgated jointly by the FAA and the Airport Director for airport use, unless otherwise specifically authorized by the FAA traffic control tower.

(c) Rules for the use of aircraft on all runways and traffic patterns to be followed by all aircraft using such runways shall be established jointly by the Airport Director and the FAA and shall be supplemented where necessary or desirable by schematic drawings, maps or other visual devices to aid in clear understanding of such rules.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2015-13. Passed 10-07-15.)

1062.26 DISABLED OR DERELICT AIRCRAFT; IMPOUNDMENT.

Upon demand made by the Airport Director to the owner or operator of any abandoned, disabled or derelict aircraft or part thereof, wrongfully or improperly left upon Rogue Valley International-Medford Airport property, the owner or operator shall remove the same at his or her own expense. If, after such demand, such owner or operator fails or refuses to remove such aircraft within a reasonable time, as determined by the Airport Director from the circumstances and conditions of hazard created by reason of the presence of such aircraft at such place, the Airport Director shall cause the same to be impounded and stored. The cost of such removal and storage shall be a charge against the owner or operator of such aircraft. Upon the payment of such charge, the impoundment herein provided for shall be released and possession of the aircraft shall be restored to the owner or operator.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.27 DAMAGE TO AIRPORT.

The owner or operator of any aircraft which, by reason of any type of accident, crash or fire, or which, by reason of malfunction of operation, causes any damage to Rogue Valley International-Medford Airport property shall be responsible to the County for such damage, and the amount thereof shall be ascertained by the Airport Director, who shall make a demand upon such owner or operator for payment thereof. In the event of the failure or refusal of such owner or operator to pay the amount of such claim for damage, a full report of the circumstances on which such claim is based, together with a copy of such claim, shall be turned over to the Board of County Commissioners, which shall then institute, in the name of the County, all necessary legal proceedings for collection of such claim.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.28 SECURITY OF AIRCRAFT; NONLIABILITY OF COUNTY.

(a) When the kind, type, mission and condition of an aircraft make it necessary, in the opinion of the owner, to provide security guards or policemen wherever the aircraft is located on the Rogue Valley International-Medford Airport, the owner of the aircraft shall be responsible for obtaining, providing and maintaining his or her own security guards or policemen after permission to establish such security has been obtained from the Airport Director or his or her duly authorized representative. Security requirements shall not be used as a means to hinder or delay the removal of aircraft at the direction of the Airport Director.

(b) The securing of aircraft shall be the sole responsibility of the owner or operator of the aircraft. The County and its officers, employees and agents shall not be held responsible therefor.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.29 USE OF FLAMMABLE LIQUIDS.

(a) No person shall use flammable volatile liquids having a flash point of less than 100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers or appliances, or for any other purpose, unless such operations are conducted in open air or in a room specifically set aside and approved for that purpose, which room must be properly fireproofed and equipped with adequate and readily accessible fire extinguishing apparatus.

(b) The procedures and precautions outlined in the criteria of the National Fire Protection Association (NFPA pamphlet No. 410D, Safeguarding Aircraft Cleaning, Painting and Paint Removal, and NFPA pamphlet No. 410F, Aircraft Cabin Cleaning and Refurbishing Operations) shall be complied with in all cleaning, painting and refurbishing operations using flammable fluids, including the storage of such fluids.

(Order 24-74. Passed 3-13-74.)

1062.30 FUELING OPERATIONS; PERMIT REQUIRED.

(a) Aviation fuels shall be dispensed on Rogue Valley International-Medford Airport property only by vendors holding a permit issued by the Airport Department or aviation customers utilizing a card-accessed facility provided by a fixed base operator.

(b) No company or individual shall transport flammable liquids into any aircraft area or refuel aircraft on any portion of the property owned by the Airport without first obtaining either a Class A or a Class B permit therefor from the Airport Director.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.31 CLASS A PERMITS.

Each holder of a Class A permit may operate mobile refueling equipment on the ramps and roadways of the Rogue Valley International-Medford Airport, may refuel aircraft on any part of the public parking areas and hangar areas, subject to all rules and regulations adopted by the Airport Director, and may operate mobile tugs for the purpose of storing or towing aircraft, preheating units and other necessary mobile line equipment. The mechanical equipment used shall at all times satisfy all safety regulations and requirements of applicable safety codes.

Each holder shall be a fixed base operator and shall have proper Airport Department permits relating to vehicle inspection and registration.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.32 CLASS B PERMITS.

Each holder of a Class B permit may service and maintain his or her own aircraft or any aircraft which he or she leases and operates and may use his or her own personnel to perform this service and maintenance work.

A holder of a Class B permit who leases land from the Rogue Valley International-Medford Airport and improves the land by constructing a building thereon, may maintain his or her own refueling equipment on his or her leasehold for the purpose of refueling his or her own aircraft or any aircraft which he or she leases and operates, in which event he or she shall pay the current flowage fee on all fuel purchased. The refueling equipment shall comply with all Federal, State and Airport regulations.

Each holder of a Class B permit must have a long-term ground lease, plus an investment in buildings or hangars.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.33 LIMITATIONS ON VEHICLES.

Only vehicles carrying evidence of a current fueling permit shall be allowed to stand, move or park on the public ramp and apron area, and the parking and standing of such a vehicle while not in service shall be in such areas as shall be designated from time to time by the Airport Director.

(Order 24-74. Passed 3-13-74.)

1062.34 FEES AND CHARGES.

(a) The fees and charges for Class A and Class B permits shall be determined by the County and shall be reviewed and revised at the end of each year. The annual fee shall be payable upon the issuance of the permit. The permit shall expire one year from the date of issuance and no refund of any part of the annual fee shall be made if the vendor ceases to exercise the privileges granted by the permit at any time during the term of the permit. The permit shall not be transferable.

(b) All holders of permits shall pay whatever flowage fees the County establishes from time to time. The fee for flowage includes all fuel delivered to the Airport and includes all grades of aviation gasoline, jet fuels and motor fuel. Gallonage amounts upon which the flowage fee is based will be determined by operators submitting to the Airport a duplicate invoice from the wholesale vendor upon delivery.

(Order 24-74. Passed 3-13-74; Ord. 2002-8. Passed 2-13-02.)

1062.35 FUELING AND DEFUELING AIRCRAFT.

FAA Regulations general rules shall govern the refueling, defueling, oil service and sumping of aircraft and the placing of fuels in storage tanks or dispensers. All tenants, Lessees, or aircraft owners shall comply with Federal, state and local codes and ordinances, including, but not limited to, the following:

(a) No aircraft, except those operated by scheduled air carriers operating under FAR Part 121, shall be refueled, defueled or oil serviced while aircraft engines are running, while an aircraft is being warmed by the application of heat or while such aircraft is in a hangar, congested area or enclosed space.

(b) No person shall smoke or permit any open flame within fifty feet from any hangar or building.

(c) Prior to the fuel servicing of any aircraft, it and the fuel dispensing equipment shall be grounded to a point of zero electrical potential in the order indicated below, and, when complete, in the reverse order to prevent the possibility of static ignition of volatile liquids:

- (1) Aircraft to apron or ground;
- (2) Refueling unit to ground;
- (3) Refueling unit to aircraft; and
- (4) Refueling nozzle to aircraft.

- (d) Such procedure, necessarily modified, shall apply to storage dumping and the filling of dispensing equipment.
- (e) When a malfunction of refueling equipment is detected, all refueling shall cease immediately and the malfunction or irregularity detected on or within the aircraft being serviced shall be brought to the attention of the aircraft owner or operator immediately.
- (f) Crews engaged in the fueling and defueling of aircraft, the filling of dispensing equipment or the dumping into storage with aviation fuels shall exercise extreme caution to prevent spills. When spills occur, servicing will cease and spills shall be washed down, removed or absorbed with suitable material.
- (g) Fueling pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be kept in first class condition at all times.
- (h) During fuel handling operations in connection with an aircraft, not less than two approved dry chemical fire extinguishers (20BC) shall be immediately available for use in connection therewith.
- (i) No person shall operate any radio transmitter or receiver or switch electrical appliances off or on in an aircraft during fueling or defueling.
- (j) No person shall use any material or equipment during fueling and defueling of an aircraft which is likely to cause a spark ignition.
- (k) No person shall start the engine of any aircraft when there is gasoline on the ground under such aircraft.
- (l) All hoses, funnels and appurtenances used in fueling and defueling operations shall be equipped with a grounding device to prevent the ignition of volatile liquids.
- (m) No aircraft shall be fueled or defueled while passengers are on board the aircraft, unless a passenger loading ramp is in place at the cabin door of the aircraft, the aircraft door is in an open position and a cabin attendant is present at or near the cabin door.
- (n) No airborne radar equipment shall be operated or ground tested on any area when the directional beam of high intensity radar is within 300 feet, or when the directional beam of low intensity radar (less than fifty KW output) is within 200 feet of another aircraft, an aircraft refueling operation, an aircraft refueling truck or an aircraft fuel or flammable liquid storage facility.

(o) During refueling or defueling, fuel handling vehicles shall be so placed as to be readily removable in the event of fire so as to permit direct driving away from the loading or fueling position. Not more than one refueler shall be positioned to refuel each wing of an aircraft and not more than two refuelers shall be positioned to serve the same aircraft. When high capacity aircraft are refueled, additional refuelers shall not be parked or positioned within 100 feet from the aircraft served, and then only in areas approved by the Airport Director.

(p) Each fuel handling vehicle operating under a Class A permit shall be conspicuously marked to indicate the fixed base operator operating it.

(q) Each fuel handling vehicle shall be conspicuously marked so as to indicate flammable material and operating instructions, in such a manner that it will comply with all Fire Codes and OSHA regulations.

(Order 24-74. Passed 3-13-74; Ord. 2002-8. Passed 2-13-02.)

1062.36 STORAGE IN APRON AND RAMP AREAS.

Gasoline, oil and solvent drums or receptacles shall not be stored in apron and ramp areas in excess of amounts actually needed as current stock. Any material of this type that is kept in subject areas shall be kept enclosed and covered in a clearly marked and labeled housing of a design and type that meets the approval of the Airport Director.

(Order 24-74. Passed 3-13-74.)

1062.37 DISPOSAL OF LIQUIDS.

No fuels, oils, dopes, paints, solvents or acids shall be disposed of or dumped in drains, on ramp areas, in catch basins or ditches or elsewhere on the Rogue Valley International-Medford Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.38 CLEANING FLOORS.

Floors shall be kept clean and free from oil. The use of volatile flammable solvents for cleaning floors is prohibited.

(Order 24-74. Passed 3-13-74.)

1062.39 DRIP PANS.

Drip pans shall be placed under motors and kept clean at all times.

(Order 24-74. Passed 3-13-74.)

1062.40 COMPRESSED GASES.

No cylinder or flask of compressed flammable gas shall be stored in a hangar.

(Order 24-74. Passed 3-13-74.)

1062.41 EXPLOSIVES AND OTHER DANGEROUS ARTICLES.

No person shall store, keep, handle, use, dispense or transport at, in or upon the Rogue Valley International-Medford Airport any Class A or Class B explosive (as defined in the Interstate Commerce Commission Regulations for Transportation of Explosives and Other Dangerous Articles), dynamite, nitroglycerine, black powder, fireworks, firearms and ammunition, blasting caps or other explosives, gasoline, alcohol, ether, liquid shellac, kerosene, turpentine, formaldehyde or other flammable or combustible liquids, ammonia, nitrate, sodium chlorate, wet hemp, powdered metallic magnesium, nitrocellulose film, peroxides or other easily inflammable solids or other corrosive liquids, prussic acid, phosgene, arsenic, carbolic acid, potassium cyanide, tear gas, lewisite or any Class A poison (as defined in the Interstate Commerce Commission Regulations for Transportation of Explosives and Other Dangerous Articles), any other poisonous substance, liquid or gas, any compressed gas or any radioactive article, substance or material, at such time or place or in such manner or condition as to endanger unreasonably, or as to be likely to endanger unreasonably, persons or property.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.42 DISORDERLY CONDUCT; NUISANCES; GAMBLING.

No person shall be or become intoxicated or drunk, commit any disorderly, obscene or indecent act, commit any act of nuisance or conduct or engage in any form of gambling, except those forms of gambling licensed by the State of Oregon and authorized by the Airport Director, on the Rogue Valley International-Medford Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2015-13. Passed 10-07-15.)

1062.43 SANITATION.

No person shall dispose of garbage, papers, refuse or other material on the Rogue Valley International-Medford Airport, except in receptacles provided for that purpose. No person shall use a comfort station in a manner other than as intended, eat food or drink beverages in the Terminal Building Lobby, other than the soft drink and candy normally sold in the building, or expectorate on the floors, walls or other surfaces of the Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.44 PROPERTY DESTRUCTION; ABANDONMENT.

No person shall destroy, injure, deface or disturb, in any way, any building, sign, equipment, marker or other structure on, make additions to, erect any building or sign on, or make any excavations on, the Rogue Valley International-Medford Airport, or willfully abandon any personal property on the Airport.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.45 CARRYING WEAPONS, EXPLOSIVES AND INFLAMMABLE MATERIALS.

No person, except a peace officer and duly authorized Rogue Valley International-Medford Airport employees and members of the Armed Forces of the United States on official duty, shall carry any weapon, explosive or inflammable material in secured areas of the Airport, except cased sporting guns carried for transshipment.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.46 INTERFERING OR TAMPERING WITH AIRCRAFT.

No person shall interfere with or tamper with any aircraft, put in motion the engine of any aircraft or use any aircraft, aircraft part, instrument or tool without the permission of the owner or the specific direction of the Airport Director.

(Order 24-74. Passed 3-13-74.)

1062.47 (Order 24-74. Passed 3-13-74; REPEALED by Ord. 2002-8. Passed 2-13-02.)

1062.48 USE OF ROADS, WALKS AND PARKING AREAS.

- (a) No person shall travel on the Rogue Valley International-Medford Airport other than on the roads, walks or places provided for the particular class of traffic.
- (b) No person shall occupy the roads or walks in such a manner as to hinder or obstruct their proper use.
- (c) No person shall park any vehicle in other than a designated parking area.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.49 ANIMALS.

No person shall enter the Terminal Building of the Rogue Valley International-Medford Airport with a dog or other animal, except that service animals may be permitted for appropriate purposes, and except where animals are to be transported by air and are restrained by a leash or properly confined. Owners of dogs shall see that dogs use the designated pet relief areas.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2015-13. Passed 10-07-15.)

1062.50 LOITERING.

No person shall loiter on any part of the Rogue Valley International-Medford Airport or in any building on the Airport, nor shall any person come upon or use the Airport, except while traveling through as a passenger on an interstate bus or taxicab or while enplaning or deplaning as a passenger on an aircraft operating on the Airport, after such person has been denied the use of the Airport by the Airport Director. Any person who refuses to comply with this section, after proper request to do so by the Airport Director or other authorized representative, will be requested to leave the Airport. If such person fails to comply with a proper request to abide by the rules and regulations of the Airport, he or she will be regarded as a trespasser.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.51 USE OF SHOP AREAS.

All shops, garages, equipment and facilities are expressly for the conduct of the owners or lessee's business and operations. No person, other than an employee of the owner or lessee, shall make use of these facilities or loiter around such premises without individual and specific permission of the owner or lessee.

(Order 24-74. Passed 3-13-74.)

**1062.52 CONDUCT OF BUSINESS AND COMMERCIAL ACTIVITIES;
DISCRIMINATION PROHIBITED; INSURANCE.**

(a) No person shall engage in the sale or rental of commodities, supplies or services, or in any business or commercial activity whatsoever, within the limits of the Rogue Valley International-Medford Airport, without a current commercial operating agreement, contract, lease or other written agreement with the County.

(b) All businesses or commercial activities shall be classified as one of the following and shall comply with the minimum standards set forth for that classification:

- (1) Fixed base operator;
- (2) Commercial operator;
- (3) Nonscheduled operator;
- (4) Scheduled operator; or
- (5) Scheduled air carrier.

(c) No person shall solicit fares, alms or funds for any purpose on the Airport without the permission of the Airport Director.

(d) No person shall, in the use of the Airport or any of the facilities located thereon, discriminate or permit discrimination against any other person or group of persons on the grounds of race, color, creed or national origin, in any manner prohibited by 49 CFR Part 21, Title VI, 42 U.S.C. Section 2000 et seq., ORS 659A, as amended, all regulations and administrative rules established pursuant to the foregoing laws, and all other applicable requirements of federal and state civil rights statutes, rules and regulations. In the event of noncompliance with this subsection, the Airport Department may take such action as the Federal Government or State of Oregon may direct to enforce such compliance.

(e) No person shall engage in any aeronautical activity for furnishing services to the public at the Airport unless:

- (1) Such service is conducted on a fair, equal and not unjustly discriminatory basis to all users thereof.
- (2) Fair, reasonable and not unjustly discriminatory prices are charged for each unit or service, provided that reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions may be made to volume purchasers.

(f) Any person engaging in any business or commercial activity on the Airport shall carry insurance for the protection of the customer covering all risks and also protecting the County. The amount of this coverage shall be as established in the commercial operating agreement, contract, lease or other written agreement with the County.

(g) Any person engaging in any business or commercial activity on the Airport shall accept all financial responsibilities of his or her operations and shall hold the County harmless of any liability incurred because of such operations.

(h) Any lessee or operator subject to this chapter who violates any of the provisions of this chapter shall have his or her lease or operating agreement cancelled and terminated at the discretion of and upon notice by the County and/or Airport Department.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.53 OPEN FLAME OPERATIONS.

No person shall conduct any open flame operation in any hangar or on the Rogue Valley International-Medford Airport, unless specifically authorized by the Airport Director.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.54 SMOKING.

No person shall smoke in the Rogue Valley International-Medford Airport, in any hangar, shop, service station area, gasoline storage area or building, room or anywhere in the Airport operations area on the Airport where smoking is specifically prohibited, or within 100 feet of any fueling or defueling operation.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95. Ord. 05-23, Passed 12-28-05; Ord. 2015-13. Passed 10-07-15)

1062.55 TRASH CONTAINERS; GARBAGE TRUCKS.

No person shall keep uncovered trash containers in any area. No vehicle used for hauling trash, dirt or other material shall be operated on the Rogue Valley International-Medford Airport, unless such vehicle is constructed so as to prevent the contents thereof from dropping, sifting, leaking or otherwise escaping from the vehicle. Areas to be used for trash or garbage containers shall be designated by the Airport Director and no other areas shall be used. Such areas shall be kept clean and sanitary at all times.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.56 STORAGE OF EQUIPMENT; HAZARDS.

No tenant or lessee on the Rogue Valley International-Medford Airport shall store or stack material or equipment in such a manner as to constitute a hazard to persons or property.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.57 RESPONSIBILITY OF TENANTS FOR MAINTENANCE.

All tenants shall maintain their leased property in a condition of repair, cleanliness and general maintenance in a manner agreeable to the Airport Director, in accordance with their individual lease agreements and free from all fire hazards.

(Order 24-74. Passed 3-13-74.)

1062.58 FIRE EXTINGUISHERS.

All tenants or lessees shall supply and maintain such adequate and readily accessible fire extinguishers as are designated by the Local Fire Code for the particular hazard involved.

(Order 24-74. Passed 3-13-74.)

1062.59 STRUCTURAL AND DECORATIVE CHANGES.

No tenant, lessee or grantee shall effect structural or decorative changes or additions of any type without the prior permission of the Airport Director.

(Order 24-74. Passed 3-13-74.)

1062.60 RESPONSIBILITY FOR DAMAGE.

Tenants, lessees and grantees shall be fully responsible for all damage to buildings, equipment, real property and appurtenances in the ownership or custody of the Rogue Valley International-Medford Airport, caused by their negligence or abuse or by carelessness on the part of their employees.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.61 UTILITY METERS.

Every tenant shall provide a meter for the purpose of accurately measuring gas, water and electrical power used by the tenant, or pay the rate fees for these utilities as prescribed by the Airport Department.

(Order 24-74. Passed 3-13-74; Ord. 2002-8. Passed 2-13-02; Ord. 2015-13. Passed 10-07-15.)

1062.62 PAYMENT OF CHARGES.

- (a) All billings are payable upon presentation unless otherwise noted thereon.
- (b) All percentages or income charges are payable within thirty days of the end of the accounting period, unless otherwise stipulated in writing.

(Order 24-74. Passed 3-13-74.)

1062.63 DEFAULT OF OBLIGATIONS.

When any tenant, user or grantee is formally notified that he or she is held in default of any written or implied obligation to the Rogue Valley International-Medford Airport, whether it is for breach of performance or service covenants or for nonpayment, he or she shall thereafter be billed for all losses of revenue, expenses incurred to re-establish the performance or service and other costs, unless the tenant, user or grantee files with the Airport Director, within ten days of receipt of the formal notification, a statement that corrective or preventive measures have been initiated and will diligently be carried to completion. If the promises contained in the statement are not fulfilled, the tenant, user or grantee will be considered in absolute default and appropriate lawful steps shall be taken.

(Order 24-74. Passed 3-13-74; Order 94-95. Passed 3-15-95.)

1062.64 USE OF OUTSIDE LAW ENFORCEMENT AGENCIES.

If occasions arise that are beyond the capability of regular Airport security personnel, outside law enforcement agencies shall be called for assistance.

(Order 24-74. Passed 3-13-74.)

1062.65 SCHEDULE OF CHARGES.**(a) Certificated Air Carriers:**

- (1) The schedule of rates and charges for all certificated air carriers shall be set by the County and reviewed whenever necessary. These fees shall include the following:
 - A. Landing fees;
 - B. Fuel fees;
 - C. Floor rental charges; and
 - D. Any other charges pertinent to the operation of the Rogue Valley International-Medford Airport.
- (2) These charges shall apply to all certificated scheduled and nonscheduled air carriers desiring to use the Airport. Landing charges will be based on a weight-frequency basis.

(b) Private and Commercial Aircraft. Rates for the rental of public parking areas will be set by the County on a monthly basis and reviewed periodically at its discretion. Terms and fees for such operations which are authorized by the County shall be obtained by persons desiring to use these facilities.

(c) Commercial Activities. Fees, rates and charges due the Airport for any commercial activity on the Airport shall be so designated in a current commercial operating agreement, contract, lease or other written agreement.

(d) Minimum Insurance Requirements. Each commercial and fixed-base operator shall, in accordance with Federal Aviation Regulations Part 121 or Part 135, at his or her own expense, carry and keep in full force and effect for the entire period covered by any written lease or agreement with the County, the then current minimum insurance limits as established by the County for operator's type of business.

(Order 24-74. Passed 3-13-74; Ord. 90-2. Passed 2-14-90; Order 94-95. Passed 3-15-95; Ord. 2002-8. Passed 2-13-02.)

1062.66 DEFINITIONS.

As used in Sections 1062.66 through 1062.71 the following definitions apply:

- (a) Airport - shall mean the Rogue Valley International-Medford Airport.

- (b) Charge Effective Date - shall mean the date on which the Passenger Facility Charge is effective as provided by Section 1062.68(a).
- (c) Enplaned Passenger - means a domestic, territorial or international revenue passenger enplaned at the Airport in a scheduled or nonscheduled aircraft in interstate, intrastate, or foreign commerce, provided that enplaned passenger shall not include a passenger enplaning to a destination receiving essential air service compensation as provided by 14 C.F.R. 158.9 or a passenger both enplaning and deplaning at the Airport.
- (d) Director - shall mean the Airport Director for the Rogue Valley International-Medford Airport.
- (e) FAA - shall mean the Federal Aviation Administration, Department of Transportation, United States of America.
- (f) Passenger Facility Charge - shall mean the charge imposed on enplaned passengers pursuant to Section 1062.68(a).

(Ord. 95-15. Passed 4-12-95; Order 94-95. Passed 3-15-95.)

1062.67 FINDINGS AND PURPOSE.

- (a) The County finds that:
- (1) The County owns and controls that certain Airport and air navigation facility located in Jackson County, State of Oregon, and known as the Rogue Valley International-Medford Airport ("Airport"); and
 - (2) The Airport promotes a strong economic base for the community, assists and encourages world trade opportunities, and is of vital importance to the health, safety, and welfare of the State of Oregon; and
 - (3) The Airport is a commercial service airport as that phrase is defined in 14 C.F.R. Part 158, as adopted by FAA, being a public airport enplaning 2,500 or more scheduled air passengers per year; and
 - (4) The deregulation of the airline industry, the restructuring of airline ownerships, and fluctuating market changes in the field of commercial aviation have placed new financial challenges on the County; and
 - (5) The operation of the Airport as a public facility attracting scheduled airline passenger service by airline carriers at the Airport imposes financial responsibility on the County for airport facilities and operations; and

- (6) The County will require substantial expenditure for capital investment, operation, maintenance, and development of the Airport facilities to meet the future demand for passenger air travel; and
- (7) The Congress of the United States has authorized the adoption of a Passenger Facility Charge program by local airports pursuant to the Aviation Safety and Capacity Expansion Act of 1990 (pub. L. 101-508, Title IX Subtitle B, November 5, 1990) (hereinafter the "Act"); and
- (8) It is in the County's best economic interest to continue the Passenger Facility Charge program and in the interest of airline passengers that the County continue a Passenger Facility Charge program as identified in Sections 1062.66 through 1062.71 to maintain and further expand the transportation facilities of the Community; and
- (9) In establishing and implementing the Passenger Facility Charge program, the passengers using the Airport should contribute to a greater degree toward the development of Airport facilities used by passengers and continued development thereof; and
- (10) The fees implemented by Section 1062.68 are reasonable for the use of the Airport and aviation facilities by the general public.

(b) The purpose of Sections 1062.66 through 1062.71 is to enact a Passenger Facility Charge program consistent with the above findings and Sections 1062.66 through 1062.71 and the regulations published pursuant thereto shall be liberally construed to effectuate the purposes expressed.

(Ord. 95-15. Passed 4-12-95; Order 94-95. Passed 3-15-95.)

1062.68 PASSENGER FACILITY CHARGE.

(a) Commencing not later than the first day of the second month thirty days after the approval by the FAA of the County's Passenger Facility Charge program authorized by Sections 1062.66 through 1062.71 or on such date thereafter as the Passenger Facility Charge can be collected as determined by the Director ("Charge Effective Date"), thereafter shall be imposed at Rogue Valley International-Medford Airport a Passenger Facility Charge of \$4.50 ("Passenger Facility Charge").

(b) The Passenger Facility Charge authorized by Sections 1062.66 through 1062.71 shall expire on the date determined pursuant to regulations adopted by FAA.

(c) The Airport Director or designee is authorized to execute the FAA application for authorization of the Airport's PFC program including the assurances contained therein and other documents necessary for implementation of the PFC program on behalf of the County.

(Ord. 95-15. Passed 4-12-95; Order 94-95. Passed 3-15-95; Ord. 2000-43. Passed 11-8-00; Ord. 2002-8. Passed 2-13-02.)

1062.69 ELIGIBLE PROJECTS.

The Passenger Facility Charge collected pursuant to Sections 1062.66 through 1062.71 shall be expended for projects approved by the County Commissioners and determined by the FAA to be eligible under the Act and rules and regulations adopted by FAA pursuant to such statute.

(Ord. 95-15. Passed 4-12-95.)

1062.70 COMPLIANCE WITH FAA REQUIREMENTS.

The Passenger Facility Charge authorized by Sections 1062.66 through 1062.71 shall be collected and distributed pursuant to the rules and regulations adopted by FAA pursuant to such statute.

(Ord. 95-15. Passed 4-12-95.)

1062.71 VIOLATIONS.

In the event any airline violates any term or condition of Sections 1062.66 through 1062.71, the County may exercise any rights or remedies allowed pursuant to Sections 203.01 et seq. of the Codified Ordinances of Jackson County, or any other applicable State or Federal law or regulation.

(Ord. 95-15. Passed 4-12-95.)

1062.72 CUSTOMER FACILITY CHARGE

(a) That a Customer Facility Charges (CFC) fee shall be established upon each airport rental car companies' customer's rental contract.

(b) The CFC shall initially be established at \$3.00 per transaction day and shall be periodically adjusted as necessary to roughly reflect the cost the county incurs from the customer's use.

- (c) The CFC will be collected on a daily basis for all cars rented for twenty-four or fewer hours for the first transaction day, and every twenty-four hours for each transaction day thereafter.
- (d) The CFC will be collected by all rental car companies operating at the Airport.
- (e) The CFC collected by the rental car companies shall be held in trust by the rental car companies for the benefit of the Airport and shall be remitted monthly to Jackson County in accordance with procedures established by the Jackson County Airport Authority.
- (f) Rental car companies and their agents hold only a possessory interest in the CFC, and no legal or equitable interest.

(Ord. 2006-6. Passed 5-24-06.)

1062.99 PENALTY; REMOVAL OR EVICTION OF VIOLATORS.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

In addition to any other penalty provided for in this section, whoever violates or fails to comply with any provision of this chapter, or any order or instruction issued by the Airport Director under authority of this chapter, may be removed or evicted from the Rogue Valley International-Medford Airport premises and may be denied the use of the Airport and its facilities if it is determined by the Airport Director that such denial is necessary.

(Order 24-74. Passed 3-13-74.)

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