

**Chapter 12-18**

**AIR TERMINAL FACILITIES**

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**Section 12-18-01      DEFINITIONS**

For the purpose of this Ordinance, the following terms, phrases, words and derivations thereof shall have the meaning given herein:

- A.      Aircraft: A vehicle used and designed for navigation of or flight in the air.
- B.      Air Terminal: Boise Air Terminal (Gowen Field) as defined and described in this Title.
- C.      Business or Commercial Activity: Use of the Air Terminal or any portion thereof by any person for conducting business or commercial activities including the carrying for hire of passengers, freight, express or mail, for paid instruction in aviation or any aviation-related field, for the sale of fuel, aviation supplies and materials, for aircraft rental, sales, maintenance or service, or for any other aviation, or nonaviation, business, commercial or industrial activity.
- D.      Aircraft Maneuver and Parking Area: Public use runway and taxiway system of the Air Terminal for landing, taking off, taxiing and surface movement of aircraft including aprons and ramps and the areas between the runways and taxiways and the necessary clearance areas.
- E.      Operational Area:
  - 1.      General: Any area of the air terminal used or intended to be used for landing, taking off, parking or surface movement of aircraft, the military exclusive leased area, and any area under lease to a tenant or the lessee of buildings, structures, or ground on the air terminal.
  - 2.      Critical Security: Those areas of the air terminal defined by the provisions of Section 12-11-1 of the Boise City Code.
- F.      Operator: Any person who operates an aircraft.

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- G. Owner: Any person in whose name the aircraft is registered as the title holder and owner thereof.
- H. Person: Any natural person, firm, partnership, association, corporation, company or organization of any kind.
- I. Ramp: An area designated as an apron or ramp and used for the parking and maneuvering, loading and unloading, and servicing of aircraft while on the ground. Servicing of an aircraft as used in this Code shall only mean oiling and fueling thereof.
- J. Road: All areas designated as public use roads or streets for the exclusive use of ground vehicles, but shall not include any such areas under lease to a tenant or lessee on the air terminal.
- K. Taxiways: All areas designated as public use taxiways and used for the exclusive use of aircraft movement on the ground, but shall not include any areas under lease to a tenant or a lessee on the air terminal.
- L. Tower: The control and authority established and operated by the Federal Aviation Administration for the control of aircraft and motor vehicles on the operational areas and the air space above, within and without the air terminal for the landing, taking off, maneuvering and taxiing of aircraft.
- M. Undeveloped Areas: All land on the air terminal except that defined as operational areas and roads and except that land legally used by or under lease to a tenant or lessee.

### **Section 12-18-02 COMPLIANCE WITH CODES, LAWS AND REGULATIONS**

All persons shall, at all times, comply with, be subject to, and be governed by (a) the lawful exercise of the police power by City, (b) the terms and provisions of the Boise City Code now in force or as hereinafter amended, (c) all rules and regulations promulgated by the Airport Commission pursuant to the provisions of Chapter 2, Title 2 of the Boise City Code, and as approved by the Mayor and Council by resolution, and (d) all rules and regulations established and promulgated by the Federal Aviation Administration. The observance of the foregoing shall be a condition under which all persons may use the facilities of the air terminal, and failure to observe and comply with, and the violation of any provision of the foregoing and this Ordinance, shall constitute a misdemeanor.

### **Section 12-18-03 RESTRICTED AREAS**

- A. It shall be unlawful for any person to be upon or within, or to go upon or within, the Security Identification Display Areas (SIDA) except in conformance and compliance with the Airport Security Program provided by Chapter 11, Title 12 of the Boise City Code.
- B. It shall be unlawful for any person other than those in aircraft operating on the air terminal or in vehicles authorized to service or support such aircraft to enter or be upon and within the operational area unless with prior approval of the Airport Director.
- C. The Airport Director at any time and for any interval of time, either temporarily or at regularly and stated intervals (daily or otherwise), and either entirely or merely to certain uses, whenever he shall find it reasonably necessary, shall have the authority to close to use to any and all persons, or groups or classifications thereof, any section or part of the air terminal.

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(6579, Amended, 07/24/2007)

### **Section 12-18-04 CONDUCT OF BUSINESS**

It shall be unlawful for any person to solicit, offer for hire or sale or engage in any business activity of any nature on, upon, within or from the air terminal except with the prior approval thereof and only then in conformance with an appropriate lease or permit.

### **Section 12-18-05 LITTER**

It shall be unlawful for any person to deposit, place, leave or dump in any manner any litter, debris, garbage, rubbish and refuse as defined in Chapter 16, Title 6 of the Boise City Code, or any other objects or substances, or to permit or allow such to be carried, blown, scattered, deposited, left or dumped in or upon the air terminal, whether it be operational areas, undeveloped areas, or roads, except at such places and under such conditions as the Airport Manager may from time to time prescribe.

### **Section 12-18-06 SERVICE VEHICLES**

It shall be unlawful for any vehicle to be operated on the operational areas except those specifically authorized by the Airport Manager. Each person entering or leaving operational areas through a gate shall ensure, by remaining there or otherwise, that (a) it has closed completely after his use; and (b) that no unauthorized use of that gate or any other entry to the secured area accompanies his use.

(Ord. No. 5679, Amended, 11/21/95)

### **Section 12-18-07 AIRCRAFT OPERATION AND MAINTENANCE**

It shall be unlawful for any person to navigate, land, fly, service, move, maintain or repair any aircraft or conduct any aviation activities, upon, within or from the air terminal other than in conformity with current rules and regulations promulgated by the Airport Commission and approved and ratified by the Mayor and Council, and with the current rules and regulations established under Federal authority, including all current air traffic rules established by the Federal Aviation Administration.

### **Section 12-18-08 AIRCRAFT STORAGE AND REPAIRS**

Aircraft shall be stored and repairs shall be made only on the leased sites where permitted. With prior permission aircraft may be stored on ramps or aprons and repair work may be made or performed on such ramps or aprons.

### **Section 12-18-09 SECURING UNATTENDED AIRCRAFT**

It shall be unlawful for any person to leave an aircraft unattended on any area of the air terminal, including leased premises, unless properly secured.

Securing of aircraft shall be the sole responsibility of the owner or operator of the aircraft.

**Section 12-18-10 TAXIING**

It shall be unlawful for any person to taxi an aircraft until he is certain, after visual inspection, and after clearance with the tower, that there will be no danger of collision with any person, aircraft or other object. All aircraft shall be taxied at a slow and reasonable speed.

**Section 12-18-11 DISABLED AIRCRAFT**

Each aircraft owner, or his pilot or agent, or the operator thereof, shall be responsible for the prompt removal of disabled aircraft and parts thereof unless required or directed to delay such action pending an investigation of an accident. If the operator, or the owner or his pilot or agent authorizes the air terminal to remove the disabled aircraft from runways, ramps, aprons, taxiways, or other operational or undeveloped areas on the air terminal, charges shall be made for equipment and labor at currently established prices and rates.

**Section 12-18-12 PARKING OF AIRCRAFT**

- A. Except for parking and servicing of aircraft where permitted on public use ramps or aprons, all aircraft shall be parked on leased premises where permitted and on the operational area of the air terminal where designated by markings or other directional signs or signings and as directed by the Airport Manager. No holding, stopping or parking of aircraft on the taxiways shall be permitted other than to gain immediate ingress or egress of the aircraft to runways for take off, or from or to adjacent premises, or/and as directed by the tower.
- B. It shall be unlawful for any person to park at any place upon the air terminal other than at those places provided in 12-18-12 A. above.
- C. It shall be unlawful for any person to fail to pay the fees required for, and as the condition for the privilege of, parking as required by the rules and regulations promulgated by the Airport Commission and as adopted and approved by the Council and Mayor.

**Section 12-18-13 REMOVAL AND IMPOUNDMENT OF PROPERTY**

A. The Airport Manager, or his duly authorized representative, may remove from any area of the air terminal, including any leased premises, any aircraft, motor vehicle or other property which causes or constitutes or reasonably appears to cause or constitute an imminent or immediate danger to the health or safety of the persons using the air terminal or a significant portion thereof. The expense of such removal and any storage fees shall become a lien chargeable to the owner and/or operator of such aircraft, motor vehicle or other property. Said operator/owner shall be notified of the removal and storage of said aircraft, motor vehicle or other property by certified or registered mail with return receipt requested, sent to the operator/owner's address as known to the Airport Manager or his authorized representative, within three (3) days of said removal and storage. The notice shall include:

- 1. If an aircraft or motor vehicle, the make, year, model and license number, or if other property, a general description.
- 2. The approximate place where the motor vehicle, aircraft or property was found.
- 3. The place to which the motor vehicle, aircraft or property was removed.

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4. A statement that the motor vehicle, aircraft or other property can be sold for removal and storage charges if not claimed within thirty (30) days of mailing the notice.
- B. Whenever any person shall fail to pay the parking fees as herein required, in addition to any other remedy or procedure herein authorized, the Airport Manager may impound such aircraft until payment of the appropriate parking fee and may as an alternative and further remedy remove and impound the aircraft in compliance with and in the manner provided by 12-18-13 A. above.

### **Section 12-18-14 PENALTIES**

Any person violating any of the provisions of, or doing any act forbidden by, or failing to perform any act required in this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding three hundred dollars (\$300.00) or be imprisoned in the City Jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. (Ord. 3603; 9-30-74)