

ORDINANCE NO. 2024-005

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING ARLINGTON MUNICIPAL CODE TITLE 14 RELATING TO
THE CITY'S AIRPORT REGULATIONS

WHEREAS, the City of Arlington has the authority to own and operate the Arlington Municipal Airport; and

WHEREAS, the City's airport commission has recently recommended updates to Arlington Municipal Code (AMC) Title 14 pertaining to the Arlington Municipal Airport Regulations; and

WHEREAS, the City Council wishes to adopt the updated provisions recommended by the Airport Commission;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Arlington Municipal Code subsection 14.07.030 shall be and hereby is added to read as follows:

14.07.030 General rules.

The following general rules shall govern all aeronautical activities of glider aircraft at the airport:

- (1) All aeronautical activities of glider aircraft and tow plane operators at the airport shall be conducted in conformity with the current pertinent provisions of the Federal Aviation Administration (FAA) and all other pertinent airport rules and regulations as set forth in this chapter.
- (2) The airport manager or his or her duly authorized representative shall at all times have the authority to take such action as he or she may deem necessary for safety of operation and to safeguard the public at the airport (See regulation 14.20.100).
- (3) The airport manager may suspend or restrict any or all glider operations for reasons of safety or adverse airport conditions whenever such action is deemed necessary by him or her.
- (4) No person, firm, corporation or association shall conduct any commercial or glider club operations on the airport without first securing written permission to do so from the airport manager or his or her duly authorized representative.

- (5) All glider organizations conducting operations on the airport are to possess the required level of insurance as indicated in the airport's Title 14.
- (6) All gliders and tow planes shall use a functioning two-way VHF radio.
- (7) No glider shall be left unattended unless it is properly tied down in an approved tie-down location. Glider owners are to provide their own tie-down equipment. Tie-down equipment is to be in good condition and regularly inspected by the owner.
- (8) Gliders will not be parked or left with any part extending over any taxiway.
- (9) Glider trailers are to be parked on leased property or in the designated trailer parking area; trailers shall not be parked in the derelict area without the Airport director's (or his or her designee's) written approval.

Section 2. Arlington Municipal Code subsection 14.08.040 shall be and hereby is amended to read as follows:

14.08.040 Charges for impounding and storage—Payment.

The charges for impounding and for storage of an aircraft illegally parked at the Arlington Municipal Airport shall be as set forth herein. The charge for impounding an illegally parked aircraft shall be the actual cost to the city to have the aircraft impounded or immobilized. The charge for storage of an illegally parked aircraft shall be the actual cost to the city to have the aircraft stored. These charges shall be paid prior to the release of the aircraft to its owner or the owner's agent. If the charges are not paid within thirty days after impoundment, the city may proceed to enforce its lien, as provided for in Section 14.08.030.

Section 3. Arlington Municipal Code subsection 14.16.020 shall be and hereby is amended to read as follows:

14.16.020 Aircraft fuelers' responsibilities.

- (a) No person, firm, corporation or association shall receive any fuel for the purpose of fueling aircraft on Arlington Municipal Airport without first securing written permission to do so from the airport director or his or her duly authorized representative.
- (b) All fuel trucks operating on the Airport must meet WSDOT standards and shall adhere to International Fire Code (IFC), National Fire Protection Agency (NFPA), and any City Fire regulations, and must be approved to

operate in writing by the Airport Director or his or her designee. Said fuel trucks shall comply with any rules and regulations established by their suppliers. All fuel trucks (including empty trucks and any fuel trailers, which must be approved by the Airport Director or his or her designee) must be stored within proper fuel containment devices.

- (c) The following are prohibited on the Airport:
 - (1) Smoking or any open flame within fifty (50) feet of any aircraft, fuel truck or fuel storage tank of any kind;
 - (2) Refueling or defueling of an aircraft or other vehicle in any hangar.
 - (3) Refueling during an electrical storm.
 - (4) While fueling aircraft, electronic devices such as cell phones, two-way radios, etc. shall not be used until all fueling operations have been completed.
 - (5) Hot refueling aircraft while the propellers or blades are in motion without the authorization from the airport director or his/her designee.
 - (6) Flying or releasing a model rocket, kite, fireworks, drone, and RC aircraft/ helicopters, tethered balloon, etc., on the airport without written permission.
- (d) All fuelers shall comply with the Airport's Spill Prevention, Control and Countermeasure plan (SPCC plan).
 - (1) All fuel spills are to be reported per the SPCC plan.
 - (2) Any person, firm, corporation or association that utilizes a fuel truck or multiple fuel trucks for fueling operations, whether personal or commercial, are required to be parked on sufficiently impervious surface with a means of secondary containment (i.e., oil water separator) capable of containing the single largest compartment or tank and sufficient freeboard to contain precipitation.
 - (3) Fuel trucks must be stored in a secure manner (i.e., fencing, lighting and/or other security measures).
 - (4) All fuel trucks are required to be parked in secondary containment areas during nonbusiness hours.
- (e) Fuel trucks taking deliveries via truck-to-truck transfers are required to be within secondary containment areas and at a distance no closer than two hundred feet from the nearest aircraft.
- (f) Fuelers utilizing above ground storage tanks (mobile or fixed) shall provide a minimum of two million dollars pollution liability insurance in

addition to the insurance requirements in Section 14.20.050 of this title. All such insurance shall name the city of Arlington as an additional insured.

- (g) Commercial fuelers shall keep a record of all personnel authorized to fuel aircraft and shall provide them with proper training. Records of the training given to each person shall be kept and made available to airport staff when requested. At least one supervisor must complete an aviation fuel training course at least once every twenty-four consecutive calendar months at an approved FAA or industry sponsored fueling course.
- (h) Fuelers are encouraged to inspect their equipment each day and keep records of such inspections.
- (i) Fuelers crossing active taxiways and runways are required to have a functioning two-way aviation radio to monitor air traffic and a flashing amber light and must complete the airport's driver training course annually.

Section 4. Arlington Municipal Code subsection 14.20.050 shall be and hereby is amended to read as follows:

14.20.050 Insurance.

Tenants of the Arlington Municipal Airport shall provide insurance in such coverages as may be agreed upon between the airport and the tenant, which insurance provisions shall be made applicable to any subtenants on tenants' leased property. In the absence of a contractual provision, airport tenants and subtenants shall maintain liability insurance in a company or companies rated in the current edition of Best's General Ratings as at least A (Excellent), and Financial Size Category of not less than Class X or in such other company or companies not so rated which may be acceptable to Arlington, insuring tenant against all claims for damages for bodily injury, including death, and against all claims for damage and destruction of property, which may arise by the acts or negligence of the tenant, its agents, employees or servants, or by any means of transportation whatsoever including owned, non-owned and hired automobiles, to the extent of at least the minimum required insurance limit as stated in the airport's most current policy, whichever is greater. In such policy or policies, the city of Arlington shall be named as an additional insured and be listed on the proof of insurance as such, and shall be provided with a certificate of insurance to confirm compliance with this requirement.

Section 5. Arlington Municipal Code subsection 14.20.080 shall be and hereby is amended to read as follows:

14.20.080 Definitions.

"Aircraft parking and storage areas" means those hangar and apron locations of the airport designated by the airport manager for the parking and storage of aircraft. These areas include "tie-down" aprons equipped with rope or chain devices which are used to secure light-weight aircraft during windy conditions.

Section 6. Arlington Municipal Code subsection 14.20.090 shall be and hereby is amended to read as follows:

14.20.090 General requirements.

- (a) Accidents resulting in damage to property or injury requiring professional medical treatment must be reported as soon as practical in person or by telephone to the airport manager's office.
- (b) Commercial activity of any kind, involving the tender of money or barter, requires the written authorization of the airport manager and payment of fees if required.
- (c) Flying clubs at the airport are considered airport businesses and shall comply with all requirements applicable to businesses, including insurance requirements. Flying clubs shall also meet applicable portions of the airport minimum standards document.
- (d) Lost or mislaid property shall be deposited at the airport office, 18204 59th Dr. N.E.

Section 7. Arlington Municipal Code subsection 14.20.100 shall be and hereby is amended to read as follows:

14.20.100 Aircraft activities regulated by airport.

- (a) Airport Closure. The airport manager is authorized to close the airport to aircraft operations or to close the landside access roads to the airport.
- (b) Restricted Flight. The airport manager following consultation with aviation business owners will determine restricted or prohibited flight activities on the AOA.
- (c) NOTAMs (Notice To Air Mission) affecting the airport may be issued by the airport manager or his/her designee. NOTAMs are also issued by the FAA.

- (d) Fees. The airport commission has the authority to set rates and fees charged for landing or parking of aircraft, plus other fees related to customer use of the airport.
- (e) Special Events. The airport commission and city council have responsibility and authority to grant written approval for fly-ins, air shows, and other special events at the airport.
- (f) Flight Operations Restricted. The airport manager has the authority to restrict or suspend any aircraft operation on the airport when such action is deemed necessary in the interest of safety or to avoid risk of personal injury or damage to property.
- (g) Special Operations Restricted. Aerial spraying, banner towing, crop dusting, aerial firefighting operations, or other operations requiring FAA special waivers require adherence to certain risk terms and conditions, contained in a written agreement, and approved by the airport manager.
- (h) Relocating Aircraft. The airport manager is authorized to direct the towing or other methods of relocating aircraft parked or stored in unauthorized or unsafe areas.
- (i) Qualified Pilot. A qualified pilot or mechanic must be in the cockpit and at the controls of the aircraft when an aircraft engine is operating.
- (j) Primary Runway. Is runway 34 designated as the calm wind runway when the wind is less than five knots.
- (k) Aircraft Maintenance. Aircraft repair, maintenance, and cleaning shall be performed only in designated areas.
- (l) Hangar Restriction. Operating aircraft engines inside a hangar is prohibited. Aircraft shall not taxi into or out of any hangar under actual aircraft engine power. Aircraft shall be towed or pushed by machines or by hand into and out of hangars.
- (m) Authorized Aircraft Parking. Aircraft shall be parked, serviced, loaded, and unloaded at parking locations designed and designated by the airport manager or the commercial tenant holding a lease for that portion of the airport.
- (n) Derelict aircraft shall be parked in a derelict aircraft storage area with written permission of the Airport director or his or her designee or shall be removed from the airport.
- (o) Privately owned aircraft hangars shall be used for aircraft storage and related aviation purposes only. Limited storage of other items shall not exceed twenty percent of the total hangar area. Flammable liquids are prohibited from being stored in aircraft hangars except that which is in the fuel tanks of the aircraft or a maximum of ten gallons in an NFPA

approved fuel storage container. The maximum time a hangar lease can be continued without the storage of an aircraft is six months.

- (p) Prior Written Approval Required. The following aircraft activity is prohibited on or from the airport without prior written approval of the airport manager or the FAA:
 - (1) Parachute or parasail demonstrations or sky diving activities; The airport manager shall coordinate requests for this activity, subject to review by the airport commission and/or city council. Proof of liability insurance is required in an amount and under terms acceptable to the airport manager.
- (q) Exhaust and Propeller/Rotor Blast. No aircraft engine shall be started or aircraft taxied where the exhaust or propeller/rotor blast may cause injury to persons, do damage to property, or spread debris on the airside area or into hangars.
- (r) Taxiing of Aircraft. No person shall taxi an aircraft without first taking all necessary precautions to prevent a collision with other aircraft, persons or objects, injury to persons or damage to property, or spreading of debris on the airside area or into hangars. If it is impossible to taxi aircraft in compliance with this section, then the engine must be shut off and the aircraft towed to the new location.

Section 8. Arlington Municipal Code subsection 14.20.120 shall be and hereby is amended to read as follows:

14.20.120 Vehicle operations on airport.

- (a) City and State Laws. All motor vehicles on airport public roadways and public parking lots are governed by state and city traffic ordinances.
- (b) AOA Driving Rights. The airport manager has the authority to deny, restrict, or cancel the right of any motor vehicle driver to operate on the AOA.
- (c) Impoundment. The airport manager has the right to tow or otherwise move any motor vehicle for reasons of safety, security, abandonment, or police investigation. The registered owner of any such vehicle shall be liable for the costs of towing or impoundment.
- (d) Runway Authorization. No motor vehicles are permitted on runways except those operated by employees of the airport, the FAA, emergency response vehicles, or other vehicles with proper flags or lights and authorization by the airport manager.
- (e) Speed Limits. Unless otherwise posted, the speed limit on all airport roadways is twenty-five miles per hour (mph). The speed limit for motor

vehicles on all airport apron or ramp areas is fifteen miles per hour (mph).

- (f) **Aircraft Have Right-of-Way.** A taxiing aircraft on apron or ramp areas always has the right-of-way over nonemergency motor vehicles and pedestrians. Motor vehicle drivers are required to pass to the rear of taxiing aircraft.
- (g) **Proximity to Aircraft.** Motor vehicle operators will not maneuver closer than ten feet from any aircraft, or park in such a manner as to impede the movement of aircraft. Specialized vehicles needed to service an aircraft are excluded from this rule.
- (h) **Designated Parking.** Motor vehicle drivers shall park in designated parking areas only and for no longer than seventy-two consecutive hours unless the vehicle owner has paid a long-term parking fee as set by city resolution.
- (i) **Motor Vehicle Maintenance or Display.** Motor vehicle drivers, owners, and agents shall not clean or repair a motor vehicle on airport property except when specifically authorized by the airport manager. No person shall use airport property to display vehicles, including, but not limited to motor homes, boats, and trailers, for sale.
- (j) **Trailers** are only allowed to be parked underneath the beacon on the SW corner of the airfield. Every trailer being parked at this location requires written approval from the Airport Director or his/her authorized representative. Any trailers left without written permission will be subject to towing and impoundment at the owner's expense.
- (k) **Only official vehicles with proper identification and training may be driven into the Airport Operation Area (AOA) or movement areas.** A non-official vehicle which is registered and whose owner/operator has valid gate access is allowed access only to their hangar or tiedown. Vehicles are expected to use the gate access closest to hangar destination. All vehicles within the controlled access area shall at be driven cautiously at a safe and reasonable speed not to exceed 15 miles per hour on taxilanes and 25 mph on taxiways.
- (l) **Vehicle operators shall observe all applicable laws and regulations of the airport, including all directional signs, fire lanes and pavement markings and shall comply with all lawful orders, signals or directives of the Airport Director or his/her authorized representative.** Blocking of any access area by a motor vehicle or aircraft is prohibited. Violators shall be subject to tow at owner's expense.
- (m) **No person shall drive a motor vehicle on any street, parking lot, driveway or frontage road, whether it is inside or outside of the controlled access area (defined as area inside electronically controlled gates) unless such vehicle is currently licensed and registered under state law with a valid**

- sticker attached. Properties around the airport affected by airport operations shall be subject to all FAA, WSDOT, and City standards.
- (n) All vehicles operated on airport property within the controlled access area shall be maintained in a safe operating condition in accordance with WSDOT codes and standards.
 - (o) All cargo of any kind being transported on airport grounds must be secured in the vehicle so as to ensure nothing falls out onto the roads or movement areas.
 - (p) Only equipment and vehicles authorized to operate by the Airport Director or his/her authorized representative shall be operated within the AOA. These approved vehicles shall be lighted with a rotating beacon and equipped with a two-way radio at all times while operating within the AOA. Crossing the runway is prohibited by those other than Airport Operations employees, those with written approval from the Airport Director or his/her authorized representative, or those accompanied by an Airport Operations escort.

Section 9. Arlington Municipal Code subsection 14.20.030 shall be and hereby is amended to read as follows:

14.20.130 Tenant operations.

- (a) FOD Program. The FOD (foreign object debris) program at the airport is of special concern due to the wide variety of general aviation aircraft using the airport's runway, taxiway, and apron facilities. Motor vehicle traffic within the AOA contributes to the FOD risk. Small pieces of metal, pavement, rock, or trash can result in major damage and economic loss to aircraft engines, propellers, and airframes. Each tenant operator is required to train and continually emphasize the importance of FOD pickup and cleanup by all employees, patrons, and visitors.
- (b) Employee Responsibility. Tenant operators are responsible for training their employees, visitors and subtenants on the contents of the most current airport rules and regulations, airport minimum standards, and applicable portions of their airport tenant lease or rental agreement(s).
- (c) Cleanliness and Maintenance of Tenant Facilities. Tenant operators shall keep all leased areas free of waste material, rubbish, junk, landscaping litter, and flammable material. Additionally, tenants are prohibited from staging or storing anything outside of their hangar or on airport property at all, including, but not limited to, scissor lifts, boats, RV's, campers, forklifts, vehicles, trailers, box trucks, jack stands, jacks, aircraft fuselages, tugs, pallets, tow bars, etc.
- (d) Residential use of hangars or any aeronautical businesses on airport property is prohibited by FAA regulations and the FAA Airport

Compliance Manual. Facilities can be used for resting period or pilot lounges, but not as permanent or even temporary residence for flight crews, pilots, aircraft owners/operators, guests, customers, mechanics, or families and relatives of the same. No beds, fold out couches, futons, or Murphy beds or anything similar are permitted. The FAA recognizes that only certain aeronautical uses – such as medical evacuation services – may have a need for limited and short-term flight crew quarters for temporary use, including overnight and on-duty times. FAA regulations permit Aircraft Rescue and Fire Fighting (ARFF) quarters if there is a 24-hour coverage requirement.

Section 10. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 11. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five (5) days after the date of publication.

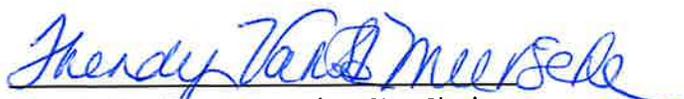
PASSED BY the City Council and APPROVED by the Mayor this 1st day of April, 2024.

CITY OF ARLINGTON



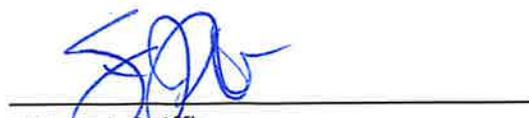
Don E. Vanney, Mayor

Attest:



Wendy Van Der Meersche, City Clerk

Approved as to form:



Steven J. Peiffle
City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2024-005 was approved at the April 1, 2024 City Council meeting.

ORDINANCE NO. 2024-005

“AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING ARLINGTON MUNICIPAL CODE TITLE 14 RELATING TO
THE CITY’S AIRPORT REGULATIONS”

A true and correct copy of the original ordinance is attached.

Dated this 2nd day of April, 2024



Wendy Van Der Meersche
City Clerk for the City of Arlington