

ORDINANCE NO. 33

AN ORDINANCE TO ~~PROVIDE~~ RULES AND REGULATIONS FOR THE
USE OF FACILITIES OF MONTEREY PENINSULA AIRPORT, DECLAR-
ING THE VIOLATION OF THE ORDINANCE TO BE A MISDEMEANOR,
AND PROVIDING PENALTIES FOR VIOLATION THEREFOR.

THE BOARD OF DIRECTORS OF MONTEREY PENINSULA AIRPORT DISTRICT DO ORDAIN AS FOLLOWS:

SECTION I

General Regulations:

(a) The Monterey Peninsula Airport, hereinafter referred to as "the airport", is hereby declared to be a public airport, and a terminal facility conducted for the promotion and accommodation of air commerce; said airport shall be operated as a public air terminal.

(b) Said airport shall be open at all times for public use, subject to such restrictions due to inclement weather, the condition of the landing area, the presentation of special events, and like causes, as may be determined by the District Manager hereafter referred to as the "Airport Manager", and imposed by him in the interests of the safety of persons and property.

(c) Special services may be rendered, or special facilities may be provided at said airport upon such terms as said Board of Directors may prescribe from time to time.

(d) It shall be a condition of the use by each person of the airport, or any part of its facilities, that said person shall have assumed full responsibility and risk for such use, and he shall be deemed to have released and agreed to hold harmless and indemnify the Monterey Peninsula Airport District, said Board of Directors, its officers and employees, from any claims or damages arising from such use, and against any claims of third persons occasioned by his use of the Airport and any facilities thereof, each person shall be deemed to have acknowledged that the Monterey Peninsula Airport District and said Board maintain said airport in a Governmental capacity.

(e) No person shall engage in commercial activities at the airport, either for the transportation of passengers, freight, express or mail, for hire, for instruction in aviation in any of its branches, for the sale of fuels, aircraft, aircraft parts and equipment, refreshments, or any article or commodity, or for any other commercial purpose, unless permission of the Board of Directors has been first had and obtained.

(f) The use of the airport by any person, or of any of its facilities in any manner, shall be subject to all regulations herein set forth, or referred to herein, and any such person, by such use, shall be deemed to have accepted such regulations in full, and each and every part thereof.

(g) Air traffic rules promulgated by Civil Aeronautics Authorities of the United States of America, and in effect, are hereby referred to, adopted, and made a part of these regulations as fully in all respects as if said airtraffic rules were particularly set forth herein, and any amendments to existing rules by said Authorities shall be deemed to have been incorporated in this ordinance.

(h) No person who is not properly certified by the Civil Aeronautics Authority shall operate any aircraft, and no aircraft which is not properly certified by Civil Aeronautics Authority shall be operated upon the Monterey Peninsula Airport, provided, however, this restriction shall not apply to public aircraft belonging to the Government of the United States, or to a State, territory, possession or any political subdivision thereof, nor to any aircraft of a foreign country operated under permission of the Federal Government.

(i) No person shall navigate any aircraft over, land upon, or take off from, or service, repair, or maintain any aircraft on the airport, or conduct any operation on or from the airport except in conformity with these rules and regulations and those of the Civil Aeronautics Authority.

(j) No person shall be stationed or employed at the airport, or shall operate aircraft therefrom without first having registered at the office of the airport manager, and such registration shall include the name, address, telephone number, and nature of the business or occupation of such person. If, upon the commencement of such employment or operation the office of the airport manager be not open, such registration shall be completed within twenty-four hours of the commencement of such employment or operation as the case may be.

(k) All persons present at the airport shall be subject to the direction and control of the airport manager, or his assistant, and to any reasonable orders given by said manager, for the handling, policing and protection of the public, provided that any order made shall be subject to review by the Board of Directors.

(l) No person shall take or use any aircraft, part or accessory thereof, or tools or other equipment owned or controlled by any other person, and stored or otherwise left at the airport. The airport manager may require written consent or other satisfactory evidence or authority of any person other than the owner to do any of the foregoing acts in the absence of the owner thereof.

(m) No person shall use or operate rolling stock or equipment owned or in the custody of the District without the permission of the manager, his assistant, or the Board of Directors.

(n) No person shall operate any motor vehicle upon landing areas, runways, taxiways, or peripheral roads, unless the same be identified by a flag on a staff, attached to and flying above such vehicle. Such flag shall be not less than three feet square, consisting of a checkered pattern on international orange and white squares of not less than one foot on each side, or unless the vehicle is painted chrome yellow.

SECTION II

General Traffic Rules:

(a) No person shall operate, land or take off in aircraft in any manner that will endanger any person or property, nor land or take off on any taxiway, or over the hangars, or operation building at the airport.

(b) The traffic pattern will be RIGHT HAND with the wind out of the westerly quadrant, RUNWAY 24 or 28, air traffic will be LEFT HAND with the wind in the easterly quadrant, RUNWAY 10 or 6. Aircraft will enter the traffic pattern at 1000 feet above sea level and may leave at an altitude of not less than 600 feet above sea level. The operator of any aircraft shall stop before taxiing across a main runway.

(c) Air traffic will be controlled by the Monterey Peninsula Airport Tower in accordance with the provisions of the "Procedures for the Control of Air Traffic", as adopted by the United States Air Force, United States Navy, United States Coast Guard and Civil Aeronautics Administration, effective May 1, 1948, as the same may be amended.

(d) Standard Air Force, Navy and Civil Aeronautics Administration traffic control light signals are used by the Monterey Tower; no other signal and no other meaning is authorized or used.

(e) Rotating Beacon - During daylight hours the rotating beacon is turned on to signify: (1) the field is on "Instruments" or: (2) "Positive Control" is in effect. Positive Control is placed in effect when conditions are less than full contact, but better than full instrument, such as when the ceiling is slightly less than 1000 feet, but the visibility is excellent, or when the visibility^{and}/ceiling is less than contact just within the traffic control zone but the normal traffic pattern area is clear. When Positive Control is in effect aircraft may fly when able to maintain two-way radio contact with the tower, or when departing the field for any area that is contact.

SECTION III

Weather Minimums:

Weather minimums in use at the Monterey Peninsula Airport will be as follows:

(a) VFR (Visual Flight Rules).

Take - Off (Departure)				Landing (Approach)			
Day		Night		Day		Night	
Ceiling	Vis.	Ceiling	Vis.	Ceiling	Vis.	Ceiling	Vis.
1000	3	1000	3	1000	3	1500	3

(b) IFR (Instrument Flight Rules)

Take - Off				Landing			
Day		Night		Day		Night	
Ceiling	Vis.	Ceiling	Vis.	Ceiling	Vis.	Ceiling	Vis.
500	1	700	2	No provisions for instrument approach.			

(c) Special Civil Aeronautics Administration authorization for Commercial Air Carriers.

Take - Off				Landing			
Day		Night		Day		Night	
Ceiling	Vis	Ceiling	Vis	Ceiling	Vis	Ceiling	Vis
*300	1	*300	1	*700	2	*700	3

* With each increase of 200 feet in ceiling above regular minimums visibility may be reduced 1/4 mile below regular minimums until visibility of 1/2 mile is reached provided ceiling is at least 1000 feet when visibility is 1/2 mile.

(d) No person shall take off from the Monterey Peninsula Airport in any aircraft without first having obtained proper clearance from the tower; no person shall take off without clearance from the Airport Manager when required by these regulations and rules.

(e) When proper clearance is obtained, qualified pilots in qualified aircraft may make IFR departures subject to the ABOVE MINIMUMS of paragraphs (a) and (b);

Subject to the proper clearance, aircraft will be cleared to depart from the field and to climb through on a heading of 310° magnetic.

SECTION IV

Landings and Take-Offs:

(a) All aircraft approaching the airport for landing shall fall in line of traffic and skirt the field to a point where a landing can be made in the direction indicated by the wind cone or as directed by the tower and with a straight glide beginning at least 1000 feet distant from the leeward end of the landing area.

(b) No person shall land on taxiways or take off from taxiways in any aircraft.

(c) No person shall make any take-off from intersections without prior approval from the tower.

SECTION V

TAXIING RULES:

(a) No person shall taxi aircraft at a speed that is more than is reasonable or prudent, having due regard for the traffic on the airport, or which endangers the safety of persons or property and in no event at a speed in excess of 15 miles per hour.

SECTION VI

Miscellaneous Traffic Rules:

(a) No person shall take any aircraft from the landing area or hangars, or operate such craft while under the influence of, or using, any intoxicating liquor or habit forming drug.

(b) All local aircraft, when reasonable and practicable, and in the interests of safety shall give the right of way to scheduled airlines aircraft when taking off, landing or taxiing.

(c) No aircraft shall be permitted to remain on any part of the landing or take-off area for the purpose of repairs; and all repairs shall be effected at the places designated therefor.

(d) Every aircraft owner, his pilot and agent, severally, shall be responsible for the prompt removal, under the direction of the airport manager or his assistant, of any wrecked or damaged aircraft from the runways or taxiways, or any other portion of the airport where the same may be deemed by said manager to be a hazard to the traffic or the operation of such airport. If the same be not so promptly removed, the airport manager may cause the same to be removed at the owner's risk and expense, and if removed by the Airport District, the owner shall be responsible for the actual cost of such removal.

(e) Clearance for the removal of any aircraft from the Monterey Peninsula Airport may be refused by the manager or his assistant whenever any charges for storage, supplies, or services rendered to the owner, or to the person having charge of such aircraft, have not been paid, and no person shall remove any such aircraft without obtaining such clearance from the airport manager whenever any charges for storage, supplies or services have been incurred at the Monterey Peninsula Airport.

(f) No person shall operate any aircraft upon paved runways unless such aircraft is equipped with tail wheels, and no person shall operate any aircraft which is equipped with tail skids upon any part of the airport whenever such skids may cause damage to any surface upon the airport.

SECTION VII

Instruction and Practice Flying:

(a) No person shall engage in the instruction of any other person in the operation of aircraft at the airport without first having furnished such person with a copy of these rules and regulations, and without first having acquainted such person or persons with the same.

(b) No aircraft will remain motionless on the runway for the purpose of instruction between flights.

SECTION VIII

Running Engines:

(a) No person shall start any engine on any aircraft not equipped with adequate brakes, which have been first fully set unless the wheels have been set with adequate blocks that are equipped with ropes or other safe means for the removal thereof.

(b) No person shall start the engine or any aircraft unless a competent operator shall be at the controls of the aircraft.

(c) No person shall run or warm up any aircraft engine when the propellor blast will not reasonably clear all buildings, groups of people in the observation areas, and the flight path of landing aircraft.

(d) No person shall start any aircraft engine or run the same within 50 feet of any hangar or other building.

SECTION IX

Fire Regulations:

(a) Every person using the airport or its facilities in any way shall use the utmost caution to prevent fire.

(b) No person shall fuel or drain any aircraft while its engine is running, or while in a hangar or other enclosed place. No person shall start any engine of any aircraft unless a competent operator shall be at the controls of the aircraft.

(c) No person shall keep, store or maintain any cylinder or flask or compressed flammable gas except at a place designated by the airport manager for that purpose.

(d) No person shall carry on the cleaning of motors, or any parts of aircraft in any hangar except with non-inflamable substances, No person may use flammable liquids for such purpose within any hangar or other building, or enclosed area.

(e) No person shall smoke or ignite any match or cigarette lighter in any hangar or building, except in offices, waiting rooms or buildings in which smoking is authorized specifically by the airport manager.

(f) No person shall make repairs to aircraft on the storage floors or hangars, except inspection and replacement of parts.

(g) No person shall operate any motor, automobile, or similar motor vehicle within or store or permit to remain within any hangar except in connection with, and only while engaged in necessary operations.

(h) Hangar entrances shall be kept clear at all times.

(i) Floor shall be kept clean and free from oil, and no volatile flammable solvent shall be used for cleaning floors.

(j) No person shall permit any boxes, crates, rubbish, paper, or other litter, to accumulate in or about any hangar, and any person having in his custody or use oil, paint and varnish, shall remove the contents thereof from the hangar immediately upon the contents having been used.

SECTION X

Penalties:

(a) Any person operating or handling an aircraft in violation of these rules, or refusing to comply therewith, may be removed or ejected from the airport or may be temporarily "grounded" by or under the authority of the airport manager; and upon the order of the Board, may be deprived of the further use of the airport and its facilities for such length of time as may be deemed necessary to insure the safeguarding of the same and the public and its interest therein.

(b) Any person, firm or corporation who shall violate or refuse to abide by any of the provisions of this ordinance or any of the rules and regulations set forth in this ordinance, or any of the provisions of law incorporated therein or herein, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding the sum of \$200.00 or by imprisonment in the county jail in the County of Monterey, State of California, for not more than 3 months, or by both such fine and imprisonment.

(c) If any section, sub-section, sentence, clause or phrase of this ordinance for any reason be held to be unconstitutional, such decision shall not effect the validity of the remaining portions of this ordinance. The Board of Directors do

hereby declare that they would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared to be unconstitutional.

SECTION XI

This ordinance is hereby declared to be urgent and necessary for the immediate preservation of the public peace, health and safety and shall take effect and be in force forthwith from and after its final passage and approval. The following is a statement of such urgency: There is no ordinance adequately dealing with the subject matter of this ordinance, and the same is necessary to provide for the proper functioning, administration and safe operation of the Monterey Peninsula Airport, and the facilities thereof, as a public airport, and for the preservation of the public peace, health and safety of all persons using the same, or any part of the facilities thereof.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF MONTEREY PENINSULA AIRPORT DISTRICT THIS 21st day of September, 1949 by the following vote:

AYES : DIRECTORS: Olmsted, Brownell and Finley

NOES : DIRECTORS: NONE

ABSENT : DIRECTORS: Frost and Mathews.

Signed Sept 21, 1949

C. S. Olmsted
Chairman

ATTEST:

W. E. Finley
Secretary thereof