

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00023891

ORDINANCE NO. 92 - 132

RELATING TO THE SNOHOMISH COUNTY AIRPORT AT PAINE
FIELD, REPEALING PROVISIONS RELATING TO A COUNTY
AIRPORT COMMISSION, AND AMENDING
CHAPTERS 2.10, 2.50, 15.04, and 15.08 SCC.

BE IT ORDAINED:

Section 1. Snohomish County Code Section 2.10.010, last amended by Ordinance No. 92-087 on August 19, 1992, is amended to read:

2.10.010 Executive functions. The following functions of government not otherwise provided for in the charter are deemed executive functions and shall be performed by the county executive:

- (1) Approval of all bonds and assignments of account running to or for the benefit of the county, including but not limited to: officials and employees bonds, except that the bond of the county executive shall be approved by the council; cash bonds, bonds issued by a surety company, or assignments of account given to assure performance or maintenance; cash bonds, bonds issued by a surety company, or assignments of accounts to assure performance of conditions incidental to land use activities or to any other license or permit issued by the county; but not including any bond required in any civil or criminal court proceeding;
- (2) Approval of change orders and orders for extra work on any contracts in accordance with Chapter 3.04 SCC;
- (3) Determination that the performance or other consideration to be delivered to the county under the terms of any contract has been performed or delivered; and to accept such performance or other consideration on behalf of the county. The executive shall keep the council advised of developments which will unreasonably delay completion of any contract or unreasonably increase the costs thereof;
- (4) Approval of all insurance policies and certificates of insurance;
- (5) Approval of payrolls of county officials and employees;
- (6) Approval of and signing of all licenses to occupy or use Evergreen State Fairgrounds property as provided in SCC 2.32.150;
- (7) Upon receipt of any claim against the county, or any pleading in connection therewith, the county executive shall immediately forward copies thereof to the prosecuting attorney and the county department involved;

(8) Approval of the bringing of or joining in civil lawsuits seeking damages or injunctive relief in behalf of the county. The council may also approve the bringing of or joining the county in any lawsuit in behalf of the county;

(9) Approval of budget transfers as provided in chapter 4.26 SCC as it now exists or is hereafter amended;

(10) Approval of escrow agreements on retained percentages as provided in RCW 60.28.010;

(11) Approval of all permits and licenses affecting any property under the jurisdiction of the department of parks and general services, including deeds of right to use land for public recreation purposes, hazardous substances certifications required for property acquired with funds granted by the Interagency Committee for Outdoor Recreation (IAC), and declarations and other documents imposing protective covenants, conditions, and other restrictions on property acquired with funds granted by the state conservation futures program;

(12) Approval of all agreements with any cities or towns of Snohomish County of the county jail or district court filing fees. PROVIDED, That the council by resolution has previously established the rates to be charged and other terms of such agreements and has approved the forms of contracts to be utilized. The executive shall submit to the council an annual report not later than February 15th of each year of contracts showing rates and effective dates of such contracts approved by the executive. Not later than December 1st of each year, the executive shall submit to the council the forms of contracts to be used on such agreements for the following year. Rates and terms to be used in such contracts shall be reviewed not less than once a year by the council;

(13) Approval and acceptance of all contracts with landowners and/or developers required by or as a conditions of any comprehensive plan amendment, rezone, variance, conditional use permit, plat or replat or any other land use control, final approval thereof which has been given by the council or the hearing examiner; PROVIDED, That all such contracts shall be approved by the hearing examiner prior to approval by the executive; and the executive shall submit to the council an annual report, due not later than February 15th of each year, showing the names of parties and the general purposes of such contracts as have been approved by the executive;

(14) Approval of applications for airport grants in aid and all airport leases (~~previously approved by the airport commission~~); PROVIDED, That annually the council by resolution will establish the rates to be charged and other terms of any such lease and approve the form of lease utilized which rates, terms and form may be changed from time to time by the council; and PROVIDED, FURTHER, That the airport manager shall submit an annual report, not later than February 15th of each year, showing the names of parties, rents, reserve, areas rented, time period of each such lease. Any lease executed pursuant to this section shall be deemed to be with the approval of the council as required by Snohomish County Code Section 15.04.060(2);

(15) Approval of contracts and contract amendments relating to the department of human services as set out in SCC 2.400.065;

(16) Approval of contracts with the cities, towns, or other municipal subdivisions for purchase of gasoline, diesel oil or other petroleum products, and contracts for street or road maintenance with counties, cities, or towns; PROVIDED, That the council has approved the schedule of charges to be made for various items of maintenance and the forms of contract to be used. The executive shall submit an annual report, not later than February 15th of each year, showing the parties' services and charges on such contracts;

(17) Applications and contracts (city-county agreements) for grants in aid and for any projects previously approved in the annual or six year road program with the Washington State Department of Transportation; PROVIDED, That the director of public works shall submit to the council an annual report, not later than February 15th of each year summarizing such applications and contracts;

(18) Approving and signing public disclosure reports for lobbying activities by county officials and employees as required by Chapter 42.17 RCW;

(19) Approve haul route agreements with other public agencies or contractors with public agencies permitting use of designated county roads, or sections thereof for detour routes or moving of heavy equipment or materials necessitated by the performance of a public works contract;

(20) Approval of vouchers for payment of all claims presented against the county by persons furnishing goods or materials, rendering services or performing labor, or for any other contractual purpose as well as employee reimbursement claims for allowable expenses. Prior to approval by the executive, all claims shall be certified for payment by the county auditing officer;

(21) Approval of agreements between the state and county for the purpose of participating in state work experience programs.

(22) Approval of waste reduction and recycling grant contracts.

Section 2. Snohomish County Code Section 2.50.010, last amended by Ordinance No. 92-007 on February 19, 1992, is amended to read:

2.50.010 Definitions. For the purpose of this chapter;

(1) "Action" means any decision, determination, finding, ruling or order; and any grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect thereto;

(2) "Appearance of Fairness" means that Doctrine applied by Washington State Courts and RCW 42.36 to quasi-judicial actions;

(3) "Appointed official" means the chief deputy of any elected official, the chief officer or director of any office or department who is appointed by the executive or county council, any

quasi-judicial officer and the members of the planning commission, (~~the airport commission,~~) the board of equalization, the boundary review board, and the ethics commission;

(4) "Contribution" means a loan, loan guarantee, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration;

(5) "County employee" means any person, other than an elected or appointed official and judge or employee of superior and district courts, who is employed by the county or any elected or appointed official in their official capacity;

(6) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office, except judges of the superior or district courts;

(7) "Ethics" means principles of conduct governing an individual or a profession; standards of behavior;

(8) "Ex-parte communication" means any communication, written or oral and relating to a quasi-judicial action between an elected or appointed official and only one party to said action without the presence of other parties to the action;

(9) "Immediate family" means the spouse, children, parents and siblings of an elected or appointed county official or county employee and shall include the children, parents and siblings of the spouse of any official or employee;

(10) "Individual" means a single natural person as distinguished from a partnership or corporation;

(11) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the Snohomish county council, or the adoption or rejection of any rule, standard, rate, or other enactment of any county agency;

(12) "Lobbyist" means any person who receives compensation of more than \$600 in a calendar year for lobbying, including attempting to influence county legislation or other county legislative or administrative action by county employees having power to make discretionary determinations on behalf of the county or employees whose duties include providing recommendations or advice concerning county legislative or official action;

(13) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist;

(14) "Major violation" means any violation of this chapter which, in the judgment of the commission, is more likely than not to have a measurable impact on the outcome of an election or action;

(15) "Organized group" means any political committee (other than groups created for the purpose of a single specific candidate for his/her own campaign), political party, or any special interest group;

(16) "Person" means an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized;

(17) "Quasi-judicial actions" are those actions of the legislative body, planning commission, hearing examiner, zoning adjuster, board of adjustment, or other appointed or elected board which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions do not include legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area wide significance.

Section 3. The caption of Snohomish County Code Chapter 15.04, last amended by Ordinance No. 87-063 on August 19, 1987, is repealed and re-enacted to read:

Chapter 15.04
Snohomish County Airport

Sections:

- 15.04.010 Definitions
- 15.04.040 Authority - Manager
- 15.04.050 Appointment of manager
- 15.04.080 Financing
- 15.04.090 Execution of documents
- 15.04.104 Loading and unloading areas and vehicles for hire

Section 4. Snohomish County Code Section 15.05.010, adopted by Ordinance No. 87-063 on August 19, 1987, is repealed and re-enacted to read:

15.04.010 Definitions Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Airport" means the Snohomish county airport at Paine Field.
- (2) "Airport property" means any property within the boundary of the Snohomish county airport.
- (3) "Airport purposes" or "aeronautical purposes" means the same as when used in chapter 14.08 RCW and includes all aeronautical uses and uses related thereto, including management and control of landing areas and air navigation facilities.

- (4) "Council" means the Snohomish county council.
(5) "Executive" means the Snohomish county executive.
(6) "Manager" or "airport manager" means the manager of the Snohomish county airport.

Section 5. Snohomish County Code Section 15.04.040, adopted by Ordinance No. 87-063 on August 19, 1987, is amended to read:

15.04.040 Authority - Manager.

(1) Subject to the Snohomish county charter, the authority for the construction, enlargement, improvement, maintenance, management, operation and regulation of the airport and airport property is vested in the executive. Except as otherwise provided by this article or directed by the executive, ((The)) the airport manager shall be the executive manager of the airport and shall be responsible ~~((, in consultation with the commission as provided in SCC 15.04.030,))~~ for the management and operation of the airport, including the powers to:

~~((+1))~~ (a) Employ and manage such employees as are necessary to the operation of the airport, including fire protection and security personnel as specified under federal, state and local requirements; PROVIDED, That the council shall approve all collective bargaining agreements between the county and unions representing airport employees.

~~((+2))~~ (b) Perform all acts necessary and incidental to the powers of the manager as stated in this title.

(2) The foregoing powers of the airport manager ~~((and these of the commission))~~ shall be exercised subject to the following additional conditions:

(a) All expenditures and incurring of obligations to pay money, including all wages, salary, compensation, and price paid for any materials, equipment, services or otherwise, shall be made in accord with the budget approved by the council and all applicable budgetary laws and regulations of the state of Washington and Snohomish county.

(b) All rules and regulations adopted and enforced and other acts performed shall conform to and be consistent with the laws of the state of Washington, including chapter 14.08 RCW, and the laws and regulations of the state department of transportation, division of aeronautics, and shall be kept in conformity, and nearly as may be, with the then current federal legislation and regulations governing aeronautics and the rules or standards issued from time to time pursuant thereto.

(c) Charges shall be reasonable and uniform and for the same class of service and established with due regard to the property and improvements used in the expense of operation to the airport fund and the county.

Section 6. Snohomish County Code Section 15.04.050, adopted by Ordinance No. 87-063 on August 19, 1987, is amended to read:

15.04.050 Appointment of manager. The executive (~~(, after considering but not being limited to the recommendations of the commission,)~~) shall with the advice and consent of the council appoint the airport manager. The manager shall be confirmed by a majority of the council and shall be removable at the will of the executive.

Section 7. Snohomish County Code Section 15.04.080 adopted by Ordinance No. 87-063 on August 19, 1987, is amended to read:

15.04.080 Financing. Estimated airport revenues, receipts from the sale of bonds, tax levies, any other income, proposed airport revenue bond issues or authorizations, and estimated expenditures to be made or anticipated by the airport manager in connection with the operation, maintenance, development, or improvement of the airport for airport or industrial or commercial purposes, shall be set forth and included in a preliminary airport budget for the ensuing calendar year, and submitted by airport manager (~~(after review by the airport commission)~~) to the county executive by the time specified in the charter. When approved by the county council, the airport budget shall become effective and all expenditures or bond issues included therein shall become duly appropriated or authorized and available for expenditure or issuance by the county executive (~~(or the airport commission)~~) for the purposes stated, subject to the conditions and limitations set forth above.

Section 8. Snohomish County Code Section 15.04.090, last amended by Ordinance No. 87-063 on August 19, 1987, is amended to read:

15.04.090 Execution of documents. All contracts, leases, agreements, subleases, and other documents proposed (~~(and submitted)~~) by the airport manager (~~(and which have been reviewed as required in this chapter)~~), subject to the other provisions and limitations of this chapter (~~(,)~~) and chapter 14.08 (~~(of the)~~) RCW (~~(referred to herein)~~), shall be valid and binding upon Snohomish county when executed by or on behalf of the executive.

Section 9. Snohomish County Code Section 15.04.104, last amended by Ordinance No. 87-063 on August 19, 1987, is amended to read:

15.04.104 Loading and unloading areas and vehicles for hire. Vehicles for hire or car rentals agencies shall only be operated on the airport grounds with the airport manager's approval and under the terms and conditions that he may prescribe. The airport (~~(reserves~~

~~the right to~~) manager may designate areas for loading and unloading passengers. Taxicabs operating on the airport grounds must conform to proper governmental authority which has jurisdiction over their operations.

Section 10. Snohomish County Code Section 15.08.053, last amended by Ordinance No. 88-006 on February 17, 1988, is amended to read:

15.08.053 Airport charges. "Airport charges" means charges (~~of the airport~~) for tie downs, landing fees, occupation of hanger by an aircraft, and all other charges owing or to become owing under a contract between an aircraft owner and (~~an aircraft operator~~) Snohomish county or under an officially adopted regulation and/or tariff including but not limited to the cost of sale and related expenses.

Section 11. Snohomish County Code Section 15.08.069, last amended by Ordinance No. 88-006 on February 17, 1988, is amended to read:

15.08.069 Tenant. "Tenant" means a person who enters into a written or oral agreement with (~~the airport~~) Snohomish county for the purpose of engaging in a business or other authorized occupancy on airport premises.

Section 12. Snohomish County Code Section 15.08.104, last amended by Ordinance No. 88-006 on February 17, 1988, is amended to read:

15.08.104 Special vehicle restrictions.

(1) Loading and unloading. The (~~airport reserves the right to~~) airport manager may designate areas for loading and unloading. Taxicabs operating on the airport grounds must conform to proper governmental authority which has jurisdiction over their operations.

(2) Runways and Taxiways. No vehicles are permitted on runways or taxiways except those operated by (~~airport,~~) Snohomish county or F.A.A. personnel, or those persons specifically authorized by the airport manager such as certain fixed base operators and contractors. Following authorization of vehicles not normally seen in the air operations area, the airport manager shall notify control tower personnel.

(a) Vehicles equipped with two-way radio. (~~Airport,~~) Snohomish county and F.A.A. vehicles normally operating on runways and taxiways shall be equipped with and utilize two-way radios. Before entry, operators shall stop and request permission from the control tower.

(b) Vehicles without two-way radio shall display a standard orange and white checkered flag. Authorized operators of vehicles without two-way radios shall stop short of the runway or taxiway and position the vehicle facing the control tower. The operator shall flash his headlights, requesting permission to cross. The control tower operator shall respond with the appropriate red or green signal with the light gun.

(c) During tower closure period. During tower closure periods, each vehicle operator shall check in and out with the senior fire duty officer in the fire station (building 219), and advise him of his intentions. It is then the operator's responsibility to maintain an alert lookout for aircraft.

(3) Apron/ramp areas. Vehicle traffic on apron/ramp areas is restricted to aircraft owners or operators driving to their tie-down area or hangar for loading and unloading; deliveries to aircraft owners or tenants whose aircraft or business fronts an apron area, or vehicle specifically authorized by the airport (~~management~~) manager. All vehicles on apron/ramp areas are restricted to a fifteen miles per hour speed limit. Taxiing aircraft on apron/ramp areas have the right-of-way over motor vehicles.

(4) Designation of areas. It is the motor vehicle operator's responsibility to inform himself which airport areas are designated runways, taxiways, aprons, ramps and parking. Current maps designating such areas are available at airport manager's office.

(5) Vehicles for hire. Vehicles for hire or car rental agencies shall only be operated on the airport grounds with the airport manager's approval and under the terms and conditions that he may prescribe. Taxicabs operating on the airport grounds must conform to proper governmental authority which has jurisdiction over their operations.

Section 13. Snohomish County Code Section 15.08.128, adopted by resolution on June 24, 1974, is amended to read:

15.08.128 Disposal or waste.

(a) Rags, trash and rubbish. Hangars and airport buildings shall be cleaned daily of rags, waste material, trash and rubbish. Lessee shall provide suitable metal receptacles with covers for the above items. These receptacles shall be stored away from sources of heat.

(b) Petroleum products. No petroleum products shall be dumped or allowed to spill on any airport property, including ditches, sewers or paved or unpaved surfaces. Adequate and authorized containers shall be (~~supplied~~) used for collecting petroleum waste products. (~~in~~) In event of violation, (~~The airport~~) Snohomish county may charge the cost of correcting such dumping or spillage to the offender.

Section 14. Snohomish County Code Section 15.08.203, adopted by resolution on June 24, 1974, is amended to read:

15.08.203 Loitering No person shall disrupt, slow down or impede the normal activities of the airport. (~~The airport~~) Snohomish county reserves the right to direct persons loitering on airport property to leave the premises.

Section 15. Snohomish County Code Section 15.08.205, adopted by resolution on June 24, 1974, is amended to read:

15.08.205 Firearms and explosives. No on except duly authorized persons, peace officers, federal law enforcement officers, (~~airport~~) Snohomish county and air carrier employees, or members of the Armed Forces of the United States on official duty shall carry any firearms or explosives on the airport grounds without the written permission of the airport manager. Exceptions from this regulation are passengers on air carrier or charter flights carrying cased sporting guns and firearms in survival kits stored in aircraft owners' hangar or airplane.

Section 16. Snohomish County Code, Section 15.08.208 adopted by resolution on June 24, 1974, is amended to read:

15.08.208 Conduct of tenants.

(a) Penal laws. All penal laws of the state of Washington are applicable to the area of the Snohomish county airport, and the violators thereof are subject to arrest by authorized law enforcement officers. All tenants, lessees, permittees or concessionaires at the airport shall comply with all requirements of the Snohomish county regulations.

(b) Violators prohibited use of airport. Person violating rules and regulations of (~~the airport~~) Snohomish county may be subject to denial of airport privileges on determination by the airport manager (~~or the airport commissioners~~).

Section 17. Snohomish County Code Section 15.08.305, last amended by Ordinance No. 84-109 on October 22, 1984, is amended to read:

15.08.305 Restricted aeronautical activity.

(a) Self-powered aircraft only shall be operated on the airport grounds. Gliders, heli-gliders, ultra-lites and similar aircraft shall not be operated without written authorization by the airport manager. An ultra-lite is an aircraft as defined in federal air regulation part 103.

(b) Sky diving shall not be conducted on the airport grounds without the written authorization of the airport manager.

(c) Model aircraft of any type shall not be operated on the airport grounds without the authorization of the airport manager.

(d) The above restrictions may be waived by the airport manager for special events such as air shows where ~~((airport approval and))~~ F.A.A. ~~((clearances have))~~ clearance has been obtained.

Section 18. Snohomish County Code Section 15.08.354 adopted by resolution June 24, 1974, is amended to read:

15.08.354 Disabled aircraft. Any disabled aircraft interfering with normal runway or taxiway operations shall be removed immediately upon the request of the airport manager or his authorized agents. If the aircraft owner cannot remove his aircraft, the airport maintenance personnel may effect said removal with airport equipment. The full risk and expense of such removal shall be assessed against the owner without liability of any nature to ~~((the airport,))~~ Snohomish county, the airport manager or ((his)) their employees or agents.

Section 19. Snohomish County Code Section 15.08.355 amended by Ordinance No. 88-106 on February 17, 1988, is amended to read:

15.08.355 Impoundment of aircraft.

(1) If an owner hangaring or parking an aircraft on the airport fails to pay any airport charge owed it, the owner's account is at least sixty days delinquent, and the owner's written contract includes the remedies provided in section 2, chapter 254, laws of 1987 (14.08) the airport manager or his designee may take reasonable measures including, but not limited to, moving the aircraft, or using chains, ropes and locks to secure the aircraft within the airport so that the aircraft is in the possession and control of ~~((the airport))~~ Snohomish county. At the time of securing the aircraft, the airport manager or designee shall attach to the aircraft a readily visible notice and send a copy of said notice to the owner, all in compliance with Section 2, Chapter 254, Laws of 1987 (RCW 14.08).

(2) The aircraft, at the discretion of the airport manager or his designee, may be placed within the airport for storage with a private ~~((persons under the airport manager's control))~~ person as ~~((bailees))~~ bailee. Reasonable costs of any procedures undertaken pursuant to this section shall be paid for by the aircraft's owner.

(3) If an aircraft is moved under conditions authorized under this section the owner who is obligated for hangaring or parking or other airport charges may regain possession of the aircraft by:

(a) Making arrangements satisfactory with the airport manager for the immediate removal of the aircraft from the airport's hangar, or making arrangements for authorized parking; and

(b) By making payment to ~~((the operator))~~ Snohomish County of all airport charges or by posting with the airport manager a sufficient cash bond or other security acceptable to the manager, to be held in trust by the manager pending written agreement of the

parties with respect to payment by the aircraft owner of the amount owing, or pending resolution of charges in a civil action in a court of competent jurisdiction, the trust shall terminate and the airport manager shall receive so much of the bond or other security as is necessary to satisfy any judgment, costs, and interest as may be awarded to the county. The balance shall be refunded immediately to the owner at the owner's last known address by registered mail, return receipt requested. The airport manager shall send to the owner by first class mail a notice that the balance of funds was forwarded to him or her by registered mail, return receipt requested.

(4) If an aircraft parked or hangared at an airport is abandoned, the airport manager may authorize the public sale of the aircraft by authorized personnel to the highest and best bidder for cash as follows:

(a) If an aircraft has been secured by the airport manager under subsection (1) of this section and is not released to the owner under the bonding provisions of this section within one hundred eighty days after notifying the owner under subsection (1) of this section, or in all other cases, for one hundred eighty days after (~~the operator~~) Snohomish County secures the aircraft, the aircraft shall be conclusively presumed to have been abandoned by the owner;

(b) Before the aircraft is sold, the owner of the aircraft shall be given at least twenty days' notice of sale by registered mail, return receipt requested and the notice of sale shall be published at least once, more than ten but less than twenty days before the sale, in a newspaper of general circulation in the county in which the airport is located. The notice shall include the name of the aircraft, if any, its aircraft identification number, the last known owner and address, the time and place of sale, the amount of airport charges that will be owing at the time of sale, a reasonable description of the aircraft to be sold and that the airport manager may bid all or part of its airport charges at the sale and may become a purchaser at the sale;

(c) The proceeds of a sale under this section shall first be applied to payment of airport charges owned. The balance, if any, shall be deposited with the state department of revenue to be held in trust for the owner or owners and lienholders for a period of one year. If the sale is for a sum less than the applicable airport charges, (~~the airport operator~~) Snohomish County is entitled to assert a claim against the aircraft owner or owners for the deficiency.

Section 20. Snohomish County Code Section 15.08.400, adopted by resolution on June 24, 1974, is amended to read:

15.08.400 General requirements for commercial operations.
General requirements for commercial operations are as follows:

(a) Compliance with rules and regulations. No person shall engage in a revenue-producing commercial, industrial or aeronautical business on the Snohomish county airport grounds, without first complying with rules and regulations as set forth in this ~~((document))~~ title. Prior to beginning business activities, they shall have obtained the consent from the airport manager ~~((and the airport commission))~~ for their proposed venture.

(b) All permits and licenses as required by county, state and federal agencies shall have been obtained. The business owner or operator shall have a signed lease or agreement ~~((as prescribed by the airport commission))~~ that states the detailed requirements for conducting business on this airport.

Section 21. Snohomish County Code Section 15.08.401, adopted by resolution on June 24, 1974, is amended to read:

15.08.401 Application for lease. Application for the lease of airport grounds, buildings or other facilities shall be made through the airport manager. The application shall contain the information specified in section 15.08.410. ~~((The airport manager shall submit this application to the airport commission for approval or rejection.))~~ The application shall be signed by all parties, directors or officers that own an interest in the business.

Section 22. Snohomish County Code Section 15.09.420, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.420 Disposition of application. ~~((The airport))~~ Snohomish county may deny an application for one or more of the reasons contained in sections 15.08.421 through 15.08.425.

Section 23. Snohomish County Code Section 15.08.421, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.421 Incompatible use. ~~((The airport))~~ Snohomish county may deny an application where the proposed business does not conform to the airport master plan, area zoning, or federal restrictions incurred with grants, matching funds, etc.

Section 24. Snohomish County Code Section 15.08.422, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.422 Airport safety. ~~((The airport))~~ Snohomish county may deny an application where smoke, bird attraction or other effects from the proposed business will cause a safety hazard to the normal operation of the airport.

Section 25. Snohomish County Code Section 15.08.423, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.423 Capital airport expenditures. (~~The airport~~) Snohomish county may deny an application where the cost of constructing new buildings, utilities, roads or facilities are higher than the money budgeted for construction for a given year or if the proposed revenue derived from a lease is not enough to amortize the construction investment.

Section 26. Snohomish County Code Section 15.08.424, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.424 Availability. (~~The airport~~) Snohomish County may deny an application where there is no space or buildings on the airport grounds that will accommodate the applicant at the time he files his application.

Section 27. Snohomish County Code Section 15.08.425, adopted by resolution on June 24, 1974, and amended by Ordinance No. 89-004 on February 15, 1989, is amended to read:

15.08.425 Ecological factor. (~~The airport~~) Snohomish county may deny an application where undesirable environmental effects from the proposed business could adversely affect the health, welfare, safety or morals of the inhabitants of Snohomish county.

Section 28. Snohomish County Code Section 15.08.426, adopted by resolution on June 24, 1974, is amended to read:

15.08.426 Submittal of supporting documents. (~~The~~) Snohomish county (~~airport commission~~) may request the applicant to submit supporting documents with his lease application. Included in these documents may be any of the following:

(a) Financial Statement. A current business and personal financial statement. If requested, personal statements shall be submitted by all the principals in the proposed business.

(b) Authorization by Applicant for Release of Information. (~~The airport commission~~) Snohomish county may request an authorization from the applicant for release of information on past business performance. This may include federal, state, county and city agencies in any state the applicant has done business.

(c) Personal Liability. (~~The airport~~) Snohomish county may request the principal applicants of a corporation to sign a document of personal liability as collateral to (~~the airport~~) Snohomish county against money owed if the applicants should default on their lease.

Section 29. Snohomish County Code Section 15.08.427 last amended by Ordinance No. 84-109 on October 22, 1984, is amended to read:

15.08.427 Hangars, offices and buildings county owned. Hangar space and office space in ~~((airport))~~ county owned facilities will be leased or rented based upon the rates and terms established, from time to time, by Snohomish county.

Section 30. Snohomish County Code Section 15.08.552, adopted by resolution on June 24, 1974, is amended to read:

15.08.552 Permit required. A permit shall be required from ~~((the airport))~~ Snohomish county for an aviation club.

Section 31. Snohomish County Code Section 15.08.601, adopted by resolution on June 24, 1974, is amended to read:

15.08.601 General conditions. The aircraft storage charges, fuel flowage fees, and landing fees as specified here may be amended, revised, deleted or added onto by the airport manager with the approval of the ~~((airport commission))~~ county executive. A current copy of rates, fees and charges will be available upon request from the airport office. Any airport user that is delinquent in payment of the following listed charges may be removed from the airport by order of the airport manager and refused the further use of the airport and its facilities.

Section 32. Snohomish County Code Section 15.08.602, added by Ordinance No. 87-063, on August 19, 1987, is amended to read:

15.08.602 Establishment of rates and charges. The airport manager, ~~((or as recommended by the commission,))~~ with approval of the county executive, may establish charges or rates not covered by the schedule of fees.

Section 33. Snohomish County Code Section 15.08.610, last amended by Ordinance No. 81-047 on June 1, 1981, is amended to read:

15.08.610 Aircraft storage. The fees which shall be charged for aircraft storage, including tie-down fees and hangar rental fees shall be fixed from time to time by the ~~((airport commission))~~ airport manager with approval of the county executive in such amounts as to provide reasonable returns for the facility leased, which fees shall be approved by resolution of the county council. Schedule of current fees shall be made available by the airport manager, upon request. Agreements for such services shall be approved and executed by the county executive ~~((, or he may delegate authority for such approval and execution to the airport commission))~~.

Section 34. Snohomish County Code Section 15.08.621, as amended by Ordinance No. 80-087 on December 3, 1980, and Ordinance No. 89-004, on February 15, 1989, is amended to read:

15.08.621 Aviation fuel sales-user fees. Any firm or individual taking delivery on paine field of fuel that is put into its/his aircraft fuel tank(s) shall pay a fee on gasoline and jet or turbine fuel fixed as provided in SCC 15.08.601.

These fees shall be collected by the oil company or other firm bringing said fuels onto paine field, from the user directly or indirectly thru its dealer. Collections shall be remitted each month to ~~((the airport))~~ Snohomish county, less any exemptions, on a form prescribed by the airport manager.

Aviation gas or turbine fuel which is not used by any aircraft based at or otherwise using the Snohomish county airport shall be exempt from this fee. It shall be the responsibility of the user of these fuels to establish its/his fee exemption under this section. Any refunds must be requested, directly or indirectly, from the oil company or other firm that originally collected the fee. Fee refund requests shall be submitted on an exemption certificate, prescribed by the airport manager, and shall accompany monthly oil company reports.

Section 35. Snohomish County Code Section 15.08.651, last amended by Ordinance No. 84-109, on October 22, 1984, is amended to read:

15.08.651 Enforcement procedures. In addition to any penalties otherwise provided by ~~((county resolution,))~~ state or local law, the Civil Air Regulations or the Federal Aviation Regulations, and all other rules and regulations of the Civil Aeronautics Board and the Federal Aviation Administration, any person violating these rules and regulations or operating or handling any aircraft in violation of these rules and regulations or failing or refusing to comply with these rules and regulations may be promptly removed or ejected from the airport by or under the authority of the airport manager, or upon his order such person may be temporarily grounded or deprived of the further use of the airport and its facilities pending presentation of the matter to the ~~((airport commission))~~ county executive. ~~((Such matters shall be presented to the commission as soon as practicable and at least by the next regular meeting of the commission, at which time the violator shall appear before the commission and show cause, if any, why he should not be deprived of the further use of the airport and its facilities.))~~ Upon the order of the ~~((commission))~~ executive, such person may be deprived of the further use of the airport and its facilities for such length of time as may be deemed necessary by the ~~((commission))~~ executive to insure the safeguarding of the airport, its operations and the public use thereof and the county's interest therein.

Section 36. Snohomish County Code Section 15.08.652, last amended by Ordinance No. 88-006 on February 17, 1988, is amended to read:

15.08.652 Parking regulations. The purpose of this ((article)) section is to regulate parking of vehicles on the airport in order to protect public health, safety and welfare by promoting safe and efficient use of limited parking spaces and minimizing adverse impacts of improperly parked vehicles.

(1) General conditions. All motor vehicles on the airport are to be parked in designated parking lots or in a manner and place prescribed by the airport manager. All airport roadways are areas of restricted parking. Parking on grass or sod areas is not permitted except with special permission of the airport manager (during special events such as air shows, etc.). Parking is restricted within fifteen feet of fire hydrants or standpipes.

(2) Prohibited parking areas. It shall be unlawful for the operator of a vehicle to park such vehicle in or on any of the following places, except when necessary to avoid conflict with other traffic, or to comply with other provisions of this code, or with the direction of a public safety officer or traffic control sign or signal:

- (a) Within an intersection;
- (b) On a crosswalk;
- (c) Between a safety zone and the adjacent curb, or within 25 feet of points on the curb immediately opposite the end of a safety zone, unless some other distance is indicated by a sign as authorized in this chapter;
- (d) Within 20 feet of a cross walk or street intersection;
- (e) Within 30 feet upon the approach to any flashing beacon, stop sign, traffic control signal, or traffic devices located at the side of the roadway;
- (f) In front of or within 50 feet of the driveway entrance to any fire or police station, or within any other marked fire zone area contiguous to such driveway;
- (g) In front of or within 15 feet of a fire hydrant or standpipes;
- (h) On a sidewalk or parking strip;
- (i) Within any space marked as a fire exit;
- (j) On that portion of any street contiguous to or opposite any outside court, corridor, passage, fire escape, exit or entrance door, or any other place adjacent to any door opening in any outer wall of any building containing, in whole or in part, any place of public assembly through which the public must pass to leave such building while such building is being utilized for public gatherings. It shall be incumbent upon and the duty of the owner or agent of the business used for the purpose herein specified to designate such prohibited areas by the placement of stanchions, signs or curb markings of the form and type satisfactory to the airport manager; and

(k) At any place where official traffic signs have been erected prohibiting parking;

(1) Parking by hangars. Vehicles shall not be parked in front of hangars except while making deliveries (not to exceed fifteen minutes). Tenants of T-hangars may park their cars in their hangars while operating their aircraft.

(3) Identification of No Parking and Restricted Parking areas. Except where this section provides otherwise, the airport manager shall identify designated No Parking and Restricted Parking areas by using appropriate signing and/or curb painting or lettering. It shall be unlawful for any person, company, or private organization to paint curbs or paint on parking signs without the permission of the airport manager. No regulations imposing parking time limits or prohibiting parking shall be effective unless the signs and/or curb markings authorized herein are in place at the time of any alleged violation or infraction.

"NO PARKING AREAS" shall be so identified either by a yellow painted curb or appropriate signing.

"FIRE ZONES" shall be so identified either by a red painted curb or appropriate signing.

"HANDICAPPED PARKING STALLS" shall be designated as such by appropriate markings.

"RESTRICTED PARKING ZONES" and other restricted parking areas shall be so identified by appropriate signing.

(4) Restricted parking zones.

(a) Thirty minutes parking zones. No person shall park a vehicle for a longer continuous time than 30 minutes of any day in areas marked with signs advising of such restrictions.

(b) Loading zones. No person shall park for any reason other than loading and unloading of passengers, products, or packages, in areas marked as loading zones with signs and white curb paint advising of such restrictions.

(c) Handicapped zones. No person shall park a vehicle in marked handicapped parking zones on public or private property without an appropriate permit or license being displayed by the vehicle.

(d) Fire zones. No person shall park a vehicle in fire zones marked by red curb paint or signs advising of such restrictions.

(5) Parking for certain purposes unlawful. No person shall park any vehicle upon any street or parking area for the principle purpose of:

(a) Displaying advertising and/or campaigning.

(b) Displaying such vehicle for sale.

(c) Selling merchandise from such vehicle except when authorized.

(6) One vehicle - one space. No person shall park in such a way as to occupy parts of more than one parking space or parking a vehicle other than at the angle to the curb indicated by such markings.

(7) Parking on aircraft tiedown locations. Tenants with aircraft tied down on the airport may park their vehicles on the aircraft tiedown while operating their aircraft.

(8) Right to move vehicles. (~~The airport~~) Snohomish county reserves the right to move any vehicles for purposes of sweeping, snow removal, or for reasons of safety or convenience (~~of the airport~~), or by reason of violation of rules or regulations (~~of~~) applicable to the airport.

(9) Authority. The parking regulations set forth in this chapter shall be enforced by the airport manager by and through law enforcement officers of Snohomish county and such other employees of (~~the airport~~) Snohomish county as are designated by the airport manager. The airport manager shall post signs as required by RCW 46.55.070 near the public entrances to the airport and at not less than four other spots within the airport in clearly conspicuous and locations visible to those who park on airport property.

Section 37. Snohomish County Code Section 15.08.656, last amended by Ordinance No. 88-006, on February 17, 1988, is amended to read:

15.08.656 Impoundment and release procedures-vehicles.

(1) The executive, after advertisement and bid as required by chapter 3.04 SCC, is authorized to enter into a contract with the registered truck owner whose response is most advantageous to the county to provide impoundment services for vehicles as required by this chapter and RCW 46.55.070 through 46.55.140.

(2) The law enforcement officer or the airport manager, whichever is directing the impoundment of a vehicle, shall notify the legal registered owner of the vehicle as required by RCW 46.55.110 within twenty four hours of impoundment.

(3) No tow truck operator shall release any impounded vehicle until advised that all charges of (~~the airport~~) Snohomish county against such vehicle have been fully paid. Other conditions of storage, return, redemption, hearing, notice and sale shall be as provided in RCW 46.55.090 through 46.55.140.

(4) All expenses of towing and storage shall be borne by the owner of the vehicle and shall be paid by said owner to the towing or storage company. No liability shall attach to Snohomish county, the Snohomish county airport, or any agents or employees of Snohomish county for any damages arising out of any impoundment. Provisions of this chapter may be utilized as an alternative to the provisions contained in chapter 10.36 SCC.

Section 38. Snohomish county Code Section 15.04.020, adopted by Ordinance No. 87-063 on August 19, 1987; Section 15.04.030, adopted by ordinance No. 87-063 on August 19, 1987; Section 15.04.070, last amended by Ordinance No. 87-063 on August 19, 1987; and Section 15.08.054, last amended by Ordinance No. 88-006 on February 17, 1988, are repealed.

PASSED this 18th day of November, 1992.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Approved as to Form:

Liz McLaughlin
Chairperson

AA
Deputy Prosecuting Attorney

ATTEST:

Barbara Silvestri
Clerk of the Council, Asst.

- () APPROVED
() VETOED
() EMERGENCY

DATE: 11/20/92
[Signature]
County Executive

PUBLISHED _____ and _____