

MURFREESBORO CITY CODE

Chapter 3

AIRPORT

ARTICLE I. GENERAL

SECTION 3-1 AIRPORT MANAGER.

The Airport Manager is hereby authorized and empowered to enforce, and is hereby charged with the duty of enforcing, the rules and regulations herein adopted.

[Charter §42(2), City Manager's authority to appoint department heads; Charter §96, authority to create departments; Charter §97, departments under City Manager supervision; Ord. of 10-02-52 §2]

SECTION 3-2 RESERVED.

[Ord. of 10-02-52 §1; Ord. No. 02-O-16 §1, 03-07-02]

SECTION 3-3 RESERVED.

[Ord. of 10-02-52 §3; Ord. No. 02-O-16 §2, 03-07-02]

SECTION 3-4 RESERVED.

[Ord. of 10-02-52 §4; Ord. No. 02-O-16 §3, 03-07-02]

SECTIONS 3-5—3-11 RESERVED.

ARTICLE II. RULES AND REGULATIONS

SECTION 3-12 GENERAL RULES AND REGULATIONS.

(A) *Operations.* The City, either directly or through its authorized representative, may suspend or restrict any or all operations without regard to weather conditions whenever such actions are deemed necessary and in the interest of safety.

(B) *Conduct of Business.*

(1) *Commercial use.* No person, firm, or corporation shall use the Murfreesboro Municipal Airport ("airport") as a "primary or secondary" base or terminal for the carrying on of any aviation activities for which payment has been or is to be received

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without first securing a permit or contract from the City and paying the fees and charges prescribed for such privileges.

- (2) *Concessions*. No person shall engage in the sale of refreshments, gasoline, oil or any other commodity or service, nor shall any person solicit funds from the public at the airport for any purpose, nor shall any person distribute or display signs, advertisements, handbills, circulars, or other printed or written matter at the airport except with the written approval of the City and in the manner prescribed and upon payment of the rates and charges set by the City for such purpose.

[Cross Reference: §3-31, Airport operators—standards.]

- (C) *Roads, walks, ramps, taxiways, runways*. No person shall use the roads, walks, ramps, taxiways or runways in such a manner as to obstruct their proper use.
- (D) *Records*. Every company or organization operating at the airport shall maintain an up-to-date file containing the name, address, telephone number, and occupation of all employees, pilots and owners of aircraft based on its premises. This information shall be available to the City on request.
- (E) *Construction, alterations, electrical wiring*. No person shall do any construction, alteration work or electrical wiring in or to any building on the airport without first securing written permission from the City. Any construction shall comply with City's regulations and applicable local, state, and federal regulations and applicable codes.
- (F) *Malfunctions*. The malfunctioning of any airport equipment or building shall be reported to the office of the Airport Manager in an effort to have the same corrected.

[Ord. No. 77-31 §1(1), 08-25-77; Ord. No. 02-O-16 §5, 03-07-02; Ord. No. 05-O-56 §§1, 2, 01-12-06]

SECTION 3-13 MOTOR VEHICLES AND MOBILE EQUIPMENT.

- (A) *General*. No person shall operate any motor vehicle on the airport except in a safe and reasonable manner.
- (B) *Ramps and aprons*. Except for authorized motor vehicles, all automobile traffic and similar vehicular traffic is prohibited from the main ramp area. Authorized vehicles are restricted as follows:
- (1) Automobile parking on the ramp areas in the vicinity of T-hangars is prohibited. Automobiles must be parked inside T-hangars or in front of the terminal building. Automobiles parked on the ramp and/or between the hangars will be towed away at the owner's expense.
 - (2) The electric gate to the T-hangar area must be closed at all times. It will be each user's responsibility to ensure that the gate closes immediately after entering or exiting the gate. Additional security requirements may be imposed on airport users by the Airport Commission or Airport Manager.
- (C) *Landing areas*. Only authorized persons including but not limited to FAA, TDOT and City officials shall operate vehicles on the landing areas of the airport. Authorized persons operating vehicles on the landing areas of the airport shall notify the Airport

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Manager prior to entering and after leaving the aircraft operating area.

- (D) *Control*. All motor vehicles and mobile equipment shall be operated so as to be under the safe control of their drivers at all times and taking into consideration existing traffic and road conditions.
- (E) *Speed*. All motor vehicles and mobile equipment shall in no case be operated at a speed in excess of ten miles per hour, except in an emergency.
- (F) *Accidents*. All accidents and witnesses thereto in which a motor vehicle or mobile equipment is involved shall be reported promptly to the office of the Airport Manager who shall immediately notify the City.
- (G) *Use of ramps and aprons*. No persons shall be permitted to loiter or otherwise enter aircraft aprons, hangars, and ramps unless carrying out duties pertaining to the servicing of aircraft or equipment and when going and coming from aircraft except where otherwise approved by Airport Manager.
- (H) *Intoxication*. No person under the influence of an intoxicant or narcotic drug shall operate a motor vehicle or mobile equipment on the airport.

[Ord. No. 77-31 §1(2), 08-25-77; Ord. No. 02-O-16 §6, 03-07-02; Ord. No. 05-O-56 §§3, 4, 01-12-06]

SECTION 3-14 RULES OF CONDUCT.

- (A) *Disorderly conduct*. No person shall commit any disorderly, obscene, or indecent act or commit any nuisance on the airport.
- (B) *Alcoholic beverages*. No person shall consume alcoholic beverages or narcotic drugs anywhere on the airport. Persons under the influence of alcohol or narcotics will be refused use of and admittance to any part of the airport.
- (C) *Gambling*. No person shall engage in or conduct gambling in any form or operate gambling devices anywhere on the airport.
- (D) *Property damage*. Any and all airport property destroyed, injured, or damaged by accident or otherwise shall be paid for by the party or parties responsible for such destruction, injury, or damage thereto.
- (E) *Firearms or explosives*. No persons except law enforcement officers, FAA personnel duly authorized, those authorized by the State of Tennessee, and members of the armed forces of the United States on official duty shall carry any firearms or explosives at the airport without the written permission of the City.
- (F) *Sanitation*. No person shall dispose of garbage, papers, refuse, or other materials on the airport except in the receptacles provided for that purpose. No person shall use restrooms other than in a proper and sanitary manner and shall not commit any nuisance in connection, therewith.
- (G) *Use of ramps and aprons*. No persons shall be permitted to loiter or otherwise enter aircraft aprons, hangars, and ramps unless carrying out duties pertaining to the servicing of aircraft or equipment and when going and coming from aircraft except where otherwise approved by the Airport Manager.

[Ord. No. 77-31 §1(3), 08-25-77; Ord. No. 02-O-16 §7, 03-07-02; Ord. No. 05-O-56 §§5, 6, 01-12-06]

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SECTION 3-15 FIRE HAZARDS.

- (A) *Smoking.* No person shall smoke on the airport apron, in the hangars, or in any other area in violation of posted “No Smoking” signs and in no case at a distance less than fifty feet from any aircraft or storage area for inflammable materials.
- (B) *Refueling aircraft.* It is required that all aircraft be grounded in an approved manner during all refueling operations.
- (C) *Fire equipment.* No person shall remove or cause to be removed from its holder, container, reel, or bracket any equipment or device used in fire prevention except in case of emergency or fire.
- (D) *Elimination of fire hazards.* All firefighting apparatus shall be kept clear of obstruction at all times. When an agent of the City has notified any lessee, tenant, or other person at the airport to correct or eliminate any fire hazard on the airport for which the person is responsible, such lessee, tenant or other person shall correct or eliminate such hazard in the manner and within the time prescribed in the notification received by such person.

[Ord. No. 77-31 §1(4), 08-25-77; Ord. No. 02-O-16 §8, 03-07-02; Ord. No. 05-O-56 §7, 01-12-06]

SECTION 3-16 AIRCRAFT OPERATIONS.

- (A) *Airport property.* All persons having entered upon the airport property shall be governed by the rules and regulations therein prescribed, and by instructions of the City relative to the use or occupation of any part of the airport property.
- (B) *FAA air traffic rules.* The air traffic rules as established by the FAA and currently in effect, or as subsequently revised or amended, are hereby adopted by reference and made a part of these rules as fully as if the same and each and all of them were set forth herein.
- (C) Reserved.
- (D) *Aircraft storage.* Aircraft shall be stored or parked in spaces designated for that purpose by the Airport Manager.
- (E) *Securing of unattended aircraft.* No aircraft shall be left unattended on the airport unless properly secured or within a hangar. All aircraft shall be chocked. Owners of such aircraft shall be held responsible for any damage resulting from failure to comply with this rule.
- (F) *Parking of aircraft.* No aircraft shall be parked or left unattended unless reasonably clear of runways, taxiways and parking aprons unless permission is secured from the Airport Manager.
- (G) *Self-servicing aircraft.* An aircraft owner, as described in the Federal Aviation Administration Advisory Circular 150/5190-5, may tie-down, adjust, repair, refuel, clean, and otherwise service the owner’s own aircraft, provided the service is performed by the aircraft owner or the owner’s employees with resources supplied by the aircraft

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owner.

In order for an “employer-employee” relationship to meet the requirements of this section, an “employer” pays the individual “employee” wages and reports those wages to federal and state agencies using employer reporting forms as required. This includes filing the appropriate state and federal income tax and social security withholding forms and complying with state laws on Workers’ Compensation. Any individual wishing to be recognized as an “employee” must pay required employee taxes and withholding.

- (H) *Disabled aircraft.* Aircraft owners, their agent, or their pilot shall be responsible for the prompt disposal of disabled aircraft and parts thereof on the airport unless required or directed to delay such action pending an investigation of an accident or unless written permission is received by the Airport Manager.
- (I) *Full control of aircraft required.* All aircraft shall be taxed under full control at reasonable speeds. Following a landing or prior to take off as well as taxiing, the pilot shall ensure that there is no danger of collision with other aircraft.
- (J) *Starting, running, and warming of engines.* No aircraft engine shall be started or run unless a competent operator shall be attending the controls. Chocks shall always be placed in front of the main landing wheels before starting the engine(s) unless the aircraft is equipped with adequate locking brakes which are on. Engines shall not be operated in such a position that hangars, shops, other buildings, spectators, automobiles, or other aircraft shall be in the path or propeller wash. The engine(s) of aircraft shall not be started inside hangars at any time.
- (K) *Proper consent and authority required.* No person shall take or use any aircraft, aircraft parts, instruments or tools thereof owned, controlled, or operated by any other person while such aircraft, aircraft parts, instruments, or tools are stored, housed, or otherwise left on the airport or within its hangars or buildings without the written consent of the owner or operator thereof, or satisfactory evidence of the right to do so duly presented to the attendant in charge.
- (L) *Accident reports.* Witnesses of and participants in any accident on or within the airport shall make a full report thereof to the City as soon after the accident as possible giving the names, addresses, and details of the accident.
- (M) *Damage to airport property.* Any and all airport property destroyed, injured, and damaged by accident or otherwise shall be paid for by the party or parties responsible for such destruction, injury, or damage thereto.
- (N) *Glider operations.* No glider or lighter-than-air operations shall take place at the airport except after prior consultation and approval from the Airport Manager.
- (O) *Parachute jumps.* No parachute jumps shall take place at the airport except in the case of an actual emergency or upon prior written approval of the Airport Manager.
- (P) *Demonstrations.* No experimental flight or ground demonstrations shall be conducted on the airport property or in an air traffic pattern without the prior written approval of the Airport Manager.

[Ord. No. 77-31 §1(5), 08-25-77; Ord. No. 02-O-16 §9, 03-07-02; Ord. No. 05-O-56 §§8–13, 01-12-06]

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SECTION 3-17 AIR TRAFFIC REGULATIONS.

- (A) *Traffic pattern.* Traffic patterns for the airport shall be standard left-hand traffic. Traffic pattern procedures as posted on the bulletin board in the main airport terminal building shall be followed at all times.
- (B) *Taxi pattern.* Aircraft shall taxi to and from runways on approved taxiways. Aircraft will clear the runway as soon as practical after landing.
- (C) *Holding.* All pilots shall park their aircraft behind runup lines to check engines and shall clear incoming and outgoing traffic. All landing traffic in the pattern has priority over aircraft on the ground.
- (D) Reserved.
- (E) Reserved.
- (F) *Takeoffs and landings.* All takeoffs and landings shall be made from the paved runway in the direction indicated by the wind indicator. Runway 36 is the preferred calm wind runway.
- (G) *Aerobatics.* No aircraft shall be flown within the airport traffic pattern in maneuvers other than those required in normal routine operation.
- (H) *Safety.* Pilots operating aircraft in the vicinity of and on the airport shall at all times do so in a manner that will insure maximum safety to other aircraft, property, and persons. In the event the Airport Manager has reason to believe that aircraft have been operated within the traffic pattern in a manner that is not deemed in the best interest of the general public, the City may exercise its rights as prescribed in Code §3-20 hereof.

[Ord. No. 77-31 §1(6), 08-25-77; Ord. No. 02-O-16 §10, 03-07-02; Ord. No. 05-O-56 §§14–17, 01-12-06]

SECTION 3-18 T-HANGAR RENTERS.

All persons renting a T-hangar must execute a hangar rental agreement, the basic form of which shall be approved by the Airport Commission.

[Ord. No. 77-31 §1(7), 08-25-77]

[Cross Reference: §3-50, Airport Commission.]

SECTION 3-19 AIRPORT LIABILITY.

Neither the City, Airport Commission, Airport Manager, their agents or employees shall be liable for loss, damage, or injury to persons or property arising from accident, incident, or mishap of any nature whatsoever and/or from any cause whatsoever to any individual, aircraft, or property occurring on the airport or in the use of the airport facilities.

[Ord. No. 77-31 §1(8), 08-25-77]

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SECTION 3-20 PENALTIES.

Any person operating or handling any aircraft, operating any vehicle equipment or apparatus, or using the airport or any of its facilities in violation of any of these rules and regulations, or refusing to comply therewith, may be promptly removed from the airport by or under the authority of the City and such person may be deprived of and refused the further use of the airport and its facilities for such length of time as may be required to insure the safeguarding of the same and the public and its interests therein. In addition, any person who violates any of the rules in this Chapter or regulations adopted pursuant thereof of the City, may be tried in a court of law and may be fined not less than ten dollars (\$10.00) nor more than the maximum allowed by law.

[Ord. No. 77-31 §1(9), 08-25-77; Ord. No. 02-O-16 §11, 03-07-02; Ord. No. 05-O-56 §18, 01-12-06]

ARTICLE III. PERMISSIBLE ACTIVITIES

SECTION 3-21 PERMISSIBLE ACTIVITIES.

Permissible aeronautical activities subject to the standards for commercial and independent operators include but are not limited to:

- (A) aircraft maintenance and repair;
- (B) flight training services;
- (C) aircraft rental service;
- (D) air taxi and charter service;
- (E) radio and instrument services;
- (F) aircraft sales;
- (G) crop dusting, seeding, spraying and bird chasing;
- (H) aerial photography or survey;
- (I) banner towing and advertising;
- (J) aviation maintenance technical training;
- (K) aircraft washing, cleaning, painting or refurbishment; and,
- (L) car rentals.

[Ord. No. 05-O-56 §19, 20, 01-12-06]

SECTION 3-22 EXCLUSIVE SALE OF FUEL AND OILS.

The City shall have the exclusive right to sell fuel and oil at the airport. No operator may sell any kind of fuel or oil at the airport.

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[Ord. No. 05-O-56 §21, 01-12-06]

SECTION 3-23 MAINTENANCE / MANAGEMENT AGREEMENT.

Nothing herein contained shall be construed as to limit the right of the City to enter into a contract and agreement with a general fixed base operator which is separate and distinct from the lease agreement with respect to the maintenance and overall supervision of the airport and to designate such operator as the Airport Manager.

[Ord. No. 05-O-56 §22, 01-12-06]

SECTION 3-24 FEES AND CHARGES.

Every person or company authorized to bring petroleum products on to the Murfreesboro Municipal Airport shall collect and pay to the City a fuel flowage fee at the rate established by the Airport Commission for AVGas, Jet fuel used, and for oil sold or used. All fuel flowage fees are payable on or before the 25th day of the month next following the sale or use, and are to be considered delinquent thereafter. The fuel flowage shall be posted in the terminal building.

For the purpose of compensating the operator and accounting for and remitting the fuel flowage fees, the operator shall be allowed two percent (2%) of the amount of fuel flowage fee due and accounted for and remitted to the City Treasurer in the form of a deduction in submitting the report and paying the amount due, provided, however, that the amount due is not delinquent at the time of payment to the City.

[Ord. No. 05-O-56 §23, 01-12-06]

SECTIONS 3-25—3-30 RESERVED.

ARTICLE IV. MINIMUM STANDARDS FOR FIXED BASE OPERATORS

SECTION 3-31 AIRPORT OPERATORS - STANDARDS.

All persons engaging in a commercial activity based at the airport are subject to regulation by the Airport Commission. A "commercial operator" is a person or company approved by the Airport Commission to engage in an aeronautical activity as defined in Section 3-21 at the airport who has entered into a lease agreement with the City.

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All persons wishing to engage in an aeronautical activity at the airport as a commercial operator must meet certain standards and have applied for and received written approval from the Airport Commission prior to engaging in the commercial activity. These standards include:

- (A) The operator will not receive exclusive rights to conduct a commercial activity at the airport.
- (B) The operator will not discriminate on a basis prohibited by applicable federal, state or local law or regulation.
- (C) The operator will enter into a hold harmless and indemnification agreement with the City.
- (D) The operator will provide insurance as required.
- (E) The operator will be qualified to perform the commercial activity as evaluated by education, experience, licensure, and legal status.
- (F) The operator will be able to perform activities safely and in compliance with applicable safety regulations.
- (G) The operator has provided evidence of ability to meet financial obligations.
- (H) The operator must have demonstrated ability to provide personnel, equipment, or supplies to adequately perform activity.

[Ord. No. 78-14 §1(1), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 02-O-16 §12, 03-07-02; Ord. No. 05-O-56 §24, 01-12-06]

SECTION 3-32 APPLICATION.

Any person desiring to conduct an aeronautical activity on the airport as a commercial operator must apply in writing and provide detailed information as to:

- (A) applicant's identity;
- (B) its acceptance of the standards;
- (C) description of the commercial activity for which permission is sought;
- (D) detailed description of the space or facilities sought to be leased to conduct the activity, if any;
- (E) information on the personnel, equipment, and inventory to be used in providing the activity and information as to ownership and availability;
- (F) information on the licenses, certification, or experience proving the applicant's technical ability and legal right to conduct the activity;
- (G) a description of past and current commercial activities conducted at other airports, including information on any involuntary termination of such relationship or any litigation or claim filed against the applicant; and,
- (H) other data which the Airport Commission may require for certain types of operations or from particular applicants.

[Ord. No. 78-14 §1(2), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 02-O-16 §13, 03-07-02; Ord. No. 05-O-56 §25, 01-12-06]

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SECTION 3-33 REVIEW OF APPLICATIONS.

Applications to conduct an aeronautical activity on the airport as a commercial operator will be submitted to the Airport Manager for review as to accuracy and completeness. Upon completion of an application, the Airport Manager shall submit the application with a recommendation on the application and the reasons therefore to the Airport Commission. If the applicant seeks to lease space or facilities, the Commission shall make a recommendation to the Council on such request; any lease or contract shall be approved by the City Attorney. If no lease of space or facilities is required, the Commission may act on the application. Any grant of permission to conduct an aeronautical activity and any lease shall, at a minimum, obligate the operator to provide information to the Airport Manager upon request, to continuously maintain the agreed upon amount of insurance, and to inform the Airport Manager of any change in the information contained in the application.

In addition, any grant of permission to conduct an aeronautical activity and any lease shall be subordinate to the provisions of any existing or future agreement between the City and the United States relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

[Ord. No. 78-14 §1(3), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 02-O-16 §14, 03-07-02; Ord. No. 05-O-56 §26, 01-12-06]

SECTION 3-34 FEES.

The Airport Commission may charge a commercial operator for permission to conduct an aeronautical activity based on an activity fee or charge, or based on a combination of such fee or charge and a rental fee for leased space, facilities, and/or equipment.

[Ord. No. 78-14 §1(4), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 05-O-56 §27, 01-12-06]

SECTION 3-35 CONSTRUCTION OF FACILITIES.

If a building or facility required for a commercial operator to conduct an aeronautical activity is not available for lease, the applicant shall have the right to also submit a proposal for the lease of land for the construction of such a building or facility in accordance with the terms, conditions, and standards established by the Airport Commission.

[Ord. No. 78-14 §1(5), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 05-O-56 §28, 01-12-06]

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SECTION 3-36 AIRCRAFT MAINTENANCE AND REPAIR.

All commercial operators conducting the aeronautical activity of repair and maintenance services for general aviation aircraft shall perform such services with qualified FAA certified mechanics. All commercial operators of repair and maintenance services must lease hangar space at the airport for the storage of their equipment, supplies, and parts and for conducting their business operations, which space may not be located in a T-hangar. Hangar space leased by a commercial operator must be used for performing all maintenance and repair services offered except when outdoor engine running or testing is required.

[Ord. No. 78-14 §1(6), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 05-O-56 §29, 01-12-06]

SECTION 3-37 FLIGHT TRAINING SERVICES.

All commercial operators conducting the aeronautical activity of flight training services shall have a valid current certificate issued by the FAA. The operator must lease adequate space as defined by the Airport Commission but not less than one hundred square feet at the airport for ground school, preflight and post flight briefings, schedule flights and instructors, telephone inquiries, and other administrative needs.

[Ord. No. 78-14 §1(7), 05-04-78; Ord. No. 94-O-28 §§1, 3, 06-16-94; Ord. No. 05-O-56 §30, 01-12-06]

SECTION 3-38 AIRCRAFT RENTAL SERVICES.

All commercial operators conducting the aeronautical activity of aircraft rental services shall have a valid current certificate issued by the FAA. The operator must lease adequate space as defined by the Airport Commission but not less than one hundred square feet at the airport for scheduling flights, telephone inquiries, and other administrative needs.

[Ord. No. 78-14§1(8), 05-04-78; Ord. No. 94-O-28 §§2, 3, 06-16-94; Ord. No. 05-O-56 §31, 01-12-06]

SECTION 3-39 AIR TAXI AND CHARTER SERVICES.

All commercial operators conducting the aeronautical activity of a taxi and charter service shall hold a valid and current FAA Air Taxi Commercial Operator Certificate in accordance with the requirements of Part 135. All aircraft shall be owned by or leased to the commercial operator by written agreement and must comply with the requirements of the Air Taxi Commercial Operator Certificate held. All pilots must be certificated with appropriate ratings to conduct the air taxi services offered with each aircraft. The commercial operator must lease adequate space as defined by the Airport Commission but not less than one hundred square feet at the airport for office and counter facilities to handle passengers,

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fares, and telephone inquiries, in addition to any other office locations.

[Ord. No. 93-O-15 §1, 05-13-93; Ord. No. 94-O-28 §§2, 3, 06-16-94; Ord. No. 05-O-56 §32, 01-12-06]

SECTION 3-40 RADIO AND INSTRUMENT SERVICES.

All commercial operators providing the aeronautical activity of radio and instrument repair services must have personnel qualified by holding necessary FAA Mechanic and Federal Communications Commission ("FCC") licenses to perform the various radio and instruments services so offered. The operation of a radio and instrument repair services requires the lease of office and shop area at the airport for the storage of equipment, supplies, and parts and for conducting their business operations, which space may not be located in a T-hangar. Hangar space leased by a commercial operator must be used for performing all radio and instrument services offered except when actual flight testing of equipment is required. The commercial operator must have sufficient equipment, supplies and parts to perform installations, calibrations and services in accordance with FAA, FCC, and manufacturers' requirements and recommendations.

[Ord. No. 94-O-28 §3, 06-16-94; Ord. No. 05-O-56 §33, 01-12-06]

SECTION 3-41 RESERVED.

[Ord. No. 94-O-28 §3, 06-16-94; Ord. No. 05-O-56 §34, 01-12-06]

SECTION 3-42 RESERVED.

[Ord. No. 78-14 §1(8), 05-04-78; Ord. No. 94-O-28 §2, 06-16-94; Ord. No. 05-O-56 §34, 01-12-06]

SECTION 3-43 RESERVED.

[Ord. No. 93-O-15 §1, 05-13-93; Ord. No. 94-O-28 §2, 06-16-94; Ord. No. 05-O-56 §34, 01-12-06]

ARTICLE V. MINIMUM STANDARDS FOR INDEPENDENT OPERATORS

SECTION 3-44 INDEPENDENT OPERATORS – STANDARDS.

According to the Federal Aviation Administration Advisory Circular 150/5190-5 the airport may enter into an agreement that permits a person access to the airport, or portions thereof, for the purpose of performing an aeronautical activity as defined in Section 3-21

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who does not lease premises from the City. Such a person is an “independent operator” who performs an aeronautical activity on the airport and is subject to regulation established by the Airport Commission.

All persons engaging in an aeronautical activity on a commercial basis as an independent operator at the airport must have applied for and received written approval from the Airport Manager prior to engaging in the aeronautical activity. All persons wishing to engage in an aeronautical activity as an independent operator must meet the same standards as a commercial operator engaging in the same activity, as described in Sections 3-36 through 3-40 except for those requiring the leasing of space at the airport. The airport’s standards may include requiring the independent operator to:

- (A) register with the Airport Manager each time the operator enters the field to conduct a commercial activity;
- (B) provide information about utilization of the field;
- (C) provide proof of appropriate licenses and certificates pertaining to the activity being performed;
- (D) provide proof of insurance as required by the Airport Commission;
- (E) provide proof confirming approval from the tenant that the operator will be performing the service for;
- (F) pay the independent operator permit fee as defined by the Airport Commission; and,
- (G) demonstrate ability to conduct its activities in a manner that does not compromise the safety, security, and/or integrity of the airport and the ability to comply with applicable rules and regulations adopted by the Airport Commission.

In addition, any grant of permission to conduct an aeronautical activity as an independent operator shall be subordinate to the provisions of any existing or future agreement between the City and the United States relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

[Ord. No. 05-O-56 §§35, 36, 01-12-06]

SECTIONS 3-45—3-49 RESERVED.

ARTICLE VI. AIRPORT COMMISSION

SECTION 3-50 COMMISSION CREATED.

An airport commission for the City is hereby created and shall be known as the “Airport Commission.”

[Ord. No. 92-14 §1, 02-27-92; Ord. No. 05-O-56 §37, 01-12-06]

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SECTION 3-51 COMPOSITION; TERM OF OFFICE; COMPENSATION; REMOVAL FROM OFFICE.

The Airport Commission shall consist of seven members and two ex-officio non-voting members. The term of office shall be three years, except the initial members shall be appointed to staggered terms of one, two, and three years. All members shall be appointed by the Mayor with approval of the Council. One member of the Commission shall be a representative of the Council. One member shall reside within five thousand feet of the centerline of the airport runway. The other members shall be users of the airport or possess special knowledge or experience in the aviation field. The City Manager and a representative of Middle Tennessee State University shall serve as ex-officio members. Every two years, at the June Airport Commission meeting or the first meeting scheduled thereafter, the Chair and Vice Chair of the Airport Commission shall be elected through a vote of their fellow Airport Commission members. Should a Chair or Vice Chair no longer be able to serve on the Airport Commission during their term, an election shall take place at the next Airport Commission meeting. Should a tie vote occur the candidate with the most seniority wins the tie-breaker. The Chair and Vice Chair will serve a two-year term if their term on the Airport Commission allows or their appointment is continued.

All members shall serve without compensation until the Council shall fix and provide such compensation by resolution. Members of the Commission may be removed by majority vote of the Council for inefficiency, neglect of duty, failure to attend meetings, or malfeasance in office.

[Ord. No. 92-14 §1, 02-27-92; Ord. No. 93-O-39 §1, 07-29-93; Ord. No. 01-O-22 §1, 07-19-01; Ord. No. 02-O-16 §15, 03-07-02; Ord. No. 05-O-56 §38, 01-12-06]

SECTION 3-52 MEETINGS.

The meetings of the Airport Commission shall be open to the public. The Commission shall conduct meetings bi-monthly or sooner. The Mayor, City Manager, chair of the Commission, or any two members of the Commission may call a special meeting. A quorum shall be a majority of the members of the Commission.

[Ord. No. 92-14 §1, 02-27-92; Ord. No. 02-O-16 §16, 03-07-02]

SECTION 3-53 PURPOSES.

The purposes of the Airport Commission are as follows:

- (A) promote the orderly growth, development, and use of the airport;
- (B) promote public safety at and around the airport;
- (C) oversee the operation of the airport and assure service to the citizens who use the airport, owners of airplanes located at the airport, and the traveling public who utilize

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- the airport;
- (D) promote harmony between citizens who reside near the airport and the people who use the airport;
 - (E) cooperate with Middle Tennessee State University in the development and implementation of its aerospace program;
 - (F) recommend a budget to the City Council and oversee compliance with the budget; and,
 - (G) cooperate with the Tennessee Department of Transportation – Division of Aeronautics and the FAA in the development and use of the airport.

[Charter §74, budget information to be furnished to City Manager upon request; Ord. No. 92-14 §1, 02-27-92; Ord. No. 02-O-16 §17, 03-07-02; Ord. No. 05-O-56 §39, 01-12-06]

SECTION 3-54 REPORTS TO CITY COUNCIL.

The Airport Commission shall from time to time, and at least annually, report to the City Council. The Commission does not have the authority to enter contracts on behalf of the City but shall recommend contracts and lease agreements to the Council.

[Ord. No. 92-14 §1, 02-27-92]

END OF CHAPTER 3.

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