MARIPOSA COUNTY ORDINANCE 510

AN ORDINANCE AMENDING THE MARIPOSA COUNTY CODE
BY ADDING TITLE 19 THERETO ENTITLED "AIRPORT" TO CONTAIN
CHAPTER I THEREOF RELATING TO
COUNTRY AIRPORT RULES AND REGULATIONS

The Board of Supervisors of the County of Mariposa,
State of California, does hereby ordain as follows:

SECTION I: The Mariposa County Code is hereby amended
by adding Title 19 thereto to be entitled "Airport" and to con-
tain the following chapter and sections to be numbered, entitled,
and read as follows:

Title 19
AIRPORT

Chapters:

19.02 County Airport Rules and Regulations

Chapter 19.02

COUNTY AIRPORT RULES AND REGULATIONS

Sections:

19.02.010 Short Title.
19.02.020 Applicability.
19.02.030 Responsibilities.
19.02.040 Definitions.
19.02.050 Necessity.
19.02.060 Based Aircraft.
19.02.070 Commercial Activity.
19.02.080 Aircraft Storage and Parking.
19.02.090 Hours of Operation.
19.02.100 Unattended Aircraft.
19.02.110 Maintenance.
19.02.120 Equipment Requirements.
19.02.130 Accidents.
19.02.140 Noise.
19.02.150 Restricted Areas.
19.02.160 Animals.
19.02.170 Access to Runways.
19.02.180 Starting Engines.
19.02.190 Taxiing.
19.02.200 Dumping Refuse.
19.02.210 Firearms.
19.02.220 Traffic Pattern.
19.02.230 Take-Offs and Landings.
19.02.240 Aircraft Fueling and Defueling.
19.02.250 Vehicle Operations.
19.02.260 Fire Hazards.
19.02.270 Fuel Sales.
19.02.280 Liability Insurance.
19.02.290 Illegal Activities.
19.02.300 Airport Closure.
19.02.310 Severability.
19.02.320 Publication.

19.02.010 Short Title. This ordinance may be referred to as the Mariposa-Yosemite Airport Rules and Regulations. It may be amended by a majority vote of the Board of Supervisors.

19.02.020 Applicability. This ordinance applies equally to every user of the Mariposa-Yosemite Airport.

19.02.030 Responsibilities.

A. Management. It shall be the responsibility of the Manager of Mariposa-Yosemite Airport to fairly and impartially administer the airport rules and regulations.

B. Users. It shall be the responsibility of every user of the Mariposa-Yosemite Airport, pilot or other, to become familiar with the airport rules and regulations and to obey those rules and regulations. A current copy will be maintained to reflect any amendments and will be posted in the airport terminal building. Additional copies will be provided by the Manager to any user of the airport who requests such copy.

19.02.040 Definitions. For the purposes of this ordinance, the following definitions and meanings shall apply unless otherwise specified:

A. "Air carrier" means any person who undertakes directly, by lease, or other arrangement to engage in air transportation of persons or things. They operate, in various categories, under
authority or certification by the U.S. Civil Aeronautics Board and/or the California Public Utilities Commission. Categories include Certificated Route Air Carriers, Trunk Carriers, Flag Carriers, Local Service Carriers, All-Cargo Carriers, Helicopter Carriers, Commercial Air Operators, Air Taxi Operators, and Charter Air Carriers.

B. "Aircraft" means a device that is used, or intended to be used, for flight in the air. It includes airplanes, helicopters, and gliders and lighter than air devices such as blimps or balloons, but does not include hang gliders.

C. "Airport" means the Mariposa-Yosemite Airport, its buildings and facilities, all lands owned by the County of Mariposa contiguous to the airport, including airspace above such land and the designated approaches thereto.

D. "Air traffic" means aircraft operating in the air or on an airport surface exclusive of loading ramps or parking areas.

E. "Autorotation" means a rotorcraft flight condition in which the lifting rotor is driven entirely by action of the air when the rotorcraft (helicopter) is in motion.

F. "Balloon" means a lighter-than-air aircraft which is not engine-driven.

G. "Ceiling" means the height above the earth's surface of the lowest layer of clouds or obscuring phenomena that is reported as "broken", "overcast", or "obscuration" and is not classified "thin" or "partial".

H. "County" means the County of Mariposa.

I. "Commercial operator" means any person who, for compensation or hire, engages in the carriage of persons, property, or
mail in air commerce or engages in other aerial activity such as flight instruction, aerial photography, fire fighting, agricultural aviation activities, traffic surveillance, etc.

J. "Commercial use" means use of the Mariposa-Yosemite Airport for revenue-producing commercial activities.

K. "Fixed-base operator" means any person who rents, leases, or owns facilities located on the airport who, by virtue of his/her specific type of aviation or aviation-related activity, requires the occupancy of a site with contiguous aircraft apron and direct access to the aircraft operation area and who engages in a business activity providing aviation sales or services including, but not limited to, the following:

1. Selling and/or servicing new and used aircraft and component parts.

2. Aircraft maintenance and repairs.

3. Sales and/or repair of avionics.

4. Aviation training including ground or flight instruction.

5. Aerial photography.

6. Air ambulance service.

7. Aircraft agricultural operations such as crop dusting, spraying, or the application of seed, fertilizers, pesticides, defoliants, etc.

8. Aircraft rental, charter, and/or leasing.

L. "Flight visibility" means the average forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.
M. "Ground visibility" means prevailing horizontal visibility near the earth's surface.

N. "Helicopter" means a rotor-driven aircraft (rotorcraft) that, for its horizontal motion, depends primarily on its engine-driven rotors.

O. "IFR" means instrument flight rules covering meteorological conditions below the minimums for flight under visual (VFR) conditions.

P. "Maintenance" means inspection, overhaul, repair, preservation, and the replacement of parts but excludes preventive maintenance.

Q. "Maximum gross landing weight" means the maximum landing weight stipulated for a particular aircraft by the Federal Aviation Administration (FAA).

R. "Night" means the time between the end of evening civil twilight and the beginning of morning civil twilight as published in the American Air Almanac, converted to local time.

S. "Person" means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity and includes a trustee, receiver, assignee, or similar representative of any of them.

T. "Traffic pattern" means the traffic flow that is prescribed for aircraft landing at or taking off from the Mariposa-Yosemite Airport.

U. "Word construction", as follows, applies throughout this ordinance:

1. Words importing the singular include the plural.

2. Words importing the plural include the singular.

3. Words importing the masculine gender include the feminine.
V. "VFR" means visual flight rules covering meteorological conditions above those requiring flight under IFR conditions.

19.02.050 Necessity. This ordinance is enacted to protect the health, safety, and peace and to promote the welfare and convenience of the general public using the Mariposa-Yosemite Airport or affected by activities related to the airport by providing for the orderly conduct of activities on or related to the airport.

19.02.060 Based Aircraft. Any person desiring to store or base his/her aircraft or vehicle at Mariposa-Yosemite Airport shall register the aircraft at the airport office prior to beginning such storage or operation and at any time that a change in ownership occurs. The use of the airport or any of its facilities in any manner shall create an obligation on the part of the user to obey all of the rules and regulations herein provided.

19.02.070 Commercial Activity. No person shall utilize the airport for any revenue-producing commercial activities without first obtaining a permit from the Mariposa County Airport Advisory Committee, approved by the Mariposa County Board of Supervisors, for such activities and paying the fees and charges established for such use. The airport manager shall establish and maintain available for examination upon request a schedule of fees and charges for the use of the airport and its facilities. Any aircraft owner who fails to pay any fee duly charged for aircraft owned or controlled by him/her shall have such aircraft subject to impounding until the fees are paid along with any impound fees or until the aircraft is sold for charges.

///
19.02.080 Aircraft Storage and Parking. Aircraft shall only be stored or parked at places designated by the airport manager, and such storage or parking shall be at the sole risk of the owner or operator of the aircraft and without any responsibility of Mariposa-Yosemite Airport, the County of Mariposa, or any of its officers or employees for any loss of or damage to the aircraft while so stored or parked. The owner or operator of the aircraft shall be responsible for the tying down and securing of his/her aircraft. The owner shall likewise be responsible for any liability arising from or caused by the aircraft or his/her activities. Transient aircraft shall only be parked in the area designated by the airport manager.

19.02.090 Hours of Operation. The Mariposa-Yosemite Airport shall be open for public use at all hours of the day and night subject to any restrictions imposed by the airport manager due to inclement weather, the condition of the landing area, the presentation of special events, construction or repair activities, or similar causes. The airport is attended from 8 A.M. to 5 P.M. daily, and services may be obtained at other times by contacting the airport manager at telephone number 209/966-3483 or his assistant at telephone number 209/966-2618. An after-hours service charge can be expected if airport personnel agree to come out to perform services between 5 P.M. and 8 A.M.

19.02.100 Unattended Aircraft. No aircraft shall be left unattended on the airport unless properly secured or within a hangar. Owners of aircraft left so unattended shall be liable for damage to other aircraft or property resulting from the failure to adequately secure or tie down the aircraft.
19.02.110 Maintenance. Unless otherwise authorized by the airport manager, no aircraft or vehicle maintenance, other than required to remove damaged aircraft from the runway(s) or taxiway(s) or replacing a flat tire, shall be performed on the airport except in areas specifically designated by the airport manager for that purpose. Engine run-ups not incidental to take-off or landing shall not be conducted between the hours of 8 P.M. to 7 A.M.

19.02.120 Equipment Requirements. Pilots approaching the airport shall maintain a listening watch on UNICom 122.8 MHz for traffic advisories. Aircraft with no radio or with inoperative communication equipment shall first fly over the airport traffic area above 3,500 feet MSL to determine traffic direction and density prior to entering traffic pattern.

19.02.130 Accidents. Every person involved in or witnessing an aircraft accident on the airport shall report promptly the details of such accident to the airport manager or to the Sheriff's office at times the airport is unattended. In addition, the pilot or aircraft owner shall report fully to the California Division of Aeronautics the details on any accident in which there is death or injury or in which damage to the property of others exceeds Four Hundred Dollars. The owner and/or pilot of an aircraft which is damaged in an accident or wrecked shall be responsible for the prompt removal of the aircraft as directed by the airport manager. Where the pilot or owner is unable to arrange for removal of such disabled or wrecked aircraft, the airport manager shall have the authority to move or arrange the removal of the aircraft when released (if applicable) by the FAA or the
National Transportation Safety Board (NTSB). No liability shall be incurred by the airport manager or others for damage aggravated by or resulting from such removal.

19.02.140 Noise. No person shall operate any aircraft in flight or on the ground in such a manner as to cause unnecessary noise as determined by applicable federal or state or local laws and regulations.

19.02.150 Restricted Areas. No person shall enter any restricted area which is posted or closed to the public except (a) persons duly authorized by the airport manager or (b) law enforcement or fire fighting personnel.

19.02.160 Animals. No person shall willfully and knowingly permit any animal owned, possessed, or harbored by him/her to enter the airport unless the animal is leashed or restricted in such manner as to be under control or is in a shipping container or is otherwise under physical restraint.

19.02.170 Access to Runways. No person shall start any aircraft engine on the airport:

A. Unless a competent operator is at the controls.

B. Unless the aircraft is equipped with adequate brakes fully applied or the wheels are securely blocked with blocks or chocks that can be removed safely.

C. When the aircraft is in such a position that the propeller slipstream or jet blast can cause damage to or interfere with the operation of other aircraft, vehicles, mobile equipment, hangars, shops, other buildings, or can cause injury to passengers, spectators, or other personnel.
19.02.190 Taxiing. No person shall taxi any aircraft into, out of, or within any hangar or other building on or adjacent to the airport. Nor shall any person move any aircraft under its own power on the airport unless he/she is in full control of such aircraft and has assured himself that there is no danger of collision with other aircraft, vehicles, equipment, buildings, or other obstacles. Aircraft shall be taxied at a safe speed not to exceed fifteen miles per hour on parking aprons and taxiways.

19.02.200 Dumping Refuse. No person shall place, deposit, or dump any garbage, cans, bottles, papers, ashes, sewage, carcass of any dead animal, offal, trash, rubbish, debris, or any other refuse in any location on the airport except in containers for such purposes.

19.02.210 Firearms. No person shall shoot any projectile from a firearm or other device into, on, or across any portion of the airport, nor have in his/her possession or under his/her control any firearm which is not unloaded and securely wrapped and boxed for shipment or explosive or explosive device; provided, however, that this section does not apply to peace officers or the airport manager who are acting in the performance of their duties.

19.02.220 Traffic Pattern. Every aircraft, before landing and after take-off, shall be flown in accordance with the traffic pattern illustrated on the diagram attached hereto as Exhibit "A" and made a part of this ordinance.

19.02.230 Take-Offs and Landings.

A. No aeronautical activity shall be conducted at Mariposa- Yosemite Airport or within the airport traffic area except in
conformance with current federal air regulations, State of
California law and regulations, and this ordinance; except air
shows and demonstrations approved by the airport manager in con-
formance with said laws and regulations.

B. All initial take-offs shall commence at the end of the
runway unless cleared by the airport manager.

C. Touch-and-go landings are authorized.

D. The following aircraft and/or activity are prohibited
from operating at the airport except in emergency situations:

1. Aircraft equipped with a tail-skid.

2. Jet-powered aircraft, excluding prop-jets, because
of minimum runway length, noise, and congested aircraft parking
space.

3. Aircraft with maximum gross landing weight in ex-
cess of 12,500 pounds.

4. No hang gliders or hot air balloons or sport parachutes
jumping within a five-mile radius of the airport without
prior approval of airport manager.

19.02.240 Aircraft Fueling and Defueling.

A. No aircraft shall be fueled or defueled while the air-
craft engine is running or while the aircraft is in a hanger or
other enclosed space.

B. No smoking shall be permitted within fifty feet of the
aircraft or fuel truck while the aircraft is being fueled or de-
defueled.

C. During fuel handling no passenger shall be permitted in
or on the aircraft unless a cabin attendant or crew member is
stationed at or near the cabin door.
D. All hoses, funnels, and appurtenances used in fueling or defueling activities shall be equipped properly with a grounding device to prevent possible static ignition of volatile liquids. Such grounding devices shall be used during all fueling and defueling activities.

E. During fuel handling activities no person shall operate any radio transmitter or receiver nor switch electrical appliances on or off in such aircraft or in the immediate vicinity (fifty feet) thereof.

F. Every person engaged in aircraft fuel handling shall exercise due care to prevent the overflow of spilling of fuel.

G. During fuel handling no person shall use any material or device which is likely to cause a static spark within fifty feet of such aircraft or fuel truck.

H. Where there has been a fuel spill or leak, no person shall start the engine of any aircraft in close proximity until the spill or leak has been washed away. In the event of such spills or leaks, the airport manager shall be notified.

I. Fuel hoses and draining or defueling equipment shall be maintained in a safe, sound, and non-leaking condition.

**19.02.250 Vehicle Operations.**

A. No person shall travel on any portion of the airport except upon the roads, walks, or places provided for the particular class of traffic, nor occupy the roads or walks in such manner as to hinder or obstruct their proper use.

B. Motor-vehicle traffic shall yield the right-of-way to aircraft.
C. Every vehicle operating within, in, or on the runways, taxiways, ramps, or aircraft parking or tie-down areas shall do so only by approval of the airport manager.

D. Any accident involving a motor vehicle, which results in a fatality or injury or in property damage, shall be reported by the driver to the airport manager.

E. No person shall operate any motor vehicle on the airport in excess of twenty miles per hour, except emergency vehicles responding to an emergency situation. On passenger loading ramps, in aircraft parking lots, and in areas immediately adjacent to hangars, speed shall not exceed five miles per hour. The speed limit on the airport access road from the highway shall be twenty miles per hour.

F. Vehicles shall not be parked on the airport other than in the areas approved by the airport manager.

G. Vehicles that are to be left unattended may be parked only in designated airport vehicle parking lots. At no time will unattended vehicles be allowed to park on aircraft parking aprons.

H. Vehicles parked other than specified in Paragraphs "F" and "G" of this section may be moved by airport personnel, and in such event, a towing charge will be levied prior to releasing the vehicle from impound. No liability for damages sustained by such vehicles during said movement will be assumed by the County of Mariposa or any of its officers, employees, or airport personnel.

I. Motor vehicles shall not be driven on or across runways or other portions of aircraft operating areas or on non-paved airport areas without clearance from the airport manager.

///
J. Motor vehicles shall not be driven or parked upon aircraft parking areas, ramp areas, or aprons without express approval of the airport manager, except airport maintenance or emergency vehicles or fuel or service vehicles.

K. No person may operate a motor vehicle OR aircraft in or on any portion of the airport while under the influence of intoxicating liquor or drugs. Alcoholic beverages will not be consumed within areas designated as ground operating areas for aircraft.

19.02.260 Fire Hazards.

A. No person shall light or smoke any cigarette, cigar, pipe, or similar object in the following airport areas:

1. Within any hangar or fuel handling or storage areas.

2. Within or upon any aircraft parking area or ramp.

3. Inside any aircraft, whether or not such aircraft are parked or stored, or within fifty feet thereof.

4. Within fifty feet of any "NO SMOKING" sign posted unless within an approved smoking area such as the airport terminal building.

B. No person may use flammable liquids, solvents, or substances to clean any aircraft, engine, part, or accessory thereof within any hangar or building except a building specially designed for that purpose and approved in writing by the airport manager. Such approval shall only be granted when the airport manager approves the ventilation provisions, fireproofing, and fire-extinguishing equipment.

///

///
C. No person shall light or use any open flame for any purpose in any hangar or other building on the airport without the prior written consent of the airport manager.

D. No person shall operate any electric or gas welding or cutting equipment anywhere on the airport without prior written approval of the airport manager.

E. No person shall clean or degrease any aircraft or part thereof except at or in a maintenance station properly equipped for such purposes or in a space designated or authorized by the airport manager.

F. No person shall store or stock any material or substance or permit such activities in or on the airport in such a manner or of such nature as to constitute a fire hazard. No person shall keep, store, or discard any flammable liquid, gas, signal flare, or other flammable material in any hanger, shop, building, room, enclosure, or other place on the airport except in areas specially designated by the airport manager for such purpose.

G. Lessees of hangars, shops, or other airport areas shall provide suitable metal receptacles with hinged lids for the storage of oily waste, rags, and other similar rubbish. All such materials shall be removed by the lessee at frequent intervals.

H. Every lessee shall maintain the leased area clean and reasonably free of oil, grease, waste, other flammable materials, and weeds.

I. Lessees shall provide and maintain in proper working order adequate and readily accessible fire extinguishers. Each such extinguisher shall bear a suitable tag which indicates the most recent date of inspection or servicing. Extinguishers shall
be approved by the Mariposa County Fire Warden if they meet the
requirements of the County Fire Warden.

19.02.270 Fuel Sales. No person shall deliver aviation
fuels or lubricants to or dispense such fuel from, at, or upon the
airport without a permit from the Mariposa County Airport Advisory
Committee approved by the Board of Supervisors. No fuel shall be
stored anywhere on the airport except in underground tanks or such
other tanks as may be approved by the airport manager.

19.02.280 Liability Insurance. Each aircraft based at the
Mariposa-Yosemite Airport must be covered by bodily injury
liability insurance with a minimum limit of One Hundred Thousand
Dollars per person, Three Hundred Thousand Dollars per incident
(or a single limit liability of Three Hundred Thousand Dollars),
and property damage liability with a minimum limit of One Hundred
Thousand Dollars.

19.02.290 Illegal Activities. No person shall:

A. Take or use any aircraft, aircraft parts, instruments,
or tools pertaining thereto which are owned, controlled, or
operated by any other person while such aircraft, parts, instru-
ments, or tools are stored or otherwise left on the airport or
within its hangars, buildings, or facilities without the written
consent of the owner/operator thereof, except upon satisfactory
evidence of the right to do so duly presented to the airport
manager or authorized by him or so ordered by a court of competent
jurisdiction.

B. Land, take off, taxi, or otherwise operate any aircraft
on, at, or from the airport when he knows such aircraft is not
operating properly or is equipped with any part or safety device
which is defective or unsafe. Deviations from this restriction shall only be permitted by specific authorization from the airport manager or designated representative. Nor shall any aircraft be operated on or at the airport or on any runway thereof when the airport or runway has been closed to traffic by the airport manager or other legal authority and such closure has been indicated by the placement of an "X" at each end of the closed runway.

C. Operate any aircraft on, at, or in the vicinity (three statute miles) of the airport in willful or wanton disregard for the safety of persons or property, whether his/her own or that of others.

D. Engage in the performance of any aerobatics, stunt, or maneuver not necessary to a normal take-off, landing, normal turn, or level flight of the aircraft over or within one mile of the exterior boundaries of the airport, excluding aircraft approved for such flight by the airport manager for show or demonstration.

E. Engage in the sale of any goods, wares, merchandise, or services at or upon the airport without first having secured from the airport manager a permit therefor and paying any required fees for such permit.

19.02.300 Airport Closure. The airport manager is hereby directed and authorized to close the airport or portions thereof or suspend operations related to the landing, take-off, or taxiing of aircraft during any period in which he/she determines that such operations or their continuance would be hazardous. Causes for such closure could include but not be limited to adverse weather conditions, runway maintenance or repairs, runway obstacles, fire, aircraft, or other accident. Any such closure
shall be effective only during such time as there is placed at
each end of each runway so closed a letter "X", the arms of which
are at least twenty feet long and two feet wide and so colored as
to contrast with the background or other surface. The airport
manager shall immediately notify the Fresno Flight Service Station
and issue a Notice to Airmen (NOTAM) advising of the closure.

19.02.310 Severability. Should any article, section, sub-
section, sentence, clause, or phrase of this ordinance be held
invalid or unconstitutional for any reason, such decision shall
not affect the remaining portions of the ordinance. The Mariposa
County Board of Supervisors hereby declares that it would have
adopted this ordinance and each article, section, subsection,
sentence, clause, or phrase regardless of the fact that any one
or more articles, sections, subsections, sentences, clauses, or
phrases be declared invalid or unconstitutional.

SECTION II: The effective date of this ordinance shall
be June 7, 1979.

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors this 8th day of May, 1979, by the following vote:

AYES: Clark, Erickson, Weber, Owings.

NOES: None.

NOT VOTING: None.

AYES: Dalton.

ATTEST:
JOAN LYNK, Clerk of the Board

APPROVED AS TO FORM:
NEIL B. VAN WINKLE
County Counsel/Administrative
Assistant to the Board
DATED: April 26, 1979
1. Enter pattern in level flight, abeam the midpoint of the runway, at pattern altitude.

2. Maintain pattern altitude until abeam approach end of the landing runway, on downwind leg.

3. Complete turn to final at least 1/4 mile from runway.

4. Continue straight ahead until beyond last dwelling in Mt. Bullion settlement or 3,000' MSL, whichever comes first.

5. If remaining in the traffic pattern, commence turn to crosswind leg beyond the departure end of the runway, within 300 feet of pattern altitude.

6. If departing the traffic pattern, continue straight out, or exit with a 45° left turn beyond the last dwelling in the settlement of Mt. Bullion or 3,000' MSL, whichever comes first.

7. Straight-In Landings are permitted if prior contact established with 'Mariposa Unicom' on 122.8 Mhz, to determine if this type of approach will not disrupt or endanger the flow of other arriving and departing traffic. The County Airport is an air carrier airport. The town of Mariposa should be avoided, but in no case will the aircraft be flown at less than 3,000' MSL(1,000' AGL) over Mariposa.
1. Enter pattern in level flight, abeam the midpoint of the runway, at pattern altitude.

2. Maintain pattern altitude until abeam approach end of the landing runway, on downwind leg.

3. Complete turn to final at least \( \frac{3}{4} \) mile from runway.

4. Right turn out permitted as soon as aircraft is safely airborne.

5. If remaining in the traffic pattern, commence turn to crosswind leg anytime after aircraft is safely airborne. In no case will the settlement of Mt. Bullion be flown over at less than 3,300 MSL (1,048 AGL) if close-in downwind leg is flown.

6. If departing the traffic pattern, exit with 45° right turn as soon as safely airborne. Straight-out departure permitted if the town of Mariposa is avoided. In no case will the town of Mariposa be overflown at less than 3,000 MSL (1,000 AGL) (FAR 91.79b).

7. Straight-In Landings are permitted if prior contact established with ‘Mariposa Unicom’ on 122.9 MHz, to determine if the approach will not disrupt or endanger the flow of other arriving & departing traffic. The County Airport is an air carrier airport.