

Additions are <u>underlined</u> . Deletions are struck through . Revision markers are noted in left or right margins as vertical lines.

ORDINANCE NO. 1437

**AN ORDINANCE OF THE NAPA COUNTY BOARD OF SUPERVISORS,
STATE OF CALIFORNIA, AMENDING SECTION 1.28.040
(DEFINITIONS) AND CHAPTER 11.28 (NAPA COUNTY AIRPORT) OF
THE NAPA COUNTY CODE, AND ADOPTING RULES AND
REGULATIONS FOR THE NAPA COUNTY AIRPORT**

WHEREAS, Napa County Code Chapter 11.28, which sets forth the rules and regulations for the Napa County Airport, was last amended in 1980 by Ordinance 628; and

WHEREAS, the purpose of Rules and Regulations at the Napa County Airport is to protect the public health, safety, interest, and general welfare of the operators, lessees, sublessees, permittees, and users of the Airport, and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport; and

WHEREAS, the Rules and Regulations govern activities at the Airport of not only operators, lessees, sublessees, and permittees that the County has contractual relationships with, but also transient users and members of the public where no contractual relationship exists; and

WHEREAS, adopting the Rules and Regulations by ordinance ensure the County and its staff have all available enforcement options; and

WHEREAS, the Board desires that Rules and Regulations to be in a format that is readily accessible, understandable, and consistent with industry standards in order to promote compliance and enforcement; and

WHEREAS, the Airport Manager is the appropriate enforcement officer for any violations of the Rules and Regulations; and

WHEREAS, the Board finds and declares that the adoption of this Ordinance is necessary and desirable to protect the public health, safety, interest, and general welfare of the operators, lessees, sublessees, permittees, and users of the Airport.

The Napa County Board of Supervisors, State of California, ordains as follows:

SECTION 1. The Rules and Regulations of the Napa County Airport, attached hereto as Exhibit A and incorporated by reference herein, are hereby adopted. These Rule and Regulations shall be uncodified except by reference to this ordinance in Chapter 11.28 of the Napa County Code.

SECTION 2. Section 1.28.040 (Definitions) of the Napa County Code is amended in its entirety to read in full as follows:

1.28.040 Definitions.

Unless otherwise specified, the terms indicated below shall have the following meaning:

A. “Citation” means an administrative citation or notice of violation issued by an enforcement officer pursuant to this chapter, any notice of nuisance or notice of abatement issued pursuant to Chapter 1.20 of this code, any notice of violation and order to repair or abate substandard conditions issued under California Health and Safety Code Sections 17920.3 et seq., and any other citation or notice of violation issued by the county under its authority to regulate land use and real property issues (including Titles 12 through 18, inclusive of the county code).

B. “Code” means the Napa County Code.

C. “Code violation” means any violation of any provision of the code, or any provision of local, state, or federal law or regulation for which the county has enforcement responsibility and/or authority.

D. “Enforcement officer” means the following county officers or employees or their designated assistants or deputies:

1. The director, assistant director, and deputy director of the planning, building and environmental services department and any successor department;
2. The supervising code enforcement officer of planning, building and environmental services department or successor department;
3. The county’s chief building official;
4. Supervising building inspector and building inspector;
5. Environmental health supervisor, senior environmental health specialist and environmental health specialist II;
6. Environmental management coordinator;
7. Environmental health manager;
8. Senior hazardous materials specialist;
9. Agricultural commissioner and deputy commissioner;

- 10 Chief animal control officer, supervising animal control officer and animal control officer;
11. County executive officer, assistant county executive officer, and deputy county executive officer;
12. Public works director and deputy director;
13. Public works superintendent;
14. Maintenance worker II (only for violations of Chapter 10.12 on county property);
15. Airport Manager (only for violations of Chapter 10.12 on Napa County Airport property and any violation of Chapter 11.28 or the Napa County Airport Rules and Regulations);
16. Airport operations supervisor and airport operations worker (only for violations of Chapter 10.12 on Napa County Airport property);
176. County building security guard (only for violations of Chapter 10.12 on county property);
187. Manager and coordinator of the county local enforcement agency;
198. The county fire marshal, assistant fire marshal, deputy fire marshals, and inspectors;
2019. The county counsel.
- E. "Hearing officer" means any person appointed by the county executive officer, or by his/her designee for appointment purposes, to preside over and conduct administrative hearings pursuant to Sections 1.28.110 through 1.28.130 and Chapter 2.22 of the code.
- F. "Notice of compliance" means a document releasing a previously recorded citation that includes the recording information of the citation being released.
- G. "Person" means any natural person, contractor, subcontractor, agent, firm, association, business, trust, organization, corporation, partnership, company or any other entity.
- H. "Responsible person" means the owner of the real property where a code violation exists, and/or the person in control of the location of an alleged violation, and/or the person causing an alleged violation including, but not limited to, a tenant, agent, employee, contractor, subcontractor or other occupant in control of the property.

SECTION 3. Chapter 11.28 (Napa County Airport) of the Napa County Code is amended in its entirety to read in full as follows:

Chapter 11.28

NAPA COUNTY AIRPORT

Sections:

- 11.28.010 Definitions.
- 11.28.020 Rules and regulations.
- 11.28.030 Authority to execute leases and license agreements.
- 11.28.040 Enforcement.

11.28.010 Definitions

For the purposes of this chapter, the following definitions and meanings shall apply unless otherwise specified:

"Airport" means the Napa County Airport, its buildings and facilities, all lands owned by the county contiguous to the airport, including airspace above such land, and the designated approaches thereto.

"Airport Manager" means that person appointed by the County responsible for the administration and day-to-day operation and management of the Airport, all County owned Property, Vehicles, equipment, material, financial assets, and Employees at the Airport, and all employees assigned to the Airport.

"Rules and Regulations" means the Rules and Regulations of the Airport adopted by Ordinance 1437 and incorporated by reference herein.

11.28.020 Availability of the Rules and Regulations.

The Airport Manager shall ensure that copies of the Rules and Regulations are maintained and available to the public at the County's offices at the Airport. In addition, the Rules and Regulations shall be accessible from the front page of the Airport's website.

11.28.030 Authority to execute leases and license agreements.

A. The Airport Manager is authorized to negotiate and execute, on behalf of the County, in a form approved by County Counsel, leases and licenses where (1) the rent for has been set by the Board through Section 30, Part III of the Policy Manual, or (2) the annual rent in of the executed lease or license does not exceed ten thousand dollars (\$10,000.00) and the term of the executed lease or license, including any renewal term(s), does not exceed a cumulative total of ten (10) years and the lease is not renewable. The Airport Manager shall have authority to execute and enforce any leases or licenses agreements on behalf of the County, including, without limitation, exercising the right to terminate, authorize tenant improvements, and withhold deposit funds, provided that the Airport Manager determines, upon consultation with County Counsel, that such remedies are in the best interest of the County and are otherwise consistent with the provisions of the lease or license.

B. Notice of any leases or licenses executed pursuant to this Section shall be provided in accordance with Government Code § 25537.

C. In accordance with Government Code § 25537, the authority granted by this Section shall expire five years after the effective date of Ordinance 1437.

11.28.040 Enforcement.

A. Any person who violates any provision of the Rules and Regulations or any other provision of an ordinance of the County pertaining to the use of the Airport, shall be subject to all legal, equitable, statutory, and contractual rights and remedies available to the County, including termination of any applicable lease and/or commercial aviation permit.

B. The County reserves the right to prohibit any person or entity from using the airport or engaging in activities at the airport (and/or revoke or suspend any privileges granted to

any person or entity) upon determination by the airport manager that such person or entity has not complied with this chapter, any applicable regulatory measure, any directives issued by the County, or has otherwise jeopardized the safety of persons or entities utilizing the Airport or the land and/or improvements located at the Airport.

C. The Airport Manager is empowered to require compliance with and enforce the Rules and Regulations.

D. Any violation of the Rules and Regulations shall be subject to enforcement and penalties as provided for in Chapter 1.28 of this code or any successor chapters thereto.

11.28.010 — Title for citation.

~~This chapter may be referred to as the "Napa County Airport Rules and Regulations."~~

11.28.020 — Purpose of provisions.

~~This chapter is enacted to protect the health, safety and peace, and to promote the welfare and convenience of the general public using the Napa County Airport, or affected by activities related to the airport by providing for the orderly conduct of activities on or related to the airport.~~

11.28.030 — Definitions and interpretation of language.

~~A. For the purposes of this chapter, the following definitions and meanings shall apply unless otherwise specified:~~

~~"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.~~

~~"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.~~

~~"Airport" means the Napa County Airport, its buildings and facilities, all lands owned by the county contiguous to the airport, including airspace above such land, and the designated approaches thereto.~~

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

~~"Air traffic clearance" means an authorization issued by air traffic control personnel for an aircraft to proceed under specified traffic conditions within controlled air space.~~

~~"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.~~

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

~~"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."~~

~~"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 or traffic surveillance.~~

~~"Commercial use" means the use of the airport for revenue producing commercial activities.~~

~~"County" means the county of Napa, California.~~

~~"Fixed-base operator" means any person who rents, leases or owns facilities located on the county airport who, by virtue of his 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 any of 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 (crop dusting, spraying, or the application of seed, fertilizers, pesticides, defoliants, etc.); and~~
- ~~8. — Aircraft rental, charter, leasing.~~

~~"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.~~

~~"Ground visibility" means prevailing horizontal visibility near the earth's surface.~~

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

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

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

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

~~"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.~~

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

~~"Traffic pattern" means the traffic flow that is prescribed for aircraft landing at or taking off from the Napa County Airport.~~

~~"VFR" means visual flight rules covering meteorological conditions, above those requiring flight under IFR conditions.~~

~~B. — Word Construction. The following construction applies throughout this chapter:~~

- ~~1. — Words importing the singular include the plural;~~
- ~~2. — Words importing the plural include the singular; and~~
- ~~3. — Words importing the masculine gender include the feminine.~~

~~11.28.040 — Application of chapter provisions.~~

~~This chapter is intended to apply equally to every user of the Napa County Airport.~~

~~11.28.050 — Administration — Obedience to rules and regulations.~~

~~A. — Management. It shall be the responsibility of the director of aviation of Napa County Airport to fairly and impartially administer the Napa County Airport Rules and Regulations.~~

~~B. — Users. It shall be the responsibility of every user of the Napa County Airport, pilot or other, to become familiar with the Napa County Airport Rules and Regulations and to obey those rules and regulations. A copy will be maintained current to reflect any amendments and will be posted in the multi-purpose room of the administration building. Additional copies will be provided by the Napa County Airport director of aviation to any user of the airport who requests such copy.~~

~~11.28.060 — Hours of operation.~~

~~The airport shall be open for public use, with air traffic controlled by the Napa FAA Control Tower, from seven a.m. until eleven p.m. daily, and for emergency operations at all hours of the day and night, subject to any restrictions imposed by the director of aviation 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 seven thirty a.m. to eight thirty p.m. daily, or as otherwise directed by the director of aviation.~~

~~11.28.070 — Traffic pattern — Conformance required.~~

~~Except where the director of aviation has delegated authority for air traffic control to FAA air traffic control personnel, every aircraft, before landing and after takeoff, shall be flown in accordance with the traffic patterns illustrated on the diagrams attached to the ordinance codified in this chapter as Exhibits D and E, and made a part of this chapter. (Exhibits are printed at the end of this chapter.) Aircraft traveling faster than one hundred twenty-five miles per hour shall be flown using the outside pattern shown on Exhibit D for normal traffic, and on Exhibit E for business jet traffic.~~

~~11.28.080 — Airport closure authority — Conditions.~~

~~The director of aviation is authorized to close the airport, or portions thereof, or suspend operations related to the landing, takeoff or taxiing of aircraft, during any period in which he determines that such operations, or their continuance, would be hazardous. Causes for such closure could include, but would not be limited to, adverse weather conditions, runway maintenance or repairs, runway obstacles, fire, aircraft or other accident. The director of aviation shall immediately notify the Napa Control Tower and issue a Notice to Airmen (NOTAM) advising of the closure.~~

~~11.28.090 — Commercial activity — Conditions — Fees and charges.~~

~~A. — No person shall utilize the airport for any commercial use without first obtaining permission from the director of aviation through a lease with the county authorizing such activities and paying the fees and charges established for such use.~~

~~B.—The director of aviation shall, with the approval of the board of supervisors, 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 shall have such aircraft subject to impounding until the fees are paid, along with any impound fees.~~

~~11.28.100 — Liability limitations.~~

~~The privileges of using the airport and its facilities shall be conditioned upon the assumption of full responsibility and risk of the user thereof, and the county, its agents and employees shall not be liable for loss, damage or injury to persons or property arising out of any accident, incident or mishap of any nature whatsoever, or from any cause whatsoever to any individual, aircraft or property occurring on the airport or in the use of any of the airport facilities.~~

~~11.28.110 — Based aircraft — Registration required.~~

~~Any person desiring to store or base an aircraft at the county airport shall register such aircraft at the airport office prior to beginning such storage or operations, 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.~~

~~11.28.120 — Based aircraft — Insurance required.~~

~~No person shall maintain or base any aircraft at the airport unless such owner maintains in current effect public liability and property damage insurance executed by a company authorized to carry on insurance business in the state of California. Such insurance shall provide public liability coverage of not less than one hundred thousand dollars/three hundred thousand dollars, and property damage coverage at not less than fifty thousand dollars. A current certificate of insurance stating the amount and expiration date will be kept on file with the director of aviation. Thirty days' prior notice of cancellation shall also be filed with the director of aviation.~~

~~11.28.130 — Aircraft — Equipment requirements — Radio specifications.~~

~~A.— Every aircraft using the county airport shall be equipped with a fully functional, two-way radio, except when operating into or from the airport under an FAA waiver for radio maintenance (during hours when the FAA Tower is not manned and operating).~~

~~B.— No aircraft equipped with a tail skid shall operate on any paved surface of the county airport.~~

~~11.28.140 — Aircraft — Storage and parking conditions.~~

~~Aircraft shall only be stored or parked at places designated by the director of aviation, and such storage or parking shall be at the sole risk of the owner or operator of the aircraft, and without any responsibility of the county airport, the county, 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 aircraft. The owner shall likewise be responsible for any liability arising from or caused by his aircraft or his activities.~~

~~11.28.150 — Aircraft — Maintenance restrictions — Engine runups.~~

~~A. — Unless otherwise authorized by the director of aviation, 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 county airport except in areas specifically designated by the director of aviation for that purpose.~~

~~B. — Engine runups not incidental to takeoff or landing shall not be conducted between the hours of eleven p.m. to seven a.m.~~

~~11.28.160 — Restricted areas — Use limitations.~~

~~No person shall enter any restricted area which is posted or closed to the public, except:~~

~~A. — Persons duly authorized by the director of aviation; or~~

~~B. — Law enforcement or fire fighting personnel.~~

~~11.28.170 — Animal restrictions.~~

~~No person shall wilfully and knowingly permit any animal owned, possessed or harbored by him 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; nor shall he permit such animal, except a Seeing-eye dog, to enter any airport building.~~

~~11.28.180 — Firearms prohibited — Exceptions.~~

~~No person, except peace officers, authorized federal, state and county employees, or members of the armed forces of the United States on official duty, shall carry any firearms or explosives on the airport without prior permission of the director of aviation.~~

~~11.28.190 — Runway access restrictions.~~

~~No person shall enter upon any runway, or runway enclosure, of the county airport, except in an aircraft, without express consent of the director of aviation, his designated representative, or the FAA Control Tower.~~

~~11.28.200 — Motor vehicle operation restrictions.~~

~~A. — No person shall operate a motor vehicle on any portion of the airport except upon 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 or taxiways shall be radio-equipped, or shall display an orange and white checkered flag not less than three feet square.~~

~~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 director of aviation.~~

~~E. — No person shall operate any motor vehicle on the airport in excess of twenty miles per hour, except for 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 ten miles per hour.~~

~~F. — Vehicles shall not be parked on the airport other than in the manner and at the locations indicated by posted traffic signs and markings.~~

~~G. — Vehicles that are to be left unattended may be parked only in designated airport vehicle parking lots.~~

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

~~I.—Motor vehicles shall not be driven on or across runways or other portions of aircraft operating areas without clearance from the director of aviation or from the air traffic controller to do so. Except where adequate control may be maintained by light signals, two-way radio communications shall be required between the air traffic controller and such vehicles. Exceptions may be granted during maintenance activities, provided two-way communications control is maintained with at least one vehicle controlling the activity.~~

~~J.—Motor vehicles shall not be driven or parked upon aircraft parking areas, ramp areas or aprons without approval of the director of aviation. Airport maintenance or emergency vehicles, or fuel or service vehicles, are exempted from this prohibition.~~

~~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.~~

~~11.28.210 — Aircraft — Engine starting and operation.~~

~~No person shall start any aircraft engine on the county airport unless a competent operator is at the controls and the aircraft is either equipped with adequate brakes fully applied, or the wheels are securely blocked with blocks or chocks that can be removed safely. Also, no person shall start any aircraft engine on the county airport where 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.~~

~~11.28.220 — Aircraft — Taxiing restrictions.~~

~~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 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.~~

~~11.28.230 — Aircraft — Takeoffs and landings.~~

~~A.—No aeronautical activity shall be conducted at the county airport, or within the airport traffic area, except in conformance with current Federal Air Regulations, state law and regulations, and this chapter.~~

~~B.—All initial takeoffs shall commence at the end of the runway unless cleared by the director of aviation, or by the air traffic controller, if authorized by the director of aviation.~~

~~C.—Touch and go landings shall be permitted only after the pilot has received approval from the FAA air traffic controller if delegated by the director of aviation to approve touch and go landings.~~

~~D.—The following aircraft are prohibited from operating at the county airport except in emergency situations:~~

~~1.—Jet-powered aircraft of the size of a 737 or larger, because of minimum runway length, noise, environmental constraints, etc.;~~

~~2.—No hot air balloons or hang gliders may operate at the county airport.~~

11.28.240 — Accident reports — Removal of damaged aircraft.

A. — Every person involved in or witnessing an aircraft accident on the airport shall report promptly the details of such accident to the director of aviation, to the FAA, and to local law enforcement personnel, as required by law. 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.

B. — The owner and/or pilot of an aircraft which is damaged or wrecked from any cause shall be responsible for the prompt removal of the aircraft, as directed by the director of aviation. Where the pilot or owner is unable to arrange for removal of such disabled or wrecked aircraft, the director of aviation 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 director of aviation or others for damage aggravated by or resulting from such removal.

11.28.250 — Fuel sales.

The county shall be the sole provider of aviation fuel to the public, at the airport. All sales of aviation fuel shall be for cash or by approved credit card, and shall be paid for or charged at the time of delivery of the fuel into the aircraft.

11.28.260 — Fueling and defueling limitations.

A. — No aircraft shall be fueled or defueled while the aircraft engine is running or while the aircraft is in a hangar 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 defueled.

C. — During fuel handling, no passenger shall be permitted in or on the aircraft unless a cabin attendant 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 within fifty feet thereof.

F. — Every person engaged in aircraft fuel handling shall exercise due care to prevent the overflow or 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 facility.

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 event of such spills or leaks, the director of aviation shall be notified.

I. — Fuel hoses and draining or defueling equipment shall be maintained in a safe, sound and nonleaking condition.

11.28.270 — Fire hazard control specifications.

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 fifty feet of any "No Smoking" sign posted.~~

~~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 director of aviation. Such approval shall only be granted when the director of aviation 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 director of aviation.~~

~~D. 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 director of aviation.~~

~~E. 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, and no person shall keep, store or discard any flammable liquid, gas, signal flare or other flammable material in any hangar, shop, building, room, enclosure or other place on the airport, except in areas specially designated by the director of aviation for such purpose.~~

~~F. 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.~~

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

~~H. 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 and servicing. Extinguishers shall be subject to the approval of the county fire marshal.~~

~~11.28.280 — Unattended aircraft — Liability limitations.~~

~~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 all damage to other aircraft, to persons or to property resulting from the failure to adequately secure or tie down the aircraft.~~

~~11.28.290 — Dumping refuse prohibited.~~

~~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 plainly marked for such purposes.~~

~~11.28.300 — Unnecessary noise prohibited.~~

~~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, state or local laws and regulations.~~

~~11.28.310 — Unlawful activities designated.~~

~~A. No person shall 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, instruments or tools are stored or otherwise left on the county 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 director of aviation, or so ordered by a court of competent jurisdiction.~~

~~B.—No person shall land, take off, taxi or otherwise operate any aircraft on, at or from the county airport when he knows such aircraft is not operating properly, or is equipped with any part or safety device which is defective or unsafe. An exception to this restriction shall be permitted for emergency landings only. No aircraft shall be operated on or at the airport, or on any runway thereof, when the airport or runway has been closed to traffic by the director of aviation or other legal authority.~~

~~C.—No person shall operate any aircraft or vehicle on, at or in the vicinity of the county airport in wilful or wanton disregard for the safety of persons or property, whether of his own or that of others.~~

~~D.—No person shall engage in the performance of any aerobatics, stunt, maneuver not necessary to a normal takeoff, landing, normal turn or level flight of the aircraft, over or within one mile of the exterior boundaries of the airport.~~

~~E.—No person shall engage in the sale of any goods, wares, merchandise or services at or upon the airport without first having secured from the director of aviation a lease agreement therefor.~~

~~F.—No person shall operate any aircraft at or upon the airport that such person is not qualified to operate.~~

SECTION 4. The adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA) because the activity is not a project and meets the “general rule” as defined in Sections 15378 and 15061(b)(3) of the CEQA Guidelines. Adoption of the ordinance has no potential for resulting in physical changes to the environment, either directly or indirectly.

SECTION 5. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 6. This ordinance shall be effective thirty (30) days from and after the date of its passage.

SECTION 7. A summary of this ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.

[Remainder of page intentionally left blank.]

The foregoing ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of _____, 2019, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the ____ day of _____, 2019, by the following vote:

AYES: SUPERVISORS _____

NOES: SUPERVISORS _____

ABSTAIN: SUPERVISORS _____

ABSENT: SUPERVISORS _____

NAPA COUNTY, a political subdivision of the
State of California

RYAN GREGORY, Chair of the
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: _____ Deputy County Counsel</p> <p>By: _____ County Code Services</p> <p>Date: _____</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>Deputy Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By: _____</p>
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I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
JOSE LUIS VALDEZ, CLERK OF THE BOARD