

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 10 OF THE SAN MARCOS CITY CODE TITLED AVIATION PERTAINING TO THE SAN MARCOS REGIONAL AIRPORT BY ADDING NEW PROVISIONS RELATING TO SPECIAL EVENTS, THE OUTSIDE STORAGE OF MATERIALS, LIMITING OUTSIDE PARKING AND STORAGE OF UNAIRWORTHY AIRCRAFT TO SIX MONTHS, DELETING A PROVISION ON AIRFIELD INFORMATION AND INCLUDING OTHER CLARIFYING AMENDMENTS TO ENSURE CONSISTENCY WITH CURRENT APPLICABLE STATE AND FEDERAL AVIATION LAWS; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Chapter 10 of the San Marcos City Code is hereby amended to read as follows (Added text is indicated by underlining. Deleted text is indicated by ~~striketroughs~~):

ARTICLE 1. ~~IN~~-GENERAL

**Sec. 10.001. Minimum standards for commercial aeronautical activities.
~~fixed base operation and tenants.~~**

(a) The minimum standards for ~~fixed base operators and airport tenants~~ commercial aeronautical activities at the regional ~~municipal~~ airport owned by the City of San Marcos are approved and adopted by resolution and ~~in the form~~ filed in the office of the city clerk ~~secretary~~, the same as if set out fully in this section. The minimum standards govern the activities of all tenants at the airport including fixed base operators and operators of specialized aviation services. The adoption of minimum standards is recommended by Federal Aviation Administration Advisory Circular 150/5190-7.

(b) Copies of the minimum standards adopted in subsection (a) of this section are maintained for public inspection in the office of the city clerk ~~secretary~~ and ~~the airport manager management.~~

ARTICLE 2. STANDARD OPERATING PROCEDURES AND REGULATIONS

Sec. 10.026. Definitions.

In this article:

Accident means an unintentional occurrence which results in property damage, personal injury or death.

Airport means all lands within the legal boundaries of the San Marcos Municipal Regional Airport ~~and~~ under the control of the city.

Airport ~~manager~~ management means the city employee or department or company/entity contracted by the city to operate, maintain, manage and develop the airport on behalf of the city. ~~official employed by the city to manage, control, maintain and protect the airport.~~——

Commercial activities means the activities and operations of any aeronautical business or nonprofit organization with a valid lease agreement authorized by the City Council including fixed-based operators, specialized aviation services, flight schools, flight clubs, and any other aeronautically related activity.

Federal Aviation Administration (FAA) means the federal agency established by the Federal Aviation Act of 1958 and reestablished in 1967 under the Department of Transportation.

Fixed base operator (FBO) means any person engaged in a business of an aviation nature under provisions, contracts or leases with the city and in accordance with applicable federal air regulations.

~~Flying club~~ ~~means a nonprofit flying organization with a charter, bylaws and elected officials organized for the primary purpose of sharing costs associated with operating club aircraft.~~

Motor vehicle means any self-propelled ground conveyance other than an aircraft.

Movement area means the area of the airport containing taxiways and runways separated from the ramp by two yellow lines, one solid and one dashed, requiring direct communication with the Air Traffic Control Tower during operating hours.

Sec. 10.027. Authority.

The procedures and regulations in this article are promulgated under the power granted to the city council under ~~Vernon's Ann. Civ. St. art. 46a~~ Federal Law (Title 49 of the Code of Federal Register) and State Law (Chapter 22 of the Texas Transportation Code) and the home-rule authority granted to the city under Article XI, Section 5 of the Texas Constitution.

Sec. 10.028. Enforcement.

(a) *Applicability.* All aircraft, pilots, operators, companies, business organizations, government agencies and all persons coming upon airport property for any purpose are subject to this article.

(b) *Compliance.* The city council and ~~the airport manager~~ management and its duly authorized representatives are empowered to enforce compliance with this article. In addition to the penalty prescribed in section 1.015, violators can be removed or evicted from the airport premises ~~and/or~~ denied use of the airport or its facilities if ~~this the~~ action is determined by ~~the airport manager~~ management or a city official charged with enforcing City code provisions to be reasonably necessary to protect public property or persons or ensure safety.

Sec. 10.029. Revisions; validity; liability.

(a) *Revisions.* The city council reserves the right to revise, make changes to or waive the procedures and regulations in this article with only notice required by state law.

(b) *Validity.* The voiding of any particular procedure or regulation in this article does not affect the validity of the remainder of these procedures and regulations.

(c) *Liability.* The city assumes no responsibility for loss, injury or damage to persons or property because of fire, theft, vandalism, wind, flood, earthquake or collision, nor does it assume any liability for injury to persons while ~~on~~ at the airport.

~~Sec. 10.030. Airfield information.~~

~~(a) — Description. The airport (T98) is a public general aviation airport owned, administered and maintained by the city.~~

~~(b) — Location. The location of the airport is five miles east of the city on Texas Highway 21. Coordinates are 29° 53.67' N, 97° 51.9' W.~~

~~(c) — Elevation. The elevation is 597 feet MSL.~~

~~(d) — Runways. Runway 4-22 contains 5,512 feet by 150 feet of asphalt; runway 8-26 contains 6,320 feet by 150 feet of asphalt; runway 12-30 contains 5,558 feet by 150 feet of asphalt; runway 17-35 contains 5,442 feet by 150 feet of asphalt.~~

~~(e) — Lighting. Runway 12-30 is lighted from dusk to dawn. The transmitter is activated on 122.8, three clicks in five seconds for low intensity, five clicks in five seconds for medium intensity and seven clicks in five seconds for high intensity. The beacon operates from dusk to dawn.~~

~~(f) — Communications. Communications are as follows:~~

~~(1) — San Marcos UNICOM 122.8.~~

~~(2) — Clearance delivery 121.35.~~

~~(3) — Austin TRACON (approach/departure control) 119.0.~~

~~(4) — Austin radio (FSS) 122.55.~~

~~(g) — Approaches. Approaches are as follows:~~

~~(1) — ILS (I-RUM/108.7).~~

~~(2) — VOR/DME (AUS/114.6/CHAN. 93).~~

~~(3) — NDB (RU/272).~~

~~(h) — Services. Services are tendered from sunrise to sunset and include fuel (1000LL, jet), airframe and power plant repairs, tiedowns, hangar, APU, aircraft rental, charter, flight instruction, lounge, courtesy car, rental car.~~

~~(i) — Telephones. Telephone numbers are as follow:~~

~~(1) — Airport flight operations (Berry Aviation — FBO), 512/353-2379.~~

~~(2) — Weather and FSS, 800/252-9750.~~

~~(3) — Taxi, 512/396-2222.~~

~~(4) — Airport manager, 512/393-8160.~~

Sec. 10.0310. Safety.

(a) *Policy.* The policy of the airport is that safety is of primary and overriding priority. All persons on the airport, ~~for any reason~~, are required to comply with this policy. This article is intended to promote safety as well as good operating practices. If any deviation is required in the interest of safety, such deviation is both authorized and encouraged. However, any deviation shall be reported to ~~the airport manager~~ management as soon as practical after the occurrence.

(b) *Hazard identification.* Hazard identification and abatement are continuing programs at this airport. Any person with knowledge of a hazard at the airport shall immediately report this information to ~~the airport manager~~ management.

Sec. 10.0321. Operations.

(a) *Aeronautical activities.* All aeronautical activities at the airport shall be conducted in conformity with the current regulations of the Federal Aviation Administration and ~~the other laws and rules promulgated by~~ applicable federal, state and local agencies with jurisdiction over airport matters. Only properly registered aircraft and legally certified pilots ~~will~~ are authorized to operate at the airport.

(b) *Tiedown of aircraft.* Aircraft not hangared will be tied down and secured ~~at night~~. The aircraft owner and the owner's agent and the pilot are legally responsible for tiedown and security of the aircraft at all times including inclement weather. ~~for inspection of tiedown equipment is the responsibility of the owner and the owner's agent and the pilot, and for payment of the~~ Transient aircraft tied down overnight are subject to the overnight tiedown fee for aircraft leased at the airport or for the per night tiedown fee for transient aircraft established by the city council. Proof that the aircraft has been tied down at the airport creates a legal presumption that the owner, agent and pilot are responsible for paying the tiedown fee Aircraft based at the airport will pay the monthly tiedown fee established by the city council.

(c) *Parking of aircraft.*

(1) Aircraft will not be parked in a manner that impedes the normal movement of other aircraft and traffic. It is the responsibility of the pilot when leaving a parked aircraft on the airport to ensure the brakes are set, the and/or the aircraft is properly chocked, and the aircraft is tied down.

(2) Aircraft will not park within or under a structure for which they are not the rightful lessee or owner. Any unauthorized aircraft may be towed, seized, impounded, and/or locked by airport management at the owner's expense. Airport management will not be held liable for any damage that may occur as a result.

(d) *Unairworthy and/or Abandoned Aircraft.* Unairworthy aircraft shall not be parked or stored anywhere on the airport. Exception: aircraft awaiting repairs to return the aircraft to an airworthy condition may be parked or stored up to six (6) months. Any parking or outside storage of unairworthy aircraft in excess of six (6) months shall require written permission of airport management. In the

event of failure to comply with this provision, such disabled aircraft and any abandoned or unairworthy aircraft may be removed by airport management at the owner's expense and without liability on the part of the airport for any damage which may result in the course of such removal. Airport management may recommend parking fees to the city council.

(e) *Responsibility for Disposal of Disabled Aircraft.* The owner of wrecked and disabled aircraft shall be responsible for the prompt removal and disposal of such aircraft after release by airport management and the Federal Aviation Administration or National Transportation Safety Board.

(f) *Accident/Incident Reports.* The pilot of any aircraft involved in an accident/incident causing personal injury or property damage to the airport shall make a complete report of the accident/incident to airport management within forty eight (48) hours of the accident/incident. Any other person who witnesses or participates in any aircraft accident/incident shall also render a detailed report to the airport office, giving names and addresses of all witnesses, within forty eight (48) hours of the accident/incident.

(f) *Damage to airfield lighting.* Any person damaging any light or fixture, or other airport property on the airport will immediately report the damage to the airport management. A person or persons Persons causing damage to approach, runway and/or taxiway lights or fixtures, or other airport property as a result of negligent acts, is may be liable for the replacement costs or repair costs. Tenants shall be held fully responsible for any damage to any building, equipment, or real property owned by the Airport. Any damage to or malfunctioning of buildings, structures, utilities or other property owned by the Airport shall be reported to airport management.

(g) *Taxiing aircraft.*

- (1) Speed. Aircraft will be taxied at safe and prudent speed and under full control of the pilot at all times in accordance with Federal Aviation Administration Advisory Circular 120-74B.
- (2) Consideration. No person will start or run an aircraft in a manner to risk damage to other aircraft or property or in a manner to blow paper, debris or other objects across the taxiway or runway or in a manner to endanger any operations on the airport.

(h) *UNICOM Air Traffic Control Tower and radio procedures.* All pilots are encouraged to call on the assigned airport UNICOM frequency to determine the recommended runway and to announce their position and intention for takeoff and landing. The airport UNICOM frequency is 122.8. All pilots are required to communicate with the tower during operating hours prior to entering the movement area. The airport frequencies are: tower 126.825 and ground

120.125. Pilots are encouraged to announce their intentions and communicate with other pilots via CTAF when the tower is closed, in accordance with Federal Aviation Administration Advisory Circular 90-66.

- (i) Traffic patterns.
- (1) Direction. All VFR traffic is expected to make left traffic patterns to all runways when the tower is closed.
- (2) Altitude. Recommended traffic pattern altitude for the airport is 1600 feet MSL/1000 feet AGL.

(j) *Authority to suspend operations.* ~~The a~~ Airport management or its designated representative may suspend or restrict any or all operations on the airport whenever such action is determined necessary.

(k) *Closing of airport.* ~~If the~~ In the event airport management believes conditions at the airport are unsafe, it is within ~~his~~ its authority to close the entire airport or any part thereof. A notice to airmen (NOTAM) will be immediately filed with Federal Aviation Administrative ~~#~~ Flight Safety ~~s~~ Services.

Sec. 10.0332. Public and tenant usage.

(a) *Commercial activities.* No person will use the airport for business or commercial activities without first obtaining the approval of the city council. through the approval and execution of a lease agreement requiring compliance with the minimum standards recommended by the Federal Aviation Administration among other terms.

(b) ~~—~~ *Flying schools/instruction.* No commercial flight school/instruction will be operated on or from the airport except under contract with the city.

(c) ~~—~~ *Flying clubs.* The following pertain to all flying clubs desiring to base their aircraft at the airport and be exempt from commercial regulations:

(1) ~~—~~ *Organization.* Each flying club must be a not for profit organization.

(2) ~~—~~ *Procedures.* The flying club must file and keep current with the airport manager ~~management~~ a complete list of the club's membership. The club's owned or leased aircraft will not be used by other than bona fide club members for rental and not for commercial operations.

(3) ~~*Insurance.* Each club aircraft must have minimum aircraft liability insurance coverage in the amount of \$500,000.00 bodily injury and property damage and \$100,000.00 passenger liability.~~

(b) *Advertisements.* No person shall post, distribute, or display signs, advertisements, circulars, or any other printed material on airport property without the prior approval of airport management. Airport management is authorized to rescind any permission granted if the advertisement does not remain in compliance with this ordinance and the minimum standards adopted by the city council.

(c) *Demonstrations, shows and exhibitions.* No person will engage in any show, demonstration, or exhibition without prior written permission from ~~the city~~airport management.

(d) *Lost articles.* Any person finding lost articles on the airport will deposit them at the airport ~~manager's management~~ office located at 4400 Airport Highway 21, San Marcos, TX 78666. Articles unclaimed after 60 days by the owner may be turned over to the finder or otherwise legally disposed of by the city as determined by the city manager or his designee.

(e) *Right of entry.* ~~The airport manager~~ Airport management has the right of entry at reasonable times for repairs, maintenance, modification or inspection of all rooms, areas and buildings on the airport.

(f) *Construction or alteration.* No construction work or alterations to grounds or structures, other than minor repairs or maintenance, will be performed on the airport without written permission from the city as determined by the city manager or his designee. No person may modify any equipment or building, or change any mechanical, electrical, electronic, or plumbing equipment owned by the airport without first obtaining written permission from airport management. No person may move or install any equipment, signs, or other structure in the public areas of the airport without first obtaining written permission from airport management.

(g) *Restricted areas.* No person shall enter any restricted area on the airport without the authorization of ~~the airport manager~~airport management.

(h) *Sanitation.*

(1) *Disposal.* No person will dispose of garbage, papers, refuse or other waste materials on the airport, except as provided by city ordinance.

(2) *Burning.* No open fires are allowed on the airport without ~~the city~~ approval of the City Fire Marshal or his designee. No trash or refuse will be burned on the airport at any time.

- (3) *Use of sewers and drains.* No materials may be put in the sanitary sewer system, or any other drainage system, which do not conform to the regulations of the city ~~which cover these matters.~~
- (i) *Alcohol and narcotics.*
- (1) *Legal compliance.* All applicable local, state and federal laws pertaining to handling or use of alcoholic beverages, narcotics, and drugs apply on the airport.
- (2) *Under the influence.* No person under the influence of alcohol or other substance, ~~to the degree that he may endanger himself or another,~~ shall operate a motor vehicle or aircraft on the airport. The city, through its appropriate law enforcement agency, reserves the right to remove or evict violators from the airport premises or deny use of the airport or its facilities by the violator.
- (j) *Disorderly conduct.* No person on the airport shall commit any disorderly, obscene, or indecent act or commit any act prohibited by ~~V.T.C.A.,~~ Texas Penal Code § 42.01.
- (k) *Preservation of property.* It is unlawful for any person to:
 - (1) Destroy, injure, deface or disturb any building, sign, equipment, marker, structure, lawn, or public property on the airport.
 - (2) Trespass on agricultural areas without the approval of ~~the airport manager~~ management.
 - (3) Abandon property on the airport.
 - (4) Interfere with, tamper, or injure any part of the airport operation, or any aircraft on the airport.
- (l) *Hunting and firearms.* Except as authorized by state law, no person may carry firearms on the airport; for sporting firearms for shipment, only officially authorized persons may carry any firearms on the airport. There is ~~No~~ hunting or shooting is allowed on the airport.
- (m) *Storage.* No person shall use any property of the airport for outside storage without first obtaining written permission from airport management. No tenant or lessee of airport property shall store or stock material or equipment in such a manner as to constitute a hazard to any person or property, or in such a manner as to create an unattractive appearance.

(n) *Pets and animals.* It is unlawful for the owner or person responsible for a pet or animal to permit same to be at large. The term “at large” means a dog or cat which is not restrained by leash and which is also off the premises of its owner or the person responsible for it. Pets and animals found running at large will be picked up and impounded.

(o) *Drip pans.* Whenever oil leakage, dripping or spillage is possible, drip pans shall be placed under each engine of an aircraft.

(p) *Authority to detain aircraft.* Airport management has the authority to detain any aircraft for non-payment of any debt due to the airport.

(q) *Denial of use.* Airport management is authorized to deny use of the airport to any aircraft or pilot violating these or Federal Regulations at the airport or elsewhere.

(r) *Special events.* Special event(s) means an activity which may not completely comply with these rules or which, although it may comply with these rules, will require an accommodation by other users of the airport. Special events include, but are not limited to, fly-ins, ramp space rentals, skydiving exhibitions, balloon operations, or similar events or activities. Any person wishing to sponsor a special event shall obtain the prior written approval of airport management. Airport management shall require such safeguards as deemed necessary to protect the airport, the city, the county, aircraft using the airport, and the general public. These requirements may include, but are not limited to, bonds, insurance policies, additional security personnel, facilities, special operating procedures, city permits, and any required waiver/authorization to the **Federal Aviation Regulations** issued by the FAA. Airport management is prohibited by the FAA from closing the airport for any activity which is not an aeronautical activity. The city council may establish, upon recommendation from airport management, **general** reasonable fees and requirements for special events. **The fee schedule adopted by the city council will provide limited flexibility to allow airport management, with the approval of the city manager or his designee, to adjust fees for special events that may require specialized accommodations.** Any signage for the special event must be approved by airport management.

(s) *Unlawful to drop handbills or other matter.* It is unlawful for any person in any aircraft flying over the airport or over the territory within the boundaries of the airport to cause or permit to be thrown out, discharged, or dropped, any handbills, circulars, card or other matter whatsoever which falls upon the airport property.

Sec. 10.0343. Fire prevention

(a) *Applicability and compliance.* ~~Every~~ **All** persons, companies, and agencies engaged in any activity at the airport, whether occupying airport-owned

facilities or otherwise, shall comply with fire regulations as issued by the city and shall comply with all applicable county, state and federal laws and regulations related to fire prevention or safety.

(b) *Enforcement.* ~~The a~~Airport manager management or other duly authorized officials may direct the removal of fire hazards, arrangement and modification of equipment, or alter operating procedures in the interest of fire prevention.

(c) *Fire prevention.* ~~Every~~ All persons using the airport, or the facilities of the airport will exercise the utmost care to guard against fire and injury to persons and property.

~~(d) *Parking obstructions.* Aircraft will not be parked in front of hangar doors or in a manner to restrict evacuation if fire occurs. This also applies to all motor vehicles and materials which might cause an obstruction.~~

(d) *Cleaning of parts.* The cleaning of engine parts or other parts of aircraft will be with non-flammable liquids unless the engine or aircraft part being cleaned is located a safe distance away from other aircraft or airport facilities. If volatile liquids are employed, cleaning operations must be in open and clear areas or in a suitable room of the repair facility and separated from storage and operational areas by fire resistant partitions in compliance with the requirements of the National Board of Fire Underwriters.

~~(f) *Doping.* The process of "doping" will be accomplished only in properly designated, fireproofed and ventilated facilities or open areas on the ramp.~~

(e) *Hangar floors.* Floors will be kept clean and free from oil. The use of volatile solvents for cleaning floors is prohibited.

(f) *Empty containers.* All empty oil, paint and varnish cans, bottles and other containers will be removed immediately from the premises and not allowed to remain on floors, wall stringers, or overhead storage areas in or about hangars, shops and other buildings. Empty containers must be disposed of in accordance with the Stormwater Pollution Prevention Plan for the airport.

(g) *Trash.* No boxes, crates, rubbish, paper, or litter of any kind will be stored in or about hangars, except in proper receptacles provided for this purpose. Commercial operators shall be responsible for providing containers for all trash on their leased premises and shall arrange for the regular removal of the trash. Commercial operators will provide an appropriate receptacle for trash removal to be used by its contractors, employees, and invitees.

(h) *Flammable, corrosive and toxic materials.* Containers of gasoline, kerosene or other flammable liquids, explosives, toxic or corrosive substances will not be stored in hangars.

Sec. 10.0354. Fueling and flammables.

- (a) *Fueling and defueling procedures.*
- (1) ~~Engine running~~ *Hot refueling.* ~~Hot refueling~~ ~~No aircraft will be fueled or defueled~~ is the fueling of aircraft while the engine is running. Hot refueling shall be permitted only under special circumstances and then only when authorized by airport management. Hot refueling may be permitted only by appropriately trained and certified FBO personnel in accordance with generally accepted industry standards or being warmed by application of exterior heat.
 - (2) *Electrical storm.* No aircraft will be fueled or defueled during an electrical storm.
 - (3) *Smoking.* No person will smoke within 100 feet of an aircraft being fueled or defueled.
 - (4) *Radio operation.* No person will operate a radio transmitter or electrical systems in an aircraft while it is being fueled or defueled.
 - (5) *Grounding.* During fueling and defueling, the aircraft and dispensing apparatus will both be properly grounded.
 - (6) *Equipment status.* Fueling hoses and equipment will be maintained in a safe, operational, and non-leaking condition and will be approved by the National Board of Fire Underwriters, or equivalent standard.
 - (7) *Spillage.* No person will start the engine where fuel is spilled spillage is on the ground in the vicinity of the aircraft. A person responsible for spillage will take proper measures to ensure removal of the spilled fuel pursuant to the Stormwater Pollution Prevention Plan for the airport.
 - (8) *Fire extinguishers.* Adequate fire extinguishers will be within reach of all persons engaged in fueling or defueling operations. All extinguishers will be inspected and recertified as required by law. All persons engaged in fueling and defueling will be familiar with the proper use of fire extinguishers.

- (9) *Passengers.* No aircraft will be fueled or defueled while passengers are on board the aircraft unless the aircraft doors are in the open position.
- (10) *Location of aircraft.* No aircraft will be fueled while parked in a closed hangar.
- (b) *Cleaning of aircraft.* No person will use volatile liquids ~~having a flashpoint of less than 150 degrees Fahrenheit for in the~~ cleaning of an aircraft, aircraft engines, a propellers, parts, or for any other purposes, unless ~~the~~ such operations ~~is~~ are conducted in the open or in a facility specifically equipped and approved for that purpose.
- (c) *Storage.*
 - (1) *Flammables.* No person will keep or store any flammable liquids, gases, signal flares or other similar material in the hangars or in any building on the airport, unless ~~these~~ such materials are kept in an aircraft in the proper receptacles installed in the aircraft for ~~these~~ such purposes or in rooms or areas specifically approved for such storage.
 - (2) *Waste oil.* No person will keep or store waste oils in or about the hangars.
- (d) *Liquid disposal.* No fuels, oils, dopes, paints, solvents, or acids will be disposed of or dumped on the ramp area, agricultural lands or elsewhere ~~or on~~ the airport. All disposal will be in accordance with city ordinances, ~~and~~ Environmental Protection Agency (EPA) rules, and FAA standards.

Sec. 10.0365. Motor vehicles.

- (a) ~~Operation generally~~ General requirements. Persons will operate motor vehicles on the airport in accordance with the procedures and regulations of this section and in full compliance with all state licensing, registration, and operating requirements.
- (b) ~~Reckless operation, s~~ Speed. No person will operate a motor vehicle on the airport in a reckless or negligent manner, or in excess of a safe and prudent speed. Posted speed limits will not be exceeded. The posted ~~S~~speeds limit for the ramp is will not exceed 15 miles per hour in aircraft parking and hangar areas and the posted speed limit for roadways is 35 miles per hour.
- (c) *Parking.*

- (1) *Location.* No person will park a motor vehicle:
 - a. ~~at the airport~~ Other than in areas specifically established for public and tenant parking.
 - b. ~~No persons shall park a motor vehicle so as to That will obstruct roadways or taxiways. No person shall park a motor vehicle~~
 - c. ~~In~~ **public** aircraft parking areas.
- (2) *Abandoned vehicles.* No person shall park a motor vehicle on the airport for an extended period of time without prior notification to airport management.
- (3) *Towing for violation* Airport ~~manager~~ management has the authority to tow or otherwise remove motor vehicles which are parked on the airport in violation of this section. The vehicle will be towed at the owner's expense and without liability for damage which may result in the course of such moving.
- (d) *Vehicle repairs.* No person will clean or make any repairs to motor vehicles on the airport, except for airport support vehicles and minor emergency repairs.
- (e) *Operation restrictions.*
 - (1) *Ramp.* No motor vehicles, other than support vehicles, are permitted to operate on the airport parking ramp, ~~without the approval of the airport manager,~~ except for the loading and unloading of aircraft occupants or cargo without the approval of airport management. Vehicle operators must utilize the ramp vehicle lane and will obey all markings pertaining to speed and stops.
 - (2) *Runways and taxiways.* No person or motor vehicle is permitted ~~on the airport runways or taxiways,~~ within the movement area except as specifically authorized by the airport management or Air Traffic Control.
 - (3) *Right-of-way procedures.* All motor vehicles will pass to the rear of taxiing aircraft and no vehicle will approach closer than 100 feet of any aircraft when an aircraft's engine is operating.

- (4) Airport based support vehicles. Support vehicles regularly using the ramp, such as fuel trucks or tugs, shall be equipped with a two-way radio that can communicate with Air Traffic Control and an amber strobe, LED, or rotating beacon visible from at least 300 feet.

Sec. 10.0376. Emergency procedures.

- (a) *Emergency notification and response.* Emergency notification and response procedures are as follows:
- (1) *Generally.* The city provides emergency services of fire, police, and medical response to the airport. ~~However, because of distances involved, response time to the airport may be excessive in some emergency situations. In order to provide faster initial response to an emergency, the Gary Job Corps Center has agreed to make its fire, police and medical services available to the airport.~~
- (2) *Notification procedures.* In addition to standard FAA emergency notification procedures, local emergency notification may be initiated during emergencies by contacting the daylight operating hours through San Marcos UNICOM on 122.8 or by telephoning flight operations (Berry Aviation FBO) at 512/353-2379. During all hours, emergency notification can be initiated by calling Gary Security at 512/396-6622 or city police at 512/753-2108. Air Traffic Control Tower, operating hours through San Marcos Tower/CTAF on 126.825. During all hours, emergency notification can be initiated by calling San Marcos Police 911. Airport management can be notified at (512) 216-6039.
- (b) *Volunteer assistance.* Volunteer assistance and/or access to the scene of any aircraft accident will be approved and controlled by the authorized emergency response personnel and the appropriate law enforcement authorities, and Air Traffic Control if during operating hours.
- (c) *Accident reporting.* In addition to required FAA notification and reporting actions, the operator of any aircraft involved in an incident or accident at the airport will immediately or as soon as practical notify the airport ~~manager~~ management, ~~within 24 hours, submit a full written report of the accident.~~ When a written report is required by the FAA, a copy of ~~this~~ such report will suffice for the airport requirement.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on October 20, 2015.

PASSED, APPROVED AND ADOPTED on second reading on November 2, 2015.

Daniel Guerrero
Mayor

Attest:

Approved:

Jamie Lee Pettijohn
City Clerk

Michael J. Cosentino
City Attorney