

## **Title 14**

### **AIRPORT\***

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\* For statutory provisions on county airports, see RCW Chs. 14.07 and 14.08.

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### **Chapter 14.04**

#### **DEFINITIONS**

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**14.04.010 Aerial applicator.**

"Aerial applicator" means any person, firm or corporation engaged in the application, spraying, spreading or seeding of fertilizer, sprays, seed or other materials by use of aircraft.  
(Res. 31222 §I(18), 1977).

**14.04.020 Airport.**

"Airport" means the Whitman County Memorial Airport, including runways, taxiways, hangars, parking areas, ramps, aprons, terminal buildings, "T" hangars and all improvements and property used or available for use in connection with said airport.  
(Res. 31222 §I(1), 1977).

**14.04.030 Airport manager.**

"Airport manager" means the manager of the Whitman County Memorial Airport named or employed by the county commissioners.  
(Res. 31222 §I(2), 1977).

**14.04.040 Airport traffic area.**

"Airport traffic area" means a circular area of five statute miles in radius from the geographical center of the airport with extensions where necessary to include instrument approach and departure paths.  
(Res. 31222 §I(17), 1977).

**14.04.050 CAB.**

"CAB" means Civil Aeronautics Board.  
(Res. 31222 §I(14), 1977).

**14.04.060 FAA.**

"FAA" means Federal Aviation Agency.  
(Res. 31222 §I(12), 1977).

**14.04.070 Fixed base operators.**

"Fixed base operators" means any person, firm or corporation who rents or leases any airport facility and who engages in the operation of aircraft for gain using said airport as an operating base.  
(Res. 31222 §I(15), 1977).

**14.04.080 Heavy aircraft.**

"Heavy aircraft" means those aircraft whose maximum take-off weight exceeds twelve thousand five hundred pounds.  
(Res. 31222 §I(8), 1977).

#### **14.04.090 IFR.**

"IFR" is the symbol used to designate "instrument flight rules."  
(Res. 31222 §I(11), 1977).

#### **14.04.100 Landing areas.**

"Landing areas" means the areas that may be designated as runways of the Whitman County Memorial Airport by the county commissioners.  
(Res. 31222 §I(4), 1977).

#### **14.04.110 Light aircraft.**

"Light aircraft" means those aircraft whose maximum take-off weight does not exceed twelve thousand five hundred pounds.  
(Res. 31222 §I(9), 1977).

#### **14.04.120 NOTAM.**

"NOTAM" means notice to airmen.  
(Res. 31222 §I(13), 1977).

#### **14.04.130 Operator.**

"Operator" means one who operates aircraft for his own pleasure, passenger service, air freight, agricultural operation, hire, charter or flight instruction.  
(Res. 31222 §I(3), 1977).

#### **14.04.140 Parking area.**

"Parking area" means those areas designated as parking area for the parking and maneuvering of aircraft while on the ground. "Tie-down area" means parking area and will be marked by "Tie-down" for aircraft.  
(Res. 31222 §I(7), 1977).

#### **14.04.150 Persons.**

"Persons" means any individual, firm, co-partnership, corporation, company, association, joint-association or body politic, and includes any trustees, receiver, assignee, or similar representative thereof.  
(Res. 31222 §I(16), 1977).

#### **14.04.160 Road.**

"Road" means the area designated as roads or roadways for the exclusive use of ground vehicles.  
(Res. 31222 §I(6), 1977).

**14.04.170 Taxi strip.**

"Taxi strip" means the surfaced areas leading to and from the ramp and parking areas to the runways.  
(Res. 31222 §I(5), 1977).

**14.04.180 VFR.**

"VFR" is the symbol used to designate "Visual Flight Rules."  
(Res. 31222 §I(10), 1977).

**Chapter 14.08**

**AUTHORITY**

Sections:

**14.08.010 Authority to remove violators.**

**14.08.020 Authority to close airport.**

**14.08.010 Authority to remove violators.**

Any person operating or handling any aircraft or motor vehicle in violation of the provisions contained in this title, or orders and instructions issued by the airport manager, may be removed or ejected from the airport, or may be temporarily grounded by, or under the authority of the airport manager, and may be deprived of the further use of the airport and its facilities for such a length of time as may be deemed necessary to insure the safeguarding of the same and the public and its interest therein.

(Res. 31222 §XI(1), 1977).

**14.08.020 Authority to close airport.**

The county commissioners shall have the authority to close the airport or any part thereof at any time they deem it necessary for the safety of operations of all concerned.

(Res. 31222 §XI(2), 1977).

**Chapter 14.12**

**INSURANCE--LIABILITY**

Sections:

**14.12.010 Indemnity insurance.**

**14.12.020 Airport liability.**

**14.12.010 Indemnity insurance.**

Each fixed base operator or aerial applicator and/or person, firm or corporation that is engaged in any

commercial business at, or about the airport by use of aircraft shall effect and pay for, and keep in full force while using the airport, indemnity insurance with limits not less than that prescribed by the state for the operations conducted. Said fixed base operator or said aerial applicator will hold Whitman County and its respective employees harmless from all accidents, damages or injuries resulting from any act or operation connected with the operation of business of said fixed base operator or aerial applicator.  
(Res. 31222 §X(1), 1977).

#### **14.12.020 Airport liability.**

Whitman County, its agents, or employees assumes no liability for loss, damage or injury to persons or property arising out of any accident, incident, or mishap of any nature whatsoever and/or from any cause whatsoever to any individual, aircraft or property occurring on the airport or in the use of any airport facility. Whitman County will in no way assume responsibility for the theft of any article left in the aircraft, any part or accessory of or for the aircraft, or for any damage done to the aircraft as a result of theft or attempted theft, or vandalism of any nature.  
(Res. 31222 §V(4), 1977).

### **Chapter 14.16**

#### **GENERAL RULES AND REGULATIONS**

##### Sections:

- 14.16.010 Title to govern.
- 14.16.020 Advertisements.
- 14.16.030 Dogs and other animals.
- 14.16.040 Damage to airport property.
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- 14.16.060 Sanitation.
- 14.16.070 Sports events.
- 14.16.080 Model airplanes.
- 14.16.090 Motor vehicle regulations.
- 14.16.100 Flight rules.

#### **14.16.010 Title to govern.**

All persons having entered on the Whitman County Memorial Airport shall be governed by the regulations prescribed in this title and by orders and instructions of the airport manager relative to the use and/or occupation of any airport property.  
(Res. 31222 §II(1), 1977).

#### **14.16.020 Advertisements.**

No persons shall post, distribute, or display signs, advertisement, circulars, printed or written matter at the airport on county-owned property except with the approval of the county commissioners and pursuant to commercial business conducted in conformity with the requirements of Chapter 14.40.  
(Res. 31222 §II(2), 1977).

#### **14.16.030 Dogs and other animals.**

No dogs or other animals (except cats) shall be permitted on the landing area unless restrained by a leash or otherwise confined in such a manner as to be under control, and no loose horses or other livestock shall be permitted on the airport property without permission of the county commissioners.  
(Res. 31222 §II(3), 1977).

**14.16.040 Damage to airport property.**

Any and all airport property destroyed, injured, or damaged by accident or otherwise shall be paid for by the party or parties responsible for such destruction, injury or damage thereof.  
(Res. 31222 §II(4), 1977).

**14.16.050 Disorderly conduct.**

No person shall commit any disorderly, obscene, indecent or unlawful act, or commit any nuisance on the airport.  
(Res. 31222 §II(5), 1977).

**14.16.060 Sanitation.**

Garbage, papers and refuse or other material shall be placed in receptacles provided for that purpose.  
(Res. 31222 §II(6), 1977).

**14.16.070 Sports events.**

No so-called drag races, hotrod races, go-cart races or similar sports events will be held on the landing areas, apron, ramps or taxiways or runways of the airport.  
(Res. 31222 §II(7), 1977).

**14.16.080 Model airplanes.**

No model airplanes will be flown in the proximity of the landing areas, apron, ramps, taxiways or runways.  
(Res. 31222 §II(8), 1977).

**14.16.090 Motor vehicle regulations. No motor vehicle:**

A. Shall be driven on the landing areas proper unless in the line of duty or with express permission of the airport manager in accordance with his instructions;

B. Shall be parked on the airport property except in areas designated for that purpose by the airport manager;

C. Shall fail to at all times yield the right-of-way to landing or taxiing aircraft.  
(Res. 31222 §VIII(1), 1977).

**14.16.100 Flight rules.**

Instructors will fully acquaint their students with all rules and regulations pertaining to the airport and shall be responsible for the conduct of students under their direction during dual instruction. When the student is flying solo, it shall be the student's sole responsibility to observe and abide by these rules and regulations. (Res. 31222 §V(3), 1977).

## **Chapter 14.20**

### **GROUND AND TAXI RULES**

#### Sections:

**14.20.010 FAA and CAB Air-Traffic Rules.**

**14.20.020 Hours of operation.**

**14.20.030 Operation of aircraft.**

**14.20.040 Brakes required.**

**14.20.050 Starting and warming engines.**

**14.20.060 Operating engine or engines.**

**14.20.070 Running up engines.**

**14.20.080 Blocking wheels.**

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**14.20.100 Taxi operations.**

**14.20.110 Speed of taxiing aircraft.**

**14.20.120 Stopping before takeoff.**

**14.20.130 Who may taxi aircraft.**

**14.20.140 Procedures near hangars.**

#### **14.20.010 FAA and CAB Air-Traffic Rules.**

The Air Traffic rules as established by the FAA and the CAB and currently in effect are adopted by reference and made a part hereof as fully as if the same, and each and all of them, were set forth in this chapter. (Res. 31222 §III(4), 1977).

#### **14.20.020 Hours of operation.**

The airport landing areas, ramps, apron, and parking area shall be open for public use at all hours of the day and night when lights are available during VFR conditions, subject to these rules and regulations and such additional conditions as may be determined by the county commissioners. (Res. 31222 §III(1), 1977).

#### **14.20.030 Operation of aircraft.**

No person shall navigate, land upon, fly same from, service, move, maintain, repair any aircraft, or conduct any aircraft operation on or from the airport otherwise than in conformity with current FAA and CAB rules and regulations established under federal authority and the State Federal Department of Agriculture where applicable. (Res. 31222 §III(2), 1977).

#### **14.20.040 Brakes required.**

No aircraft shall be operated on the Whitman County Memorial Airport unless it is equipped with proper

brakes that are in good operating order and condition.  
(Res. 31222 §III(3), 1977).

#### **14.20.050 Starting and warming engines.**

Aircraft engines shall be started and warmed up in parking areas or areas designated for such purpose by the airport board or manager.  
(Res. 31222 §III(5), 1977).

#### **14.20.060 Operating engine or engines.**

No aircraft engine shall be operated unless a licensed pilot or competent mechanic is at the controls.  
(Res. 31222 §III(6), 1977).

#### **14.20.070 Running up engines.**

No aircraft shall be run up immediately in front of or adjacent to the airport office building, or with the aircraft in such a position that parked aircraft, taxiways, runways or spectators are in the path of the propeller slipstream.  
(Res. 31222 §III(7), 1977).

#### **14.20.080 Blocking wheels.**

Any aircraft not equipped with locking brakes shall have the wheels blocked before starting engines.  
(Res. 31222 §III(8), 1977).

#### **14.20.090 Spilled fuel under aircraft.**

No person shall start or operate the engine of an aircraft when there is spilled gasoline or other flammable materials on the ground under the aircraft. The aircraft shall be towed from such spilled fuel or the area shall be washed down with water until such spilled fuel has been washed away.  
(Res. 31222 §III(9), 1977).

#### **14.20.100 Taxi operations.**

No person shall taxi an aircraft to or from the hangar line or to or from an approved parking space until he has ascertained that there will be no danger of collision with other aircraft, persons or objects in the immediate area.  
(Res. 31222 §III(10), 1977).

#### **14.20.110 Speed of taxiing aircraft.**

No aircraft shall be taxied except at a safe and reasonable speed.  
(Res. 31222 §III(11), 1977).

#### **14.20.120 Stopping before takeoff.**

Taxiing aircraft shall be stopped a minimum distance of fifty feet from the edge of the active runway for engine warmup and shall proceed onto the runway only after ascertaining that it is clear of any landing or other traffic.

(Res. 31222 §III(12), 1977).

#### **14.20.130 Who may taxi aircraft.**

No person other than a mechanic, pilot, or properly authorized student pilot, certified by the FAA, shall taxi aircraft on any part of the airport.

(Res. 31222 §III(13), 1977).

#### **14.20.140 Procedures near hangars.**

Aircraft shall not be taxied into or out of hangars. No aircraft engine shall be run in any hangar.

(Res. 31222 §III(14), 1977).

### **Chapter 14.24**

#### **TAKEOFF FLIGHT PATTERN AND LANDING**

##### Sections:

**14.24.010 Active runway.**

**14.24.020 Usable area.**

**14.24.030 Air traffic patterns.**

**14.24.040 Rights-of-way.**

**14.24.050 Landing on runway.**

**14.24.060 Responsibility.**

**14.24.070 Disabled aircraft.**

**14.24.080 Securing of unattended aircraft.**

**14.24.090 Aerobatics prohibited.**

**14.24.100 Influence of intoxicating liquor or drugs.**

#### **14.24.010 Active runway.**

Landings and takeoffs will be made on the runway most nearly aligned with the tetrahedron, wind tee or wind sock.

(Res. 31222 §IV(1), 1977).

#### **14.24.020 Usable area.**

No landings or takeoffs shall be made except on runways and designated areas and at a safe distance from buildings and aircraft, except helicopters, which may land and take off from the ramp area, giving consideration to any damage that may be caused by the downdraft of the rotors.

(Res. 31222 §IV(2), 1977).

#### **14.24.030 Air traffic patterns.**

Aircraft landing or taking off shall conform to the standard left-hand FAA-approved prescribed pattern.

(Res. 31222 §IV(3), 1977).

#### **14.24.040 Rights-of-way.**

Landing aircraft shall have the right-of-way over aircraft taking off. Aircraft which have declared an emergency shall have the right-of-way over all other entering, or about to enter the traffic pattern. Licensed aerial applicators holding a FAA waiver may deviate from flight pattern but at all times must give right-of-way to private or other commercial aircraft in traffic pattern or landing or taking off.

(Res. 31222 §IV(4), 1977).

#### **14.24.050 Landing on runway.**

Landing aircraft may turn and taxi back on the runway in use and shall follow the established taxi pattern along the runway, clearing the runway as soon as possible.

(Res. 31222 §IV(5), 1977).

#### **14.24.060 Responsibility.**

In landing and taking off, the pilot, in the absence of radio or light controls, will at all times be responsible for the safety of his airplane. He will be responsible for using common sense and good flying judgment. If at any time there is a question as to the right-of-way in landing or takeoff, he shall give the way immediately rather than risk an accident. In case of an aircraft accident, where responsibility cannot be determined, both or all aircraft involved will be held responsible equally and dealt with accordingly.

(Res. 31222 §IV(6), 1977).

#### **14.24.070 Disabled aircraft.**

Each aircraft owner, his pilot or agent, shall be responsible for prompt removal and disposal of disabled aircraft and parts thereof from the landing area, unless required of the responsible person, owner, his pilot or agent to delay such action pending investigation of the accident.

(Res. 31222 §IV(7), 1977).

#### **14.24.080 Securing of unattended aircraft.**

No aircraft shall be left unattended on the airport unless properly secured, brakes set or within a hangar. The securing of aircraft shall be the sole responsibility of the owner or operator of the aircraft. The Whitman County Memorial Airport, its employees, or agents, shall in no way be held responsible therefor.

(Res. 31222 §IV(8), 1977).

#### **14.24.090 Aerobatics prohibited.**

No aircraft shall be flown within a five-mile radius of the airport in maneuvers other than those required in normal routine operation with the exception that a waiver may be obtained from the FAA for such activities as air fairs, air shows or such activities approved by the county commissioners.

(Res. 31222 §IV(9), 1977).

#### **14.24.100 Influence of intoxicating liquor or drugs.**

No pilot or other member of the crew of an aircraft on the airport, or any person attending or assisting in said operation of the airport, shall be under the influence of intoxicating liquor or drugs; nor shall any person obviously under the influence of intoxicating liquor or drugs be permitted to board any aircraft except a medical patient under proper care or in an emergency.  
(Res. 31222 §IV(10), 1977).

### **Chapter 14.28**

#### **PARKING**

##### Sections:

**14.28.010 Parking aircraft.**

**14.28.020 Parking for repairs.**

#### **14.28.010 Parking aircraft.**

Aircraft shall not be parked in places other than tie-down areas, service areas, and such other areas of the ramp or aprons as may be designated as temporary parking areas. Aircraft parking overnight and for a longer period of time shall be parked on the tie-down areas or be placed in the hangar.  
(Res. 31222 §V(1), 1977).

#### **14.28.020 Parking for repairs.**

All repairs to engines or aircraft, other than emergency repairs, shall be accomplished in spaces designated by the county commissioners, or areas specifically designed for such operations.  
(Res. 31222 §V(2), 1977).

### **Chapter 14.32**

#### **FIRE REGULATIONS**

##### Sections:

**14.32.010 Cleaning of aircraft.**

**14.32.020 Open flame operation.**

**14.32.030 Storage.**

**14.32.040 Smoking.**

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**14.32.080 Fuel overflow.**

**14.32.090 Personnel in vicinity.**

**14.32.100 Fire extinguishers.**

**14.32.110 Equipment.**

**14.32.120 Fire regulations.**

#### **14.32.010 Cleaning of aircraft.**

No person shall use flammable or volatile liquids in the cleaning of aircraft, aircraft engines, propellers

and appliances unless such cleaning operations are conducted in open air, or in a room specifically set aside for that purpose, which room shall be properly ventilated and equipped with adequate and readily accessible fire extinguishing apparatus.

(Res. 31222 §IV(1), 1977).

#### **14.32.020 Open flame operation.**

No person shall conduct open flame operation in any hangar, or part thereon, in such manner as to create a fire hazard to any person or property.

(Res. 31222 §IV(2), 1977).

#### **14.32.030 Storage.**

No person shall stock, store or use highly inflammable material upon the airport; provided, however, that such material may be kept in aircraft in the proper receptacles installed in the aircraft for such purposes or in rooms or areas specifically approved for such storage by the airport manager.

(Res. 31222 §IV(3), 1977).

#### **14.32.040 Smoking.**

No person shall smoke on the airport where it is specifically prohibited by the airport manager and so marked with "NO SMOKING" signs. No person shall be permitted within fifty feet of any plane while it is being fueled or defueled or within fifty feet of any fuel carrier when not in motion or when it is being used for fueling or defueling an aircraft.

(Res. 31222 §IV(4), 1977).

#### **14.32.050 Aircraft fueling and defueling.**

No person shall fuel or drain fuel from any aircraft while the engine is running or while such aircraft is in a hangar or enclosed area.

(Res. 31222 §VI(5), 1977).

#### **14.32.060 Electrical switches.**

No person shall operate a radio transmitter or receiver or switch any electrical device on or off in any aircraft during fueling or defueling operations.

(Res. 31222 §VI(6), 1977).

#### **14.32.070 Fueling devices.**

All hoses, funnels and other equipment used in fueling or defueling aircraft shall meet with the specifications of the Fire Underwriters for fueling aircraft.

(Res. 31222 §VI(7), 1977).

#### **14.32.080 Fuel overflow.**

Persons engaged in fueling of aircraft shall exercise care to prevent overflow and spillage of fuel. Persons responsible will take proper measures to remove volatile liquids spilled during transfer. (Res. 31222 §VI(8), 1977).

#### **14.32.090 Personnel in vicinity.**

Only persons engaged in fueling and defueling operations will be permitted within fifty feet of such, except that passengers may be permitted to remain in the cabin of the aircraft, having a cabin attendant present at the door of the cabin. (Res. 31222 §VI(9), 1977).

#### **14.32.100 Fire extinguishers.**

Adequate fire extinguishers shall be within ready reach of persons engaged in refueling or defueling operations. (Res. 31222 §VI(10), 1977).

#### **14.32.110 Equipment.**

Fueling hoses and defueling equipment shall be maintained in a safe and sound and nonleaking condition. (Res. 31222 §VI(11), 1977).

#### **14.32.120 Fire regulations.**

All persons using the airport area in any way, or the facilities of the airport, shall exercise the utmost care to guard against fire and injury to persons or property. All base operator personnel are to provide volunteer firefighting personnel, these personnel to be part of a force to safeguard the airport with the firefighting equipment stationed at the airport. In case of base operator aircraft, the base operator will take charge of the firefighting operation. The foregoing shall apply until the arrival of the fire department of Colfax and/or rural fire district equipment, which will then take charge of fighting and rescue operations. (Res. 31222 §VI(12), 1977).

### **Chapter 14.36**

#### **AVIATION FUEL**

##### Sections:

**14.36.010 General requirements.**

**14.36.020 Sale of gasoline, lubricating oils or grease.**

**14.36.030 Storage of gasoline.**

**14.36.040 Price of gasoline.**

#### **14.36.010 General requirements.**

No aviation fuel shall be brought upon or stored upon the airport except by means and methods approved by the airport manager. No aircraft shall be fueled from any property adjacent to that of the airport.

(Res. 31222 §VII(1), 1977).

#### **14.36.020 Sale of gasoline, lubricating oils or grease.**

No person, firm or corporation shall sell gasoline, lubricating oils, or grease on or adjacent to the airport except by holder of a written contract made with the county commissioners.

(Res. 31222 §VII(2), 1977).

#### **14.36.030 Storage of gasoline.**

No gasoline shall be stored upon the airport unless it is contained in the tank on a motor vehicle or in the fuel tank of an aircraft, or in underground storage tanks that are not exposed.

(Res. 31222 §VII(3), 1977).

#### **14.36.040 Price of gasoline.**

No person, firm or corporation that is permitted to sell gasoline on the airport shall sell at a margin of profit per gallon that exceeds the margin of profit per gallon for gasoline as permitted by the county commissioners.

(Res. 31222 §VII(4), 1977).

### **Chapter 14.40**

#### **BUSINESS OR COMMERCIAL ACTIVITIES**

##### Sections:

**14.40.010 Conformance to commissioners' requirements.**

**14.40.020 Use of the airport--Fees.**

**14.40.030 Fixed base operators--Limitations.**

**14.40.040 Fixed base operators--Fees and requirements.**

**14.40.050 Aerial applicators--Generally.**

**14.40.060 Transient aerial applicators--Fees.**

#### **14.40.010 Conformance to commissioners' requirements.**

No person shall engage in any business or commercial activities of any nature whatsoever on the airport except in conformance with the requirements of the county commissioners and under such terms as they may prescribe.

(Res. 31222 §IX(1), 1977).

#### **14.40.020 Use of the airport--Fees.**

Any person, firm or corporation desiring to use the airport as a base for conducting a business or engaging in any form of commercial activity, shall first make application in writing and secure permission from the county commissioners, and shall pay such fees and charges as they may determine for the use of the airport or any of its facilities thereon, or for services rendered.

(Res. 31222 §IX(2), 1977).

#### **14.40.030 Fixed base operators--Limitations.**

Fixed base operators may be limited in number consistent with space availability or other limiting factors which may be dictated by good business practices in airport operation. Such limitations or restrictions shall be fixed by the county commissioners. Fixed base operations or other business firms using the airport shall not engage in any other commercial activity on the airport other than that for which they have received approval from the county commissioners.

(Res. 31222 §IX(3), 1977).

#### **14.40.040 Fixed base operators--Fees and requirements.**

Fees and charges for ground storage and fixed base operators will be set by the county commissioners, and when fixed will be available for examination at the office of the airport manager. Fixed base operators shall comply with all rules and regulations of the State Department of Aeronautics, the State Department of Agriculture and the Federal Aviation Agency.

(Res. 31222 §IX(4), 1977).

#### **14.40.050 Aerial applicators--Generally.**

Any person, firm or corporation engaged in the business of, or known as aerial applicators and commercial operators, operating as such and desiring to fly commercially from the Whitman County Memorial Airport other than as a fixed base operator, shall pay such fees and charges as designated by the county commissioners, and must comply with the rules and regulations of the State Department of Aeronautics, the State Department of Agriculture and the Federal Aviation Agency.

(Res. 31222 §IX(5), 1977).

#### **14.40.060 Transient aerial applicators--Fees.**

Transient aerial applicators shall be charged five dollars per load of spray and one dollar per load of fertilizer with a twenty-five dollar per day maximum charge with records of loads turned into the airport manager's office daily; or, such applicators may, with the approval of the airport manager and the county commissioners, operate on a yearly fixed fee basis.

(Res. 31222 §IX(6), 1977).

### **Chapter 14.44**

### **PRIVATE HANGARS**

#### Sections:

**14.44.010 Construction--Location--Dimension.**

**14.44.020 Layout.**

**14.44.030 Lease--Cost.**

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- 14.44.140 Use of premises--Insurance.
- 14.44.150 Underground gasoline storage facility.
- 14.44.160 Lease--Termination.
- 14.44.170 Building removal.

#### **14.44.010 Construction--Location--Dimension.**

Private hangars would start two hundred ten feet from the last commercial hangar on the west and should have a forty-two-foot front, depth to be negotiated with the county commissioners.  
(Res. 37641 §1, 1984).

#### **14.44.020 Layout.**

Private hangars are to run contiguous; that is, the west wall of one would be the east wall of the other.  
(Res. 37641 §2, 1984).

#### **14.44.030 Lease--Cost.**

The cost of the lease will be seven cents per square foot per year, to be reviewed every five years and adjusted upward to the CPI at that time.  
(Res. 37641 §3, 1984).

#### **14.44.040 Tax responsibility.**

The lessee will be responsible for all taxes.  
(Res. 37641 §4, 1984).

#### **14.44.050 Taxiway.**

The lessee will be responsible for the taxiway and rock on the surface in front of their respective hangars.  
(Res. 37641 §5, 1984).

#### **14.44.060 Lease--Update.**

All existing leases shall be updated every five years from May 1, 1984.  
(Res. 37641 §6, 1984).

#### **14.44.070 Well drilling.**

The lessee shall have the right to drill a well on the leased premises, provided, however, that said well shall be at the expense of the lessee and subject to all the laws of the state and county.  
(Res. 37873 §2, 1984).

#### **14.44.080 Utilities.**

The lessee covenants and agrees to furnish his own utilities and to install a septic tank on said premises in the event that he should install bath and/or toilet facilities in said building.  
(Res. 37873 §3, 1984).

**14.44.090 Health standards compliance.**

The lessee covenants and agrees to comply with all federal, state and county laws and regulations pertaining to the safety and health standards at his own expense.  
(Res. 37873 §4, 1984).

**14.44.100 Government restriction--Right to terminate lease.**

In the event that the lessor's operation of the airport or the lessee's operation at the airport should be restricted substantially by action of the federal government, or any agency thereof, or by action of the state of Washington or any agency thereof, then either party shall have the right, upon written notice to the other, to a termination of this lease.  
(Res. 37873 §5, 1984).

**14.44.110 Rights and privileges.**

Lessor agrees that on payment of the rent and performance of the covenants and agreements on the part of lessee to be performed hereunder, lessee shall peaceably have and enjoy the leased premises and all the rights and privileges of the leased premises.  
(Res. 37873 §6, 1984).

**14.44.120 Lease--Agreement binding.**

All the covenants, stipulations and agreements in the lease shall extend to and bind the legal representatives, successors and assigns of the respective parties.  
(Res. 37873 §7, 1984).

**14.44.130 Liability--Hold harmless agreement.**

Lessee agrees to indemnify lessor and hold it harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury or property damage arising from or out of any occurrence in, upon or at the leased premises, the occupancy or use by lessee of the leased premises, or any part thereof, or occasioned wholly or in part by any act or omission of lessee, its agents, contractors, employees, servants, or subtenants. In case lessor shall, without fault on its part, be made a party to any litigation commenced by or against lessee, then lessee shall proceed and hold lessor harmless and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by lessor in connection with such litigation. Lessee shall also pay all costs, expenses and reasonable attorney's fees that may be incurred or paid by lessor in enforcing the covenants and agreements of this lease. It is understood, however, that lessee shall not be liable for any injury, damage or loss occasioned by the negligence of lessor, its agents or employees; and provided further, that lessor shall give to lessee prompt and timely notice of any claim made or suit instituted which shall in any way directly or indirectly, contingency or otherwise, affect or might affect lessee, and lessee shall have

the right to compromise and defend the same to the extent of his own interest.  
(Res. 37873 §8, 1984).

#### **14.44.140 Use of premises--Insurance.**

Lessee shall use the premises for airplane hangar purposes only. Lessee shall comply with all federal, state and county laws and regulations pertaining to the operation of and the use of the airport. Lessee shall not assign this lease or any interest therein, or sublet any portion of the premises without the written consent of lessor, which shall not be unreasonably withheld. Lessee shall keep any buildings erected upon the premises fully insured for loss by fire or other casualty. Lessee shall, during the entire term, keep in full force and effect a policy of public liability and property damage insurance with respect to the leased premises and any subtenants of lessee in which the limits of public liability shall not be less than one hundred thousand dollars per person and three hundred thousand dollars per accident, and in which the property damage liability shall not be less than fifty thousand dollars. The policy shall name lessor and lessee as insured, and shall contain a clause that the insurer will not cancel or change the insurance without first giving lessor ten days' prior written notice. The insurance shall be in an insurance company in a form approved by lessor.  
(Res. 37873 §10, 1984).

#### **14.44.150 Underground gasoline storage facility.**

Lessee shall have the right to install underground gasoline storage facilities provided such gasoline shall be for the use of lessee only and not for resale and further provided that said gasoline storage shall comply with all local and state laws and regulations pertaining to gasoline storage.  
(Res. 37873 §11, 1984).

#### **14.44.160 Lease--Termination.**

Lessor may terminate this lease by giving lessee advance written notice upon or after the happening of any one of the following events (but notwithstanding such cancellation the liability of lessee for the rent provided herein shall not be extinguished for the balance of the term of this lease and lessee agrees to make good to lessor any deficiency arising from a reentry or reletting of the premises at a lesser rental, payable each month as the deficiency is ascertained):

- A. The filing by lessee of a voluntary petition in bankruptcy;
- B. The institution of proceedings in bankruptcy against lessee and the adjudication of lessee as a bankrupt pursuant to such proceedings;
- C. The taking by court of jurisdiction of lessee and his assets pursuant to proceedings brought under the provisions of any federal reorganization act;
- D. The appointment of the receiver of lessee's assets;
- E. The default by lessee in the performance of any covenant or agreement herein required to be performed by lessee and the failure of lessee to remedy such default for a period of thirty days after receipt from lessor of written notice to remedy the same; provided, however, that no notice

of cancellation, as above provided, shall be of any force or effect if the lessee shall have remedied the default prior to receipt of lessor's notice of cancellation.

(Res. 37873 §9, 1984).

**14.44.170 Building removal.**

Upon termination of the lease, the lessee shall have the right to remove the building within a period of three months from the termination date; provided, however, that lessor shall have the right to purchase said building at the then current market value. Upon the failure of the lessee to remove said building within said three-month period, or the failure of the lessor to purchase the same, said building shall thereupon become the property of the lessor.

(Res. 37873 §1, 1984).