



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**August 26, 2021**

**Department** Administration/Airport

**Director Approval** David Cowan/John Garris

**AGENDA ITEM** Consider adopting an ordinance related to the security and operation of the City of Independence Municipal Airport.

**SUMMARY RECOMMENDATION** Approve changes to the City Ordinances to improve security and clarify liability at the City of Independence Municipal Airport.

**BACKGROUND** This spring after an incident with a plane partially blocking a runway along with other incidents, the ordinances governing the City of Independence Airport were reviewed and compared with airports of similar size and capabilities.

After review, it was found that there was an opportunity to clarify responsibilities related to vehicles and activities in and around the flight area to maintain safe and secure airport operations. Some of the main features include the ability of the Airport Manger to:

- make sure the vehicles are parked in a safe manner in appropriate locations,
- that traffic shall not be impeded,
- that restricted areas may be created for public safety,
- that the presence of animals shall be regulated for public safety, and,
- that restrict airspace uses to those approved by the City.

**SUGGESTED MOTIONS** I move to adopt an ordinance related to the security and operation of the City of Independence Municipal Airport.

**SUPPORTING DOCUMENTS** Proposed Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Establishing Rules and Regulations  
for the Safe Operation of the Independence Municipal Airport**

*BE IT ORDAINED* by the Governing Body of the City of Independence, Kansas:

**Section 1. Scope.** The provisions of this ordinance shall apply only within the boundaries of the Independence Municipal Airport, and not otherwise.

**Section 2. Flight Operations.** All flight operations shall be conducted in accordance with the current Federal Aviation Administration rules and regulations.

**Section 3. Regulation of Vehicles.**

**A. Parking.** It shall be unlawful to park a vehicle or permit a vehicle to remain standing within the boundaries of the airport except at such places and for such periods of time, and upon payment of such parking fees and charges as may from time to time be prescribed by the governing body and so indicated by the posting of appropriate signs or installation of parking meters. Any vehicle which is either disabled or parked in violation of this ordinance, or which represents an operational hazard at the airport is subject to towing and impoundment at the owner's expense without recourse for any damage to the vehicle which may ensue from such removal or towing. The expense of towing and impoundment shall constitute a lien against the vehicle and payment in full shall be a prerequisite to the owner or operator reclaiming possession of the vehicle. For purposes of this ordinance, the term "vehicle" shall be given its broadest possible meaning and shall include any vehicle of any type, motorized or otherwise, which has tires or wheels.

**B. Impeding Flow of Traffic.** No person shall park, stop or stand a vehicle in any airport roadway, driveway, ramp, taxiway, parking area, passenger loading zone, loading zone or in front of or near any entrance or exit to any building at the airport in a manner so as to block, obstruct or impede the free passage of aircraft, vehicles or pedestrians upon airport property. Vehicles loading or unloading passengers and/or baggage shall have a 15-minute time limit unless authorization for a longer time has been granted by the airport manager or his designee. Any vehicle parked or stopped in contravention to this section (B) shall be subject to towing and impoundment as provided in the previous section (A).

**Section 4. Regulation of Aircraft.**

**A. Parking.** Aircraft may be parked only in assigned, leased or otherwise properly designated and authorized areas pursuant to directives of the airport manager, or his designee. Parked and unattended aircraft shall be chocked or tied down if remaining overnight.

**B. Remedy.** Any aircraft which is parked, stored or abandoned contrary to the provisions of the preceding section, may be towed and impounded at the owner's or operator's expense. The owner or operator may reclaim the aircraft upon payment in full of all fees or expenses related to the towing and impoundment. Towing and impoundment shall be without recourse against the city for any damage to the aircraft.

**Section 5. Restricted Areas.** The city manager, airport manager, or the designee of either, shall have authority to designate restricted areas at the airport. It shall be unlawful for any person to enter into or travel upon any restricted area at the airport without specific authorization from the city manager, airport manager, or the designee of either. Further, it shall be unlawful for any person who is found to be in such a restricted area of the airport to fail or refuse to produce proper identification upon the request of any city employee or other law enforcement officer.

**Section 6. Animals.** It shall be unlawful to bring or cause to be brought any animal upon airport property except as follows:

**A.** Express authorization by the city manager, airport manager, or the designee of either.

**B.** Any guide animal or companion animal as recognized by law provided such animal is under the constant restraint and control of the owner or accompanying person.

**C.** Any animal properly restrained or confined for shipment.

**D.** Any animal confined to a private motor vehicle.

**Section 7. Flying Objects.** It shall be unlawful to operate or release, or cause to release, any flying object on airport property including, but not limited to, kites, balloons, model aircrafts, model rockets, or parachutes, without prior written authority of the city manager, airport manager, or the designee of either.

**Section 8. Penalty.** Any violation of this ordinance may result in the issuance of a citation to appear in the municipal court for the city of Independence, Kansas. In the event of a conviction for the offense cited, the offender may be sentenced to a fine not less than \$100.00 nor

more than \$1,000.00, imprisonment not to exceed 30 days, or both such fine and imprisonment.

**Section 9.** This Ordinance shall take effect upon its publication in the official City newspaper.

*Adopted by the Governing Body of the City of Independence, Kansas, on the 26<sup>th</sup> day of August, 2021.*

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LOUIS YSUSI, Mayor

ATTEST:

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DAVID W. SCHWENKER, City Clerk