

**ORDINANCE NO. 5163**

**AN ORDINANCE ADOPTING AN UPDATE TO THE MCMINNVILLE MUNICIPAL CODE, TITLE 11 AIRPORT AND AVIATION.**

**RECITALS:**

**WHEREAS**, the City of McMinnville Municipal Code, Title 11 (Airport and Aviation) references outdated regulations; and

**WHEREAS**, the Code language uses outdated terminology; and

**WHEREAS**, the City of McMinnville has hired a professional Airport Manager who will assume the administrative, management, oversight and planning at the Airport, necessitating changes to Code language; and

**WHEREAS**, the contracted Airport Management company no longer meets the needs of the City; and

**WHEREAS**, advances in aircraft design, flight characteristics and airport use require additional guidance; and

**WHEREAS**, these Code changes will clarify Airport management, responsibilities and rules, etc.

**NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:**

1. The McMinnville Municipal Code Title 11 is updated and attached hereto as **Exhibit A**.
2. This Ordinance will take effect 30 days after passage by the City Council.

Passed by the McMinnville City Council this 26th day of August, 2025 by the following votes:

Ayes: Payne, Cunningham, Tucholsky, Chenoweth, Geary, Peralta

Nays: \_\_\_\_\_



\_\_\_\_\_  
MAYOR

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Attest:

Claudia Cisneros  
City Recorder

**EXHIBITS:**

- A. Updated City Code Title 11

# Exhibit A

## Title 11 AIRPORT AND AIRCRAFT

### Chapters:

- [11.01](#) Definitions
- [11.04](#) Regulations
- [11.08](#) Administration
- [11.10](#) Property Regulations
- [11.12](#) Ground Rules
- [11.16](#) Takeoff, Landing and Taxiing
- [11.28](#) Miscellaneous Regulations, Enforcement, and Penalties

### Chapter 11.01 DEFINITIONS

#### Sections:

- [11.01.010 Definitions.](#)

#### **11.01.010 Definitions.**

Nothing in this Chapter shall be construed to mean that the City intends to permit any violation of any federal or state law. All words and phrases used in this Chapter shall use the meanings as contained in the FAA's Pilot's Handbook of Aeronautical Knowledge and/or ORS Chapter 836.005, unless additional information is required. Definitions specific to the City of McMinnville are listed below. The following terms shall amend or supplement definitions contained in the FAA's Pilot's Handbook of Aeronautical Knowledge for this code and all referenced documents published by the City of McMinnville.

*Aeronautical*: any operations, activity, maintenance, service, location or area, etc. that may be used by aircraft or in support of aircraft, including UAS or other airborne contrivances.

*Aircraft Movement Area (AMA)* - The AMA at McMinnville Municipal Airport are defined as the numbered runways, lettered taxiways and other areas of the airport utilized for taxiing, takeoff and landing of aircraft. The Aircraft Movement Area does, however, exclude the aircraft parking areas, the loading ramp, and the taxilanes serving the general aviation hangar storage area.

*Aircraft Operating Area (AOA)* - The AOA at McMinnville Municipal Airport is defined as all areas available for aircraft use and/or accessible by aircraft, including the AMA. This area is also referred to as "Air Side" and is generally all of the airport property within the Airport's perimeter fence.

*Airport* - means the land and facilities owned or controlled by the City of McMinnville known as McMinnville Municipal Airport.

*Airport Commission* - means that body which recommends to the City Council, and Airport Manager on matters pertaining to McMinnville Municipal Airport as set forth in Ordinance 2145 and Chapter 2.28 of this Code, or as may be amended.

*Airport Manager* - means the individual employed by the City of McMinnville with that title and having responsibility and authority for the administration and management of McMinnville Municipal Airport.

*Airport Use Agreement* - means the written agreement between the City and a Person/Entity specifying the terms and conditions under which the Person/Entity may conduct aviation activities, special events, and/or demonstrations at the Airport. The Airport Manager shall have the authority to issue Airport Use Agreements.

*Autonomous Aircraft* - means all aircraft including UAS that do not have a person actively controlling (including remote controls) of the aircraft.

*Autonomous Flight* - means any aircraft or aeronautical contrivance that does not have active control or communication of location or activity.

*Through-The-Fence* - means private or commercial aeronautical access onto airport property from an adjacent privately owned property.

*Unmanned Aircraft Systems (UAS)* – UAS means all unmanned aircraft including drones as defined by the Federal Aviation Administration in 14 CFR.

## **Chapter 11.04 REGULATIONS**

### **Sections:**

- 11.04.010 General Regulations.
- 11.04.030 Use of airport subject to regulation.
- 11.04.040 Unmanned Aircraft Systems (UAS, UAV, RPV, Drone, Etc.).

### **11.04.010 General Regulations.**

A. All federal, state, and local laws, regulations, codes, and policies apply, except for Chapters in this code which exceed the local code and policies related to the Airport and aviation. All sections within this Chapter 11 apply to the Airport and aviation related concerns. Any code revision, policies, rules and standards shall comply with federal, state, and local laws.

B. All users and stakeholders of the airport shall, at all times, comply with current Federal Aviation Regulations (FAR), information contained in the Aeronautical Information Manual (FAR/AIM), Grant Assurances, Oregon Revised Statute, and McMinnville Municipal Code, policies and ordinances and all other applicable laws, regulations and ordinances.



#### **11.04.030 Use of airport subject to regulation.**

No person or entity shall use the airport or any portion thereof, or any of its improvements or facilities identified in the Airport Layout Plan, for non-aeronautical activities, and/or for commercial business or commercial aeronautical activities unless and until they have first complied with all requirements of the Municipal Code, any applicable local ordinances or regulations, and the adopted Minimum Standards for Commercial Aeronautical Activities.

#### **11.04.040 Unmanned Aircraft Systems (UAS, UAV, RPV, Drone, etc.)**

A. Operations of UAS within the boundaries of the City of McMinnville shall abide by all Federal and State laws and regulations, etc.

B. UAS shall not be launched and/or recovered within rectangular areas of each runway measuring 1.5 nautical miles (9,000 feet) from each end of the runway and 0.5 nautical miles (3,000 feet) to each side of the runway, as depicted in Figure 11.04-1, without specific authorization by the FAA and written authorization by the Airport Manager.





## **Chapter 11.08 ADMINISTRATION**

### Sections:

- 11.08.010 Airport Administrator.
- 11.08.020 Airport Manager's Powers and Duties.
- 11.08.030 Removal of Abandoned or Disabled Aircraft, Vehicles or Parts.
- 11.08.040 Commercial Activity Authorization.
- 11.08.050 Airport Use – City Held Harmless.

### **11.08.010 Airport Administrator.**

The City Manager shall act as an Airport Administrator for all activities related to the McMinnville Municipal Airport. As the Airport Administrator, the City Manager may delegate all responsibilities to the Airport Manager, who will report directly to the Public Works Director.

### **11.08.020 Airport Manager's Powers and Duties.**

The Airport Manager is empowered to oversee the operations of the McMinnville Municipal Airport and to apply and enforce the provisions of this Chapter. The rules contained in this Chapter are supplemental to the Federal and State Aviation Regulations, and the McMinnville Municipal Code, and apply specifically to McMinnville Municipal Airport. The Airport Manager has the authority to verify and enforce all aeronautical and non-aeronautical uses at the Airport.

#### The Airport Manager:

A. Shall represent the City, at all times, regarding the McMinnville Municipal Airport. The Airport Manager is empowered to oversee the operations of the McMinnville Municipal Airport and to apply and enforce the provisions of this Chapter. The rules contained in this Chapter are supplemental to the Federal and State Aviation Regulations, and the McMinnville Municipal Code, and apply specifically to McMinnville Municipal Airport.

B. May publish general information relative to McMinnville Municipal Airport as provided in this Chapter and is authorized to publish rules and additional explanatory material. Additional explanatory information is published solely for the convenience of, and assistance to pilots, is advisory only, and shall not modify any rule or regulation of the Federal Aviation Administration or of the City. The Airport Manager may post signs at the airport which state or apply the rules, regulations, orders, or instructions. Each person on the airport shall comply with all rules, regulations, and signs posted by the Airport Manager pursuant to this Chapter.

C. May issue Airport Use Agreements for operational and maintenance activities, and for special events and/or demonstrations, provided FAA requirements are met, and no

such event or demonstrations shall be conducted by anyone without prior written permission.

D. Is authorized to make decisions as necessary for any contingency or emergency not specifically covered by the Municipal Code.

E. Shall always have authority to take such action as may be necessary to safeguard the public in attendance at the airport. Every person on or using the airport shall cooperate in the enforcement of these rules and ensure that all persons on the premises use care and caution to prevent injury to persons or damage to property.

F. May suspend or restrict any or all operations whenever such action is deemed necessary.

G. May suspend, as a means of safeguarding this airport and the public, the privileges of the airport and its facilities to any person refusing to comply with these rules. Persons suspended under this provision shall have the right to appeal the suspension to the Airport Administrator.

H. Shall have authority to restrict operations to such portion or portions of the airport at their sole discretion. Any part of the airport temporarily closed or restricted from operations or otherwise not available for any reason will be clearly marked in accordance and comply with Federal Aviation Regulations (FAR) and Airman's Information Manual (AIM).

#### **11.08.030 Removal of Abandoned or Disabled Aircraft, Vehicles or Parts**

Upon demand made by the Airport Manager to the owner or operator of any abandoned or disabled items, including but not limited to aircraft, vehicles or parts wrongfully or improperly left on airport property, it shall be the duty of the owner or operator to remove the items at their own expense.

A. If, after demand, the owner or operator fails or refuses to remove the items within a reasonable time, as determined by the Airport Manager, based on the circumstances and conditions of hazard or nuisance created, but not to exceed 30 days, the Airport Manager shall impound and store the items. The cost of removal and storage shall be a charge against the owner or operator of the items. The items will be released to the owner or operator upon payment in full of the charges.

B. If the Airport Manager cannot locate or is unable to communicate with the owner or operator of the items, the Airport Manager shall, at their sole discretion, determine whether the aircraft or parts pose a sufficient hazard to aircraft activity to require prompt and orderly removal. The cost of removal and storage of an aircraft or parts shall be a charge against the owner or operator.

C. The Airport Manager shall mail or email written notice to the registered (legal) owner or operator at the address on file, advising them of the removal and storage of items, including aircraft, vehicles, parts, or other items. If more than 60 days pass after giving written notice, the Airport Manager may, at their discretion, engage in the process, outlined in ORS 131A, to seize, forfeit and sell the items for the cost of removal and storage, including administrative and other expenses.

D. The City shall not be liable for the cost of removal, storage, or any damage which may be incurred due to the provisions of this Chapter.

#### **11.08.040 Commercial Activity Authorization.**

All commercial activity at the airport shall conform to the adopted Minimum Standards for Commercial Aeronautical Activities. When the Airport Manager determines that a person is engaged in or proposes to engage in commercial activity at the airport, the Airport Manager may grant that person permission to do so; may issue that person an airport use agreement with restrictions or conditions; may require the person to enter into a land lease or agreement; or may, deny permission. The Airport Manager will consider the following conditions in determining if any commercial (aeronautical or non-aeronautical) activity will be authorized to conduct business:

A. The impact of the new commercial activity on public safety and convenience. The Airport Manager will impose conditions and restrictions necessary to ensure safety in the air and on the ground, and to preserve unobstructed air and surface traffic patterns and runway approaches.

B. The amount of space at the airport, the customary uses of the airport, and the compatibility of the new commercial activity with present and planned development at the airport.

C. Whether the new commercial activity complies with federal, state, and local laws and regulations, including land use regulations.

D. Whether the new commercial activity is conducted to promote aviation.

#### **11.08.050 Airport Use – City Held Harmless.**

The privilege of using the airport and its facilities, in any capacity, shall be conditioned on the assumption by the user of full responsibility and risk for the use, and the user releases and agrees to hold the City and its officers, employees, and agents, harmless, and to indemnify them from any liability or loss resulting from the use.

### **Chapter 11.10 PROPERTY REGULATIONS**

Sections:

- 11.10.010 City not liable.
- 11.10.020 Airport land and building uses
- 11.10.020 Damage, injurious activities and abandonment prohibited.
- 11.10.030 Damage to airport property – Compensation.

#### **11.10.010 City not liable.**



The City assumes no responsibility or liability for loss, theft, vandalism, injury, or damage to persons or property on the airport or for using airport facilities, including but not limited to fire, wind, flood, earthquake, collision damage or force majeure.

#### **11.10.020 Airport land and building uses.**

- A. All properties within the border of the Airport shall conform to uses described in this Chapter.
- B. The Airport provides an environment for public and private aviation to access the City of McMinnville and Yamhill County. The Airport also provides a location for Emergency Management activities during any such emergency or disaster affecting the general public. The airport's runways shall, at the discretion of the Airport Manager, remain open during emergency and disaster events. Such events should not preclude the ability of the flying public to operate at the Airport.
- C. All properties within the confines of the Aircraft Movement Area (AMA) and Aircraft Operating Area (AOA), defined herein, shall be for Aeronautical use only.
- D. All hangars, aircraft parking areas and other improvements within the AMA and AOA shall be Aeronautical use, e.g. hangars shall be used to store and maintain aircraft, etc. and shall conform to FAA regulations. Failure to abide by the aeronautical use requirements may result in cancellation of leases and rent agreements, and eviction from the airport.
- E. Areas within the AMA and AOA may deviate from development and zoning standards contained in City Code to ensure operational safety, at the discretion of the Airport Manager. However, all improvements shall meet the applicable building and fire codes.
- F. Airport property that is not designated as AMA or AOA may be approved for non-aeronautical use. Non-aeronautical use shall conform to use designations contained in the Airport Master Plan and Airport Layout Plan. Non-aeronautical areas should meet all City zoning, codes and other regulative requirements.
- G. The City may charge lease, rent, event and other fees for any activity on the Airport. Fees may be published in separate documents.

#### **11.10.030 Damage and injurious activities prohibited.**

- A. No person shall destroy, injure, deface, or disturb in any way, any building, sign, equipment, marker, structure, or other airport premises.
- B. No person shall conduct activities that are injurious, detrimental, or damaging to the airport property, business of the airport, aircraft, or persons.

#### **11.10.040 Damage to airport property – Compensation.**



Any person causing or liable for any damage to airport property shall be required to pay the City upon demand, the full cost of repairs to the damaged property.

## **Chapter 11.12 GROUND RULES**

Sections:

- 11.12.010 Fire regulations.
- 11.12.020 Aircraft parking – Designated Areas.
- 11.12.060 Persons entering parking areas or aprons.
- 11.12.065 Through-the-fence access.
- 11.12.070 Chocking and/or tying down.
- 11.12.080 Vehicles prohibited on runways, taxiways and apron.
- 11.12.090 Accident procedures.

### **11.12 Ground rules.**

All aircraft ground operations shall be conducted in accordance with Federal Aviation Regulations and the Airman's Information Manual. Aircraft shall have the undisputed right of way in the Aircraft Movement Area (AMA) and Aircraft Operating Area (AOA).

#### **11.12.010 Fire regulations.**

All persons using the airport area or the facilities of the airport for any purpose whatsoever shall comply with the state fire code, which is enforced by the McMinnville Fire District.

#### **11.12.020 Aircraft parking – Designated Areas.**

Aircraft shall park in designated areas only, unless otherwise approved by the Airport Manager.

#### **11.12.060 Persons entering parking areas or aprons.**

All persons shall remain outside of the AOA, AMA, Aprons, and all other areas within the confines of the airport perimeter fence, unless access is approved by the Airport Manager. Pilots, aircrew, aircraft maintenance personnel are authorized to access the AOA. Pilots, aircrew and maintenance personnel may escort passengers and other persons having valid reasons, such as baggage delivery, medical assistance, etc. Any person permitted by this section to have access is limited to necessary use of the space in connection with flights or routine duties or specific reason for the access.

#### **11.12.065 Through-The-Fence access.**

Through-The-Fence access may be authorized on a case-by-case basis. Access shall be for aeronautical purposes. Initial requests for access shall be forwarded to the Airport

Manager to determine feasibility. The Airport Manager must receive concurrence from the FAA and ODA prior to forwarding the request to the City Council for final approval.

#### **11.12.070 Chocking and/or Tying Down.**

The Pilot, Aircrew, or Maintenance personnel shall properly secure the aircraft, including chocking and/or tying down the aircraft.

#### **11.12.080 Vehicles prohibited on runways, taxiways and aprons.**

Motor vehicles shall not be driven onto aprons, taxiways or runways without the express permission of the Airport Manager.

- A. All authorized vehicles and equipment operating in the AMA shall be equipped with a flashing yellow or orange light(s) visible to taxiing or operating aircraft. Additionally, while in the AMA, all vehicle and equipment operators shall have a two-way VHF radio tuned to the airport's Common Traffic Advisory Frequency (CTAF).
- B. Automobile parking shall be in designated areas, except as authorized by subsection (C).
- C. Aircraft have the undisputed right-of-way in the general aviation T-hangar area. Vehicles, including but not limited to automobiles, golf carts, scooters, motorcycles, etc., shall not be left standing or parked on these taxiways. Pilots and aircraft owners driving on taxiways for access to a T-hangar shall park at the entrance way to the T-hangar, maintaining a minimum clearance of 25 feet from the centerline of the taxiway. Vehicles should be parked in designated parking areas or inside the T-hangars while the aircraft is being flown.

#### **11.12.090 Accident procedures.**

- A. Aircraft and/or parts thereof that are involved in flight or ground accidents shall not be moved without prior authorization of the Airport Manager.
- B. Persons involved in aircraft accidents occurring at the airport shall make a full report to the Airport Manager as soon as possible after the accident. For the purposes of this section, an aircraft accident shall include any event involving an aircraft that results in property damage or personal injury, no matter what the value, damage, or injuries may be.
- C. Any person damaging airport property shall be fully responsible to the City for the cost of repairs.
- D. Every pilot and aircraft owner shall be responsible for the prompt removal of any disabled aircraft or parts thereof, subject to accident investigation procedures and concurrence of the Airport Manager.

## **Chapter 11.16 TAKEOFF, LANDING and TAXIING**

Sections:

- 11.16.010 Runway use, Takeoff, Landing and Taxiing.

### **11.16.010 Runway use, Takeoff, Landing and Taxiing.**

All aircraft preparing for takeoff shall use the appropriate taxiway for the purpose of taxiing to the ends of runways for takeoff. All takeoffs and landings shall be on designated runways. All landing aircraft returning to the flight line shall leave the runway at the first available taxiway that is practical to keep the runways clear for approaching aircraft.

## **Chapter 11.20 OFF AIRPORT OPERATIONS**

Sections:

- 11.20.010 Landing / takeoff permit – Required.
- 11.20.020 Permit – Exemptions.

### **11.20.010 Landing / takeoff permit – Required**

The landing and/or takeoff of aircraft weighing more than 55 pounds (25 kilograms) within the corporate limits of the City, except for at the McMinnville Municipal Airport, is expressly forbidden unless a permit has first been obtained from the City.

### **11.20.020 Permit – Exemptions.**

Emergency, Disaster or Police aircraft operations, which may include Medivac, Police or other rescue helicopter or UAS operations are exempt from permit requirements. The aircraft operations shall be in assistance to a reportable or active public agency operation.

## **Chapter 11.28 MISCELLANEOUS REGULATIONS, ENFORCEMENT, AND PENALTIES**

Sections:

- 11.28.010 Incorporation of Airport Rules, Standards, Policy, Schedules
- 11.28.020 Public intoxication prohibited.
- 11.28.030 Interpretation and Enforcement of provisions.
- 11.28.040 Violation – Penalty.

### **11.28.010 Incorporation of Airport Rules, Standards, Policy, Schedules**

All airport rules, standards, policies and schedules, etc. that are adopted or approved by a resolution of the City Council are enforceable under this code.



#### **11.28.020 Public intoxication prohibited.**

It is unlawful for any person to be in an intoxicated condition or under the influence of any illegal substance on airport property.

#### **11.28.030 Interpretation and Enforcement of Provisions.**

The Airport Manager has the authority to interpret and enforce all aviation and airport-related regulations, codes and provisions herein.

Any duly elected or appointed peace officer or police officer of the City, County or State shall have the authority and power to enforce any provisions of this Chapter on airport property, and to make arrests for violations of this Chapter.

#### **11.28.040 Violation– Penalty.**

Any person operating or handling aircraft on or in the vicinity of the airport, or traveling on airport property by foot, automobile, bicycle, motorcycle, or other conveyance, or occupying any building or otherwise using the airport for any purpose whatsoever, shall comply with the rules as set forth in this Chapter. Any person violating any portion of this Chapter shall, upon conviction in the municipal court, be punished by a fine in an amount that is set by resolution of the City Council and may be subject to other lawful penalties.