

**MISSION STATEMENT: TO CREATE A HEALTHY, SAFE, DIVERSE, AND PROSPEROUS CITY
BY ENGAGING COMMUNITY MEMBERS TO DEVELOP AN ENRICHED QUALITY OF LIFE.**



AIRPORT COMMITTEE MEETING AGENDA
CITY OF ONTARIO OREGON
January 2, 2024 - 6:00 PM
Ontario City Hall
[Zoom Link](#)

Committee Members: Shay Myers _____ Bill Hager _____ John Freeburg _____ Gary Taylor _____
Shawn Coleman _____ Dan Beaubien _____ Vacant _____
Alternate: Vacant _____

Ex Officio Members: John Kirby (City Council) _____ Dan Cummings (City Manager) _____

Airport Manager/Staff: Andy Wood _____

FBO: Silverhawk _____

- I. Approval of Agenda
- II. Approval of Minutes
 - a. 12-04-2023: Airport Committee Meeting Minutes
- III. Public Comment
- IV. Old Business
 - a. Welcome New Member: Dan Beaubien
 - b. City Clerk: Discuss Public Meeting Requirements
- V. New Business
 - a. Election of Officers: Chair, Vice-Chair, Secretary
- VI. Discussion Items
 - a. 2024 Budget Status Review
 - b. Review Municipal Airport Authority Standard Manual of Airport Rules and Regulations
- VII. Committee Member Comments
- VIII. Adjournment

Meeting Called to Order: 18:14

Roll Call:

Committee Attendees: Shay Myers, Bill Hager, John Freeburg, Gary Taylor, Shawn Coleman, Luke Keller

Ex Officio members: John Kirby, Dan Cummings

Airport Manager: Andy Wood

FBO: Alisha Sweeney via Microsoft Teams

Public Attendees: Brian Rindlisbacher & Ben – BLM, Toby Epler – JUB, Dan Beaubien, Jim Beaumont

Public Comments: Brian Rindlisbacher introducing Ben – New Unit Aviation Officer replaces Jessica Sherwood.

Approval of agenda

Gary Taylor 1st motion, Luke Keller 2nd motion, and unanimous roll call vote

Approval of Minutes:

November 2023 minutes: Shay Myers 1st motion, Gary Taylor 2nd Motion, and unanimous roll call vote.

Motion to amend agenda: NA

Old Business:

Application from JUB is the only applicant received and presented to Airport Advisory Committee as Airport Engineer and Consultant Services. Gary raised the motion to recommend to the City Council the selection of the engineering firm JUB for Airport Engineer and Consultant Services. Shay Myers 2nd motion, and unanimous roll call vote. Open for Discussion –Toby Epler has been with Ontario for over 20 years and feels like family, proud of what we have achieved. Shawn raised the motion to recommend to the City Council the selection of the engineering firm JUB for Airport Engineer and Consultant Service. A unanimous roll call vote proposed motion moves forward to City Council for final approval.

New Business:

Dan Beaubien AOPA monthly newsletter article by Brad Schuster

Airport Advisory Committee applicants review, Committee reviewed four applicants submitted and agreed all are great applicants. Motion moved to City Council for appointment and approval. Gary Taylor 1st motion, Shay Myers 2nd motion, and unanimous roll call vote

Discussion Items:

FBO Modular unit Office space available to local aviation related business first, otherwise availability will be opened to outside businesses. 858sqft at \$750/month.

Signage Safety Issue – BLM sign impedes vision to the left as departing airport from 4th Street Gate. Committee decision with BLM approval to remove sign and relocate on chain-link fence.

Committee Member Comments:

Officers Election for Airport Advisory Committee Leadership scheduled for next meeting.

City to investigate memorial costs for L. Enchanis Memorial.

Next meeting Tuesday, January 2, 2024, at 6pm

Adjournment:

19:05 Motion raised to adjourn, Bill Hager 1st motion, Gary Taylor 2nd motion, and unanimous roll call vote.

ACCEPTED BY:

Chair Signature

Secretary Signature

Chapter 12 AIRPORT COMMITTEE

Sections:

2-12-1 Airport Committee established.

An Airport Committee composed of seven (7) members, to be appointed by the Mayor, with the consent of the City Council, shall be established. The Airport Committee members shall appoint a chairman from their membership. In addition to the members, the Mayor, with the consent of the City Council, shall appoint an alternate member to the Airport Committee. The alternate member shall attend all meetings of the Airport Committee, shall be entitled to all information regularly provided to members of the Committee and shall be subject to removal on the same terms and in the same manner as a regular Committee member.

(Ord. 2545 (part), 2004)

2-12-2 Term(s) of office.

The terms of the Airport Committee members and the alternate member shall be four (4) years with the first three (3) members to serve for an initial term of two (2) years and the next four (4) members to serve for an initial term of four (4) years with overlapping terms thereafter.

(Ord. 2545 (part), 2004)

2-12-3 Ex-officio members.

A member of the City Council designated by the Mayor, and the City Manager, shall act as ex-officio members of the Airport Committee and may participate in Airport Committee meetings and deliberations.

(Ord. 2545 (part), 2004)

2-12-4 Meetings.

The Airport Committee shall meet as often as required. Meetings shall be called by the Airport Committee Chairman.

(Ord. 2545 (part), 2004)

2-12-5 Advisory capacity.

The Airport Committee shall be an advisory committee to the City Council and shall make all recommendations and reports to the City Council. Final determination for financial, operational, and personnel matters shall remain the responsibility of the City Council.

(Ord. 2545 (part), 2004)

2-12-6 Duties and responsibilities.

The Airport Committee shall have the following duties and responsibilities:

- (A) Review and evaluate applications for Fixed Base Operator and ground lease proposals and prepare written recommendations to the City Council.
- (B) Propose rules and regulations for the airport, including but not limited to rules and regulations governing public usage, common use areas, special events, solicitation, advertising, and repair of aircraft, etc.
- (C) Recommend airport operation standards, including but not limited to radio discipline, management authority, aircraft accidents, glider and tow planes, skydiving, aircraft regulation, airport traffic and ground operations, aircraft movement on the taxiway and on the runway, and aircraft parking.
- (D) Recommend aircraft hangar standards, including but not limited to design standards and maintenance standard for existing and proposed aircraft hangars, as well as parking standards for use of aircraft hangars, storage of acceptable and non-acceptable materials within the aircraft hangar and recommendations on rents and fees to be charged for aircraft hangars.
- (E) Recommend an airport capital improvements program.
- (F) Review the proposed annual operating budget.
- (G) Serve as liaison with aviation groups and clubs to assure full participation in the development and operation of the airport.

(Ord. 2545 (part), 2004)

2-12-7 Compensation of members.

Members of the Airport Committee shall receive no compensation, but shall be reimbursed for authorized and necessary expenditures. The Airport Committee shall have no authority to make any expenditures on behalf of the City not to obligate the City for payment of any sums of money.

(Ord. 2545 (part), 2004)

2-12-8 Quorum and rules and regulations for meetings.

A majority of the membership of the Airport Committee shall constitute a quorum. In the event one or more Committee members will be absent, they shall let the chairman know as soon in advance as possible. The chairman shall then notify the alternate member of the absence. The alternate member shall sit in for the absent member and shall have all rights, privileges and responsibilities as a regular committee member for that meeting. In the event that a vacancy shall occur in the Airport Committee membership other than normal expiration of the term of service, the alternate member shall automatically assume the remainder of the term of office for the member who left. The Committee shall adopt rules and regulations to conduct its affairs, which rules and regulations shall be consistent with the laws of the State of Oregon, the City Charter, and the City of Ontario ordinances.

(Ord. 2545 (part), 2004)

2-12-9 Members—Prohibited acts.

A member of the Airport Committee shall not participate in any Committee proceeding or action in which any of the following has a direct or substantial financial interest:

A member or member's spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which such member is serving or has served within the previous two (2) years as an officer, director, board member, manager or owner, or any business with which such member is negotiating for, or has an arrangement or understanding concerning a prospective partnership or employment. An actual or potential conflict of interest shall be disclosed at the meeting of the Committee in which the action is being taken.

(Ord. 2545 (part), 2004)

2-12-10 Items for review and recommendation.

Items submitted for Committee review and recommendation:

- (A) All proposals for establishment of new aircraft hangars.
- (B) Uses of the airport property except for the existing golf course area.
- (C) Any special events or non-routine uses of the airport property.
- (D) Any relocation, addition, or improvements to the fixed base operation.
- (E) Any proposed changes to the fixed base operation contract.
- (F) Proposed annual airport budget.
- (G) Changes in fees and charges proposed to be levied upon airport users.

(Ord. 2545 (part), 2004)

(Ord. No. 2724-2017, 4-5-18)

2-12-11 Committee appraisal by City.

City shall endeavor to keep the Airport Committee apprized in a timely manner of all City activities that bear directly on airport development and operations.

(Ord. 2545 (part), 2004)

2-12-12 Regulation of committee.

As a Committee created by the Ontario City Council, the Committee is subject to the provisions of the Oregon Public Meetings and Records Laws.

(Ord. 2545 (part), 2004)

PUBLIC MEETINGS

192.610 Definitions for ORS 192.610 to 192.690. As used in ORS 192.610 to 192.690:

(1) “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

(2) “Executive session” means any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.

(3) “Governing body” means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(4) “Public body” means the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

(5) “Meeting” means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. “Meeting” does not include any on-site inspection of any project or program. “Meeting” also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong. [1973 c.172 §2; 1979 c.644 §1]

(Temporary provisions relating to local government and special government body public meetings)

Note: Sections 1 and 2, chapter 12, Oregon Laws 2020 (first special session), provide:

Sec. 1. (1) Notwithstanding ORS 192.610 to 192.690, the governing body of a public body may hold all meetings by telephone or video conferencing technology or through some other electronic or virtual means. When a governing body meets using telephone or video conferencing technology, or through other electronic or virtual means, the public body shall make available a method by which the public can listen to or observe the meeting. If a governing body meets using telephone or video conferencing technology, or through other electronic or virtual means:

(a) The public body does not have to provide a physical space for the public to attend the meeting; and

(b) If the telephone or video conferencing technology allows the public body to do so, the public body shall record the meeting and make the recording available to the public. This paragraph does not apply to executive sessions.

(2) If the governing body of the public body elects not to use telephone or video conferencing technology or other electronic or virtual means to conduct meetings, all persons attending meetings held in person must maintain social distancing, including maintaining intervals of six feet or more between individuals, wherever possible.

(3) For any executive session at which the media are permitted to attend, whether conducted in person or using electronic or virtual means, the governing body shall provide a means for media to attend the executive session through telephone or other electronic or virtual means.

(4) Notwithstanding ORS 192.610 to 192.690 or any other applicable law or policy, any public testimony or comment taken during a meeting need not be taken in person if the public body provides an opportunity to submit testimony or comment by telephone or video conferencing technology, or through other electronic or virtual means, or provides a means of

submitting written testimony, including by electronic mail or other electronic methods, and the governing body is able to consider the submitted testimony in a timely manner.

(5) Notwithstanding any requirement that establishes a quorum required for a governing body to act, the minimum number of members of a governing body required for the body to act shall exclude any member unable to attend because of illness due to COVID-19.

(6) If the public health threat underlying the declaration of a state of emergency issued by the Governor on March 8, 2020, or compliance with an executive order issued under ORS 401.165 to 401.236 in connection with that emergency, causes a municipal corporation or council of governments to fail to comply with ORS 294.305 to 294.565 or 294.900 to 294.930, the municipal corporation or council of governments may make reasonable expenditures for continued operations within the existing or most recently adopted budget, provided that any failure to comply with ORS 294.305 to 294.565 or 294.900 to 294.930 is cured as soon as is reasonably practicable.

(7) Notwithstanding ORS 221.770, a city may satisfy the requirements of holding a public hearing under ORS 221.770 (1)(b) and (c) by holding the hearing in accordance with this section and by making certification to the Oregon Department of Administrative Services as soon as is reasonably practicable after the city adopts its budget.

(8) As used in this section:

(a) Terms used in this section have the meanings given those terms in ORS 192.610, except that “public body” excludes the state or any board, department, commission, council, bureau, committee, subcommittee, advisory group or other agency of the state.

(b) “Budget” and “municipal corporation” have the meanings given those terms in ORS 294.311.

(c) “Council of governments” has the meaning given that term in ORS 294.900. [2020 s.s.1 c.12 §1]

Sec. 2. Section 1 of this 2020 special session Act is repealed 30 days after the date on which the declaration of a state of emergency issued by the Governor on March 8, 2020, and any extension of the declaration, is no longer in effect. [2020 s.s.1 c.12 §2]

192.620 Policy. The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly. [1973 c.172 §1]

192.630 Meetings of governing body to be open to public; location of meetings; accommodation for person with disability; interpreters. (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, color, creed, sex, sexual orientation, gender identity, national origin, age or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominant use.

(4)(a) Meetings of the governing body of a public body shall be held:

(A) Within the geographic boundaries over which the public body has jurisdiction;

(B) At the administrative headquarters of the public body;

(C) At the nearest practical location; or

(D) If the public body is a state, county, city or special district entity, within Indian country of a federally recognized Oregon Indian tribe that is within the geographic boundaries of this state. For purposes of this subparagraph, "Indian country" has the meaning given that term in 18 U.S.C. 1151.

(b) Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.

(c) A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location.

(d) Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to persons with disabilities, or, upon request of a person who is deaf or hard of hearing, to fail to make a good faith effort to have an interpreter for persons who are deaf or hard of hearing provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Oregon Health Authority or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more qualified interpreters to provide interpreter services. [1973 c.172 §3; 1979 c.644 §2; 1989 c.1019 §1; 1995 c.626 §1; 2003 c.14 §95; 2005 c.663 §12; 2007 c.70 §52; 2007 c.100 §21; 2009 c.595 §173; 2017 c.482 §1; 2019 c.286 §1; 2021 c.367 §12]

192.640 Public notice required; special notice for executive sessions or special or emergency meetings. (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

192.650 Recording or written minutes required; content; fees. (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- (a) All members of the governing body present;
- (b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- (c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;
- (d) The substance of any discussion on any matter; and
- (e) Subject to ORS 192.311 to 192.478 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held, that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.311 to 192.478.

(4) A public body may charge a person a fee under ORS 192.324 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits; advisory opinions. (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

- (a) To consider the employment of a public officer, employee, staff member or individual agent.

(b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.087 including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

(f) To consider information or records that are exempt by law from public inspection.

(g) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) To consider matters relating to school safety or a plan that responds to safety threats made toward a school.

(L) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.

(m) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.

(n) To discuss information about review or approval of programs relating to the security of any of the following:

(A) A nuclear-powered thermal power plant or nuclear installation.

(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.

(C) Generation, storage or conveyance of:

(i) Electricity;

(ii) Gas in liquefied or gaseous form;

(iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

(iv) Petroleum products;

(v) Sewage; or

(vi) Water.

(D) Telecommunication systems, including cellular, wireless or radio systems.

(E) Data transmissions by whatever means provided.

(3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

(4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board.

(10) Any person may submit to the Oregon Government Ethics Commission:

(a) A written request for the commission to issue and publish a commission advisory opinion under ORS 244.280 on the application of this section to any actual or hypothetical circumstance;

(b) A written request for the executive director of the Oregon Government Ethics Commission to issue and publish a staff advisory opinion under ORS 244.282 on the application of this section to any actual or hypothetical circumstance; or

(c) A written or oral request for the executive director or other staff of the commission to issue written or oral staff advice under ORS 244.284 on the application of this section to any actual or hypothetical circumstance.

(11) Notwithstanding ORS 244.290, the Oregon Government Ethics Commission may not adopt rules that establish what entities are considered representatives of the news media that are

entitled to attend executive sessions under subsection (4) of this section. [1973 c.172 §6; 1975 c.664 §2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134; 2007 c.602 §11; 2009 c.792 §32; 2015 c.421 §2; 2015 c.666 §3; 2018 c.50 §11; 2021 c.264 §4]

192.670 Meetings by means of telephone or electronic communication. (1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where, or at least one electronic means by which, the public can listen to the communication at the time it occurs. A place provided may be a place where no member of the governing body of the public body is present.

(3) All meetings held by a governing body of a public body, excluding executive sessions, must provide to members of the general public, to the extent reasonably possible, an opportunity to:

- (a) Access and attend the meeting by telephone, video or other electronic or virtual means;
- (b) If in-person oral testimony is allowed, submit during the meeting oral testimony by telephone, video or other electronic or virtual means; and
- (c) If in-person written testimony is allowed, submit written testimony, including by electronic mail or other electronic means, so that the governing body is able to consider the submitted testimony in a timely manner.

(4) The provisions of subsection (3) of this section:

(a) Apply to hearings under ORS 197.763, 215.402 to 215.438 and 215.700 to 215.780 regardless of whether a governing body or governing body's designee, including a hearings officer, conducts the hearing; and

(b) Do not apply to contested case hearings under ORS chapter 183. [1973 c.172 §7; 1979 c.361 §1; 2011 c.272 §2; 2021 c.228 §1]

192.672 State board or commission meetings through telephone or electronic means; compensation and reimbursement. (1) A state board or commission may meet through telephone or other electronic means in accordance with ORS 192.610 to 192.690.

(2)(a) Notwithstanding ORS 171.072 or 292.495, a member of a state board or commission who attends a meeting through telephone or other electronic means is not entitled to compensation or reimbursement for expenses for attending the meeting.

(b) A state board or commission may compensate or reimburse a member, other than a member who is a member of the Legislative Assembly, who attends a meeting through telephone or other electronic means as provided in ORS 292.495 at the discretion of the board or commission. [2011 c.272 §1]

Note: 192.672 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 192 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

192.680 Enforcement of ORS 192.610 to 192.690; effect of violation on validity of decision of governing body; liability of members. (1) A decision made by a governing body of a public body in violation of ORS 192.610 to 192.690 shall be voidable. The decision shall not be voided if the governing body of the public body reinstates the decision while in compliance with ORS 192.610 to 192.690. A decision that is reinstated is effective from the date of its initial adoption.

(2) Any person affected by a decision of a governing body of a public body may commence a suit in the circuit court for the county in which the governing body ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of ORS 192.610 to 192.690, by members of the governing body, or to determine the applicability of ORS 192.610 to 192.690 to matters or decisions of the governing body.

(3) Notwithstanding subsection (1) of this section, if the court finds that the public body made a decision while in violation of ORS 192.610 to 192.690, the court shall void the decision of the governing body if the court finds that the violation was the result of intentional disregard of the law or willful misconduct by a quorum of the members of the governing body, unless other equitable relief is available. The court may order such equitable relief as it deems appropriate in the circumstances. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney fees at trial and on appeal, by the governing body, or public body of which it is a part or to which it reports.

(4) If the court makes a finding that a violation of ORS 192.610 to 192.690 has occurred under subsection (2) of this section and that the violation is the result of willful misconduct by any member or members of the governing body, that member or members shall be jointly and severally liable to the governing body or the public body of which it is a part for the amount paid by the body under subsection (3) of this section.

(5) Any suit brought under subsection (2) of this section must be commenced within 60 days following the date that the decision becomes public record.

(6) The provisions of this section shall be the exclusive remedy for an alleged violation of ORS 192.610 to 192.690. [1973 c.172 §8; 1975 c.664 §3; 1979 c.644 §6; 1981 c.897 §42; 1983 c.453 §2; 1989 c.544 §1]

192.685 Additional enforcement of alleged violations of ORS 192.660. (1) Notwithstanding ORS 192.680, complaints of violations of ORS 192.660 alleged to have been committed by public officials may be made to the Oregon Government Ethics Commission for review and investigation as provided by ORS 244.260 and for possible imposition of civil penalties as provided by ORS 244.350.

(2) The commission may interview witnesses, review minutes and other records and may obtain and consider any other information pertaining to executive sessions of the governing body of a public body for purposes of determining whether a violation of ORS 192.660 occurred. Information related to an executive session conducted for a purpose authorized by ORS 192.660 shall be made available to the Oregon Government Ethics Commission for its investigation but shall be excluded from public disclosure.

(3) If the commission chooses not to pursue a complaint of a violation brought under subsection (1) of this section at any time before conclusion of a contested case hearing, the public official against whom the complaint was brought may be entitled to reimbursement of reasonable costs and attorney fees by the public body to which the official's governing body has

authority to make recommendations or for which the official's governing body has authority to make decisions. [1993 c.743 §28]

192.690 Exceptions to ORS 192.610 to 192.690. (1) ORS 192.610 to 192.690 do not apply to the deliberations of the Psychiatric Security Review Board, the State Board of Parole and Post-Prison Supervision, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of the state lawyers assistance committee operating under the provisions of ORS 9.568, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the county child abuse multidisciplinary teams required to review child abuse cases in accordance with the provisions of ORS 418.747, the child fatality review teams required to review child fatalities in accordance with the provisions of ORS 418.785, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.252 to 36.268, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530. [1973 c.172 §9; 1975 c.606 §41b; 1977 c.380 §19; 1981 c.354 §3; 1983 c.617 §4; 1987 c.850 §3; 1989 c.6 §18; 1989 c.967 §§12,14; 1991 c.451 §3; 1993 c.18 §33; 1993 c.318 §§3,4; 1995 c.36 §§1,2; 1995 c.162 §§62b,62c; 1999 c.59 §§45a,46a; 1999 c.155 §4; 1999 c.171 §§4,5; 1999 c.291 §§25,26; 2005 c.347 §5; 2005 c.562 §23; 2007 c.796 §8; 2009 c.697 §11; 2011 c.708 §26; 2017 c.442 §25; 2019 c.141 §12]

192.695 Prima facie evidence of violation required of plaintiff. In any suit commenced under ORS 192.680 (2), the plaintiff shall be required to present prima facie evidence of a violation of ORS 192.610 to 192.690 before the governing body shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of ORS 192.610 to 192.690 were complied with shall be on the governing body. [1981 c.892 §97d; 1989 c.544 §3]

Note: 192.695 was added to and made a part of ORS chapter 192 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

192.710 [1973 c.168 §1; 1979 c.262 §1; repealed by 2015 c.158 §30]



CITY MANAGER EXECUTIVE ORDER #2023-102

CITY MANAGER EXECUTIVE ORDER UNDER AUTHORITY OF THE CITY CHARTER UNDER SECTION 4.3 CITY MANAGER POWER AND DUTIES.

- WHEREAS,** Section 4.3 of the Ontario City Charter authorizes the City Manager as Chief Administrative Officer; and
- WHEREAS,** The City Manager is responsible for making sure all ordinances are followed, including the ordinance creating City Committees; and
- WHEREAS,** It is determined that it is in the best interest of all Committees to follow the same rules and procedure of Public Meetings that the City Council has set for itself, as well as ORS Chapter 192.610 Public Meetings.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by and through the City Manager of the City of Ontario as follows:

- 1). That all City Committees follow the current rules established by the City Council where appropriate for the Committees.
- 2). That the rules be amended to reflect the terms as noted on the attached document cover page pertaining to terms of the Committee members.


EFFECTIVE DATE: Effective immediately upon signing of this Executive Order by the City Manager.

ORDERED by the City Manager of the City of Ontario this 27th day of December, 2023.



Dan K. Cummings, City Manager

ATTEST:



Tori Barnett, MMC, City Recorder



Rules and Procedures of the Ontario City Council

**PROCEDURES SHALL BE
FOLLOWED BY ALL COMMITTEES
APPOINTED BY THE CITY COUNCIL
AS PER CITY MANAGER
EXECUTIVE ORDER #2023-102.**

For city committees, replace the following:

- 1) Where the term Mayor is used replace with “Chairperson”.**
- 2) Where the term Council President is used replace with “Vice-Chairperson”.**
- 3) Where the term Council is used replace with “Committee”.**
- 4) Where the term City Recorder is used replace with “Committee Secretary or in absence of Secretary, City Manager”**
- 5) Any term that is used that represents the City Council, Mayor, or any other member of the City Council replace with the appropriate Committee designation.**

**City of Ontario, Oregon
Adopted September 5, 1995
Updated May 16, 2011; and June 1, 2015; and
September 17, 2019**

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CITY COUNCIL RULES AND REGULATIONS

CITY OF ONTARIO, OREGON

Replace wording as per cover page for City Committees established by the City Council:

PREAMBLE:

These rules and regulations are promulgated pursuant to the Charter of the City of Ontario.

SECTION I - RULES OF JOURNAL:

The Council shall determine its own rules, order of business, conduct of public meetings, and shall provide for keeping a journal of its proceedings. This journal shall include minutes of each and every open public meetings of the Council and shall be a public record.

Executive Sessions shall be advertised on the adopted Agenda, stating ORS authority, but no formal minutes will be taken. Members of the media are allowed to remain, but are strictly prohibited from reporting on any issues discussed. Copies of transcribed minutes may become available upon written request from an attorney when the minutes pertain to a pending or potential legal action. Availability of Executive Session minutes will be determined by the City's legal counsel. No formal action shall be taken during an executive session.

SECTION II - MEETINGS:

Regular Meetings shall be held at least once each month. Regular meetings will normally convene on the third and fourth Tuesdays of the month at 6:00 p.m. in the Council Chambers, or other properly noticed location. If a regular meeting day falls on a legal holiday, the meeting shall be held on the next following business day. Written communication can be attached into the record following submission of document(s).

Work Sessions will be held two Thursdays prior to the first regular meeting at 6:00 pm, with at least 24-hours advance public notice. Formal action may be taken during a work session, at the Council's discretion and in compliance with the Oregon Public Meetings Law. Council may invite public comment during the work session.

Special Meetings may be called by minute action of the Council or upon request of the Mayor or City Manager on at least 24-hours' notice to each member of the Council. Simultaneous notice to the media shall be required for all special meetings.

Executive Sessions may only be held for the purposes allowed by ORS 192.660, Oregon Public Meetings Law. No formal action shall be taken during an executive session.

Notice of Meetings will include the time, place and agenda and will be provided to the media and posted in a public place at least 24-hours in advance of a scheduled meeting. In case of an emergency, notice will be as long as is reasonable under the circumstances.

Excepting executive sessions, authorized to be closed pursuant to ORS 192.660, all meeting shall be public.

SECTION III - AGENDA:

The Mayor, Councilor, or the City Manager may place an item on the agenda. The Mayor, a Councilor, or the City Manager, may submit emergency items to the Council during the Council meeting at the time provided in the order of business. Excepting emergency actions necessary in the furtherance of the public health, safety, or general welfare, other than time-sensitive issues, no Council action shall be taken on any item not included on the published agenda.

The City Department Managers shall submit requests for items for consideration on the agenda to the City Recorder in such form and in accordance with the schedule established by the City Recorder. All reports, communications, ordinances, resolutions, contract documents, and other matters to be submitted to the Council shall be delivered to the City Recorder for submission to the City Manager for approval in accordance with the agenda schedule. The City Recorder shall list the matters according to the order of business and furnish each member of the Council, the City Manager, the media, and department heads with a copy of the agenda prior to the Council meeting via electronic distribution. No item shall be submitted to the Council, except through the City Manager and City Recorder; however, any member of the public, member of the Council, or the City Manager may submit emergency items to the Council during the Council meeting at the time provided in the order of business. Excepting emergency actions necessary in furtherance of the public health, safety, or general welfare, no Council action shall be taken on any item not included on the published agenda.

SECTION IV - CALL TO ORDER - PRESIDING OFFICER:

The Mayor, or in the Mayor's absence the President of the Council, shall call the Council meeting to order at the scheduled meeting time. In the absence of the Mayor or President of the Council, the City Recorder shall call the Council meeting to order. A temporary presiding officer shall then be elected by the members of the Council present. When the Mayor or President of the Council arrives, the temporary presiding officer shall relinquish the chair when the business immediately before the Council is finished.

The Mayor shall be the presiding officer of the Council. The presiding officer shall preserve strict order and decorum at the regular and special meetings of the Council. The Mayor shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions of order. Any decision or ruling of the Mayor may be appealed to the Council as a whole by request of any member. The Mayor shall call for a roll call vote to see if the chair shall be upheld; if the roll call vote loses, the Mayor's decision or ruling is reversed.

SECTION V - ROLL CALL:

Before proceeding with the business of the Council, the City Recorder shall call the roll of the members, and the names of those present shall be entered into the minutes.

SECTION VI - QUORUM:

A quorum shall consist of a majority of the members of the Council; however, excepting those actions where the minimum number of affirmative votes is specifically set forth in ORS or by City Charter, no action of the Council shall be valid or binding unless adopted by the affirmative vote of four or more members of the Council.

SECTION VII - ORDER OF BUSINESS {Regular Meetings):

The Mayor, on the Mayor's own initiative, or the Council by majority vote, may consider items out of sequence from the printed agenda.

- a) Consent agenda matters are routine and may be adopted by one motion. To make more efficient use of the meeting time, the City Manager may place resolutions, proclamations, and similar items that are routine in nature, have been discussed previously, or on which no debate is expected on the consent agenda. There will be no discussion of separate items, unless members of the City Council, staff, or the public requests that a specific item be discussed or removed from the consent agenda for individual consideration. The Mayor or any Councilor may remove items from the consent agenda for individual discussion without a vote of the Council.
- b) Public Meetings Law does not require the Council to give opportunity for public input. Time for unscheduled public appearances may be provided at Council discretion to address matters not on the agenda. In such instances, the guidelines in Section **X(b)** and XI(b) shall apply. No Council responses to such comments are allowed under State Statute.
- c) Procedure for public hearings are discussed in Section **XIV**.
- d) Procedures for submitting petitions are discussed in Section **XV**.
- e) If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is **being** adjourned. A motion to adjourn shall always be in order except during the attendance roll call vote. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for the Council to adjourn. That statement, however, shall not be debatable and shall not take more than two minutes.

SECTION VIII - PROCEDURES FOR DEBATE:

On those issues requiring debate, the presiding officer shall state the issue before the Council. Unless Council by consensus determines no request is necessary, staff shall have an opportunity to report on the issue and will respond to Council questions. Council members shall be allotted time to present their positions and concerns. Public Meetings Law does not require the Council give opportunity for public input. Interested members of the community may, at Council discretion, also have an opportunity to express their positions on any issue coming before the Council. Council may limit the amount of time allotted for discussion.

A motion and second on the issue will be allowed after all interested parties have had an initial opportunity to express their views. Discussion can continue after the motion is made; however, after a motion is on the floor, except for questions from the Council, discussion shall be restricted to Council.

SECTION IX - RULES OF DEBATE:

- a) **PRESIDING OFFICER MAY DEBATE AND VOTE, ETC.:** While the primary role of the presiding officer is to facilitate deliberations, the Mayor or member of the Council who is presiding may move, second, and debate from the chair, subject only to such limitations of debate as are imposed on all members. The presiding officer shall not be deprived of any of the rights and privileges of the Council members.
- b) **GETTING THE FLOOR-IMPROPER REFERENCES TO BE AVOIDED:** Every member desiring to speak, upon recognition by the presiding officer, shall confine him or herself to the question under debate, avoiding all personalities and indecorous languages.

- c) **INTERRUPTIONS:** A member, once recognized, shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking, is called to order, the member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.
- d) **PERSONAL PRIVILEGE:** The right of a Council member to address the Council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are questioned, or where the welfare of the Council is concerned. A Council member may interrupt another speaker if the Mayor recognizes the "privilege."
- e) **PRIVILEGE OF CLOSING DEBATE:** The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

SECTION X - ADDRESSING THE COUNCIL:

Oregon's Public Meeting Laws require the meeting be open to the public; however, nothing in those laws require that the public be allowed to speak or participate in a meeting. Any person wishing to address the Council shall first secure permission of the presiding officer to do so. The Council may limit the length of time that person is permitted to address the Council.

- a) **WRITTEN COMMUNICATIONS:** Interested parties or their authorized representatives may address the Council by written communications in regard to matters under discussion.
- b) **ORAL COMMUNICATIONS:** Citizens attending a regular meeting may address the Council on any matter concerning the City's business, or any matter over which the Council has control, provided there is time allotted on the Agenda. Each person addressing the Council shall read his or her name and city of residency into the public record. Oral presentations shall not be repetitious and shall be confined to three minutes maximum duration.
- c) **AFTER MOTION MADE:** No person shall address the Council after a motion is made without first securing the permission of the Council to do so.

SECTION XI - DECORUM:

- a) **BY COUNCIL MEMBERS:** While the Council is in session, the members must preserve order and decorum. A member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.
- b) **BY PERSONS:** Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Council, or who interferes with the order of business before the Council, and who fails, upon request of the presiding officer to cease such activity, shall be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council.
- c) The Mayor or Presiding Officer has the authority to stop a personal attack on any Council member, person of the audience, or member of the public; stop all debate on any matter that is not pertinent to the issue currently before the Council; or stop any loud and/or obnoxious conduct from, or by, a Councilor or member of the public. If that person does not stop upon the Mayor or Presiding Officer's order, that individual will be removed from the Council meeting.

SECTION XII - ENFORCEMENT OF DECORUM:

The City Manager shall appoint a Sergeant-at-Arms at the Council meetings. The City Manager or the City Manager's designee(s) shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove any person or Councilor who violates the order and decorum of the meeting.

Any action identified in Section XI including any of the following, shall be sufficient cause for the Sergeant-at-Arms to, at the direction of the Presiding Officer, remove any person from the Council Chambers, or meeting hall, for the duration of the meeting:

- 1) Use of unreasonably loud, disruptive or threatening language
- 2) Making of loud or disruptive action
- 3) Engaging in violent or distracting action.
- 4) Willful injury of furnishings or of the interior of the Council Chambers or meeting hall.
- 5) Refusal to obey the rules of conduct provided within these rules, including the limitations on occupancy and seating capacity
- 6) Refusal to obey an order of the Presiding Officer.

Before the Sergeant-at-Arms is directed to remove any person from the meeting hall for inappropriate conduct, that person shall be given a warning by the Presiding Officer to cease the conduct.

If a meeting is disrupted by members of the audience, the Presiding Officer or a majority of the Council present may order that the Council Chambers or other meeting hall be cleared and a recess called until order is restored.

SECTION XIII - VOTING:

- a) **ROLL CALL:** All votes shall be by roll call.
- b) **PRECEDENCE OF MOTIONS:** When a motion is before the Council, no motion shall be entertained except (1) to limit comment; (2) to adjourn; (3) to fix hour of adjournment; (4) to lay on the table; (5) to call for the previous question; (6) to continue to a certain day; (7) to refer; (8) to amend; (9) to postpone indefinitely; or (10) to divide the question. These motions shall have precedence in the order indicated.
- c) **AMENDMENTS:** No more than one amendment to an amendment is permitted. When an amendment is before the Council, the Council shall vote first on the amendment. After the amendment has passed or failed, the Council shall vote on the main motion.
- d) **MOTION TO ADJOURN:** If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is being adjourned. A motion to adjourn shall always be in order except during attendance rollcall vote. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for the Council to adjourn. That statement, however, shall not be debatable and shall not take more than two minutes.
- e) **MOTION TO TABLE:** The purpose of this motion is to temporarily by-pass the subject. A motion to lay on the table is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting. A matter taken from the table cannot be acted upon if it does not appear on the published agenda.

- f) **MOTION TO CONTINUE:** The purpose of this motion is to delay consideration of a subject until a future time. A motion to continue shall include the specific date when the subject shall again be considered.
- g) **MOTION FOR PREVIOUS QUESTION:** The purpose of this motion is to close debate on the main motion. It is undebatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Council shall vote on the main motion.
- h) **DIVISION OF THE QUESTION:** This may be used when a motion or resolution contains several parts, and the group wishes to vote on each part separately.
- i) **WITHDRAWAL OF MOTION:** When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.
- j) **CONFLICT OF INTEREST:** Council members shall abide by the provisions of ORS 244.010. When a Council member determines that he or she has a conflict of interest, the member shall announce such conflict and refrain from discussing or voting upon the matter. Council members shall step down from the dais and join the audience until action is completed, when they shall return to their seat.
- k) **EX-PARTE CONTACT:** Council members shall abide by the provisions of ORS 227.180 regarding pre-hearing or ex-parte contacts.
- l) **COUNCIL MEMBER REQUIRED TO VOTE:** Council members are required to vote on all issues placed before them unless excused under provisions of subsection U) above.
- m) **RECORDING VOTE - THE VOTES:** The journal of the proceedings of the Council shall record each individual Council member's vote on all ordinances, resolutions, and franchises. In the case of a tie in votes on any motion, the motion shall be considered lost; however, in the case of a tie vote the questions shall automatically be placed on the next regular meeting agenda.
- n) **MOTION TO RECONSIDER:** A motion to reconsider any action taken by the Council may be made only on the day the action was taken or at the next regularly scheduled meeting following the day when the action was taken. It may be made during the same session or at an adjourned session. A motion to reconsider must be made by one of the prevailing side, but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Council. The motion may be made at any time. It shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council, except that no action shall be taken on any subject not included in the published agenda.

SECTION XIV - PROCEDURES FOR DEBATE DURING THE PUBLIC HEARING:

The following shall be the procedure during public hearings:

- 1) Presiding officer asks members of the Council to state for the record any instance of ex- parte contact, any conflicts of interest, or if there are any objections to the Council's jurisdiction over the action that could be pertinent to the public hearing.
- 2) A staff report will be given by the appropriate staff member, followed by relevant questions by Council members.

- 3) Presiding officer opens the public hearing.
- 4) Brief opening statement by the proponent initiator, if any, explaining and advocating the item (of approximately five (5) minutes, or such time as is stipulated by the presiding officer).
- 5) Testimony by members of the public who support the item the time limit for such testimony to be determined by the Council as reasonably necessary to elicit testimony concerning the matter under consideration.
- 6) Testimony by members of the public who oppose the item, the time limit for such testimony to be determined by the Council as reasonably necessary to elicit testimony concerning the matter under consideration.
- 7) Written communication filed with the City Recorder read into the record.
- 8) Brief closing statements by the proponent initiator, if any, (limited to approximately five (5) minutes).
- 9) Presiding officer closes the public hearing.
- 10) Discussion by Council members: The order of recognition of Council members desiring to speak shall be determined by the presiding officer. Each Council member shall be allowed at least one opportunity to speak. The Council member shall limit his or her comments to a reasonable period of time. Any comments of a member in excess of five minutes may be limited by a motion to limit comment and immediate majority vote of the members present.
- 11) Motion and second.
- 12) Vote.

SECTION XV - PETITIONS:

Any citizen may appear before the Council at any regular meeting and present a written petition. The petition shall be acted upon by the Council, in the regular course of business, within thirty days. Petitions, remonstrances, communications, and comments or suggestions from citizens present shall be heard by the Council. All such remarks shall be addressed to the Council as a whole, and not to any member thereof. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. No question shall be asked of a Council Member except through the presiding officer. Absent an emergency, the Council shall neither deliberate toward a decision, nor vote on any matter not included on the printed agenda.

SECTION XVI - SPECIAL COMMITTEES:

When the Council determines that a board, commission, task force, or citizen's committee is needed, the following procedure shall be used:

- a) The party proposing the creation of the board, commission, task force, or citizen's committee will prepare the appropriate Council action (either an ordinance or a resolution) defining the purpose, duties and objectives of the committee and whether it is to be an ad hoc or continuing committee. If proposed as an ad hoc committee, the Council action shall specify when the committee's work is to begin and to conclude.
- b) The ordinance or resolution will be submitted to the City Recorder for placement on an agenda for Council discussion.

- c) The Council shall approve, modify, or reject the ordinance or resolution.
- d) Once a board, commission, task force, or citizen's committee is approved, the City Recorder shall publish notice soliciting interested and qualified volunteers to file letters of interest for appointments.
- e) The Council shall interview all applicants and announce its selections and appointments at a regular meeting.
- f) Terms of appointment to any board, commission, task force, or citizen's committee shall not exceed five years. Council may, by ordinance, establish a limitation on the number of terms appointees may serve. All permanent boards and commissions including advisory and appeal boards shall be created by ordinance which ordinance shall set forth the policies and duties delegated to such boards and commissions. Temporary and ad hoc committees may be created by resolutions.
- g) Upon completion of action necessary by an appointed Ad-Hoc Committee, said Committee will cease to be active and shall become obsolete.

SECTION XVII - ABSENCE/ ATTENDANCE:

- 1) Councilors shall endeavor to attend all noticed meetings of the City Council.
- 2) Members of the Council may be excused from attending a City Council meeting by contacting the Mayor prior to the meeting and stating the reason for their inability to attend. If the member is unable to contact the Mayor, the member shall contact the City Manager or City Recorder, who shall convey the message to the Mayor. If they Mayor is to be absent she or he shall contact the Council President. Absent Councilors or the Mayor who do not follow the above process will be considered unexcused, which shall be so noted in the minutes.

SECTION XVIII - VACANCIES - FORFEITURE OF OFFICE:

- 1) A Council office shall become vacant upon a Councilor's:
 - a) Death;
 - b) Adjudicated incompetence;
 - c) Conviction of a crime pertaining to the office, conviction of a felony, or conviction of a crime involving moral turpitude;
 - d) Unlawful destruction of public records;
 - e) Resignation;
 - f) Recall from office;
 - g) Ceasing to possess the qualifications for office;
 - h) Failure, following election or appointment to the office, to qualify for the office within 10 days after the time for the term of office to commence;
 - i) Violation of any provision of the City Charter;
 - j) Un-excused absence from three consecutive noticed meetings, including any special meetings called pursuant to these rules.
- 2) The Council shall judge when a Council office has become vacant.

SECTION XIX- USES OF STAFF:

Except for the purpose of accessing public information, Council members shall deal with the City's administrative services solely through the City Manager. No Council member shall request from the City Manager any staff project that entails over two hours of staff work without first seeking approval of the full City Council.

SECTION XX - SUSPENSION OF THE RULES:

These rules may be suspended or amended by majority vote of the Council members.

SECTION XXI - RULES OF ORDER:

All cases not specifically provided for herein or in the Charter of the City of Ontario shall be governed by Robert's Rules of Order.



City of Ontario
Municipal Airport Authority
Standard Manual of Airport Rules and
Regulations



City of Ontario Municipal Airport Authority

Standard Manual of Airport Rules and Regulations

For the:

Ontario Municipal Airport – City of Ontario, Malheur County, Oregon

Adopted: December 2017

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SECTION 1 – DEFINITIONS

Unless specifically defined otherwise, or unless a different meaning is apparent from the context, the terms used in these Rules and Regulations shall have the following definitions:

The Ontario Municipal Airport is operated by the City of Ontario.

1. Aircraft – “Aircraft” shall mean a manned machine or device, such as an airplane, helicopter, glider, or dirigible, which is capable of atmospheric and navigational flight.
2. Airport – Shall mean all property and improvements within the boundary lines of any airport operated or controlled by the City of Ontario Airport Authority, except when otherwise noted.
3. Airport Authority – The City of Ontario Airport Authority here and after as the “Authority” and also referred to as the “Owner” of the municipal ramp and shall consist of the City of Ontario Council and City Manager.
4. Airport Manager – Means the chief executive officer for the Authority, who under administrative direction of the Authority, manages the operation, maintenance and development of the municipal Airport and performs other duties as assigned.
5. Airport Operations Area (AOA) – The area of the airport used for landing, take-off, or surface manoeuvring of aircraft, including the areas around hangars, navigation equipment, and communication facilities.
6. Apron or Ramp – The areas of the airport within the Airport Operations Area (AOA), equipped for loading, unloading, servicing, or parking of aircraft.
7. Authorized Area – A specific location, approved by the Authority, accessible only to specific authorized personnel.
8. Authorized Representative/Employee – An individual or individual(s) designated by the Airport Manager.
9. Cargo – Any property carried onto an aircraft, other than mail and baggage.
10. Commercial - An individual who, for compensation or hire, engages in air commerce, the carriage by aircraft of persons or cargo, other than as an air carrier or foreign air carrier or under the authority given by an administrator. Where it is doubtful that an operation is for “compensation or hire,” the test is whether the carriage by air is merely incidental to the person’s other business or is, in itself, a major enterprise for profit.
11. FAA – Federal Aviation Administration
12. Fixed Based Operator – Any person who shall have entered into a written agreement with the Authority for the use of any business located on the airport that provides services such as hangar space, fuel, flight training, repair, and maintenance to airport users, or any person or firm hired directly by the City of Ontario Municipal Airport Authority to act as a FBO.
13. Flammable Liquids – Any liquid substance that is combustible and can burn or cause a flame.

14. Instructor – Any individual giving or offering to give instruction in the operation, construction, repair or maintenance of aircraft.
15. Motor Vehicle – A self-propelled contrivance designed for the carriage of persons or things from point-to-point.
16. Non-Operating Aircraft – Any aircraft located on an airport which does not possess a current certificate of air worthiness issued by the Federal Aviation Administration, and is not actively being repaired to become an operating aircraft.
17. Person – Any individual, partnership, firm, corporation, company, or duly authorized representatives thereof.
18. Ramp – A particular area on a land airport, intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refueling and parking.
19. Regional Airport – Shall mean all aircraft movement areas which are accessible to civil aircraft under the existing Coast Guard Joint Use Agreement.
20. Restricted Area – Any area of the airport designated to prohibit or limit access to only those persons authorized by the Airport Manager.
21. Refueling Trucks – Means any motor vehicle used for the transporting, handling, or dispensing of aviation fuel, oils, and lubricants.
22. Rules and Regulations – Shall mean these Rules and Regulations of the Authority, adopted by the Authority, and may be amended from time-to-time by the Authority.
23. Runway – A restricted area used for take-offs and landings of an aircraft.
24. Taxiway – Portions of the Airport Operations Area (AOA) authorized by the Authority for the surface manoeuvring of aircraft.
25. Vehicle – Any device by which any person or property is or may be transported or drawn upon a highway, including bicycles.

SECTION 2 – GENERAL INFORMATION

PURPOSE

This document describes the Rules and Regulations for all users of the Airport owned and operated by the City of Ontario Municipal Airport Authority.

INTRODUCTION

Judicious and proper administration requires that rules and regulations that establish the minimum acceptable conduct for Airport users and employees are adopted. This requirement provides protection from irresponsible and/or unsafe operations.

APPLICABILITY

These Rules and Regulations apply to any person(s) or entity utilizing the Airport.

VIOLATIONS AND PROCEDURES

If the Airport Manager concludes that any of these Rules and Regulations have been disregarded, and that he/she cannot resolve the matter satisfactorily by notice to and discussion with the offending party, then formal action shall be taken against the party by the Airport Manager. These actions may include suspension of airport operations or revocation of the party's right to utilize the Airport. A person who has had their airport privileges suspended by the Airport Manager may appeal that decision to the Airport Authority. A written notice must be filed with the Airport Authority within 30 days of the effective date of suspension.

GENERAL AUTHORIZATION

In any circumstances not specifically covered by these rules and regulations, the Airport Manager shall be authorized to make reasonable decisions as can be deemed necessary and proper. All such actions may be subject to review by the Airport Authority. At all times, the Airport Manager shall have the authority to take reasonable action as may be necessary, including use of local law enforcement, to enforce these rules and regulations and to efficiently manage the airport and its operations.

AIRPORT OPERATIONS (PUBLIC USE)

The Ontario Airport is open to authorized airport users 24 hours a day, 7 days a week, unless closed due to weather or other emergency reasons or unless otherwise designated by the Airport Authority. The FBO (Fixed Based Operator) hours will be fixed by the FBO as per contract with the City of Ontario Municipal Airport Authority.

EFFECTIVE DATE

These Rules and Regulations shall become effective on December 2017.

SECTION 3 – GENERAL REGULATIONS

3.1 SCOPE

- A. All users of the Airport shall be governed by directions from the Airport Manager, these Rules and Regulations, and the directions of the City of Ontario Municipal Airport Authority (COMAA) or designated representative. These regulations are subject to change by the Airport Authority at any time, based on experience, need, and operating conditions.
- B. As a user of the airport and its facilities, each individual shall be obligated to obey all the regulations herein provided and adopted by the Authority.
- C. The privilege of using the airport shall be conditioned on the assumption that the user shall take on full responsibility and risk, and he shall release and hold harmless, and indemnify the FAA and Airport Authority, its officers, and employees from any liability of loss resulting from such use.

- D. The privilege of using the airport shall be upon the further condition that any person(s), corporations, co-partnership, or others desiring to use the same as Commercial Operator or Fixed Based Operator, shall produce a policy of indemnity against personal injury and property damage.
- E. Any person violating any of the airport Rules and Regulations may be punished at the discretion of the Airport Authority, or provided by law; deprivation of the use of the municipal airport facilities for a specific period of time as may be necessary.
- F. These regulations are not intended to supersede, modify, or amend any provision of Federal, State, or Local Law; however, these regulations shall as possible, be interpreted so that no conflict arises.
- G. If any portions of these Rules and Regulations prove to be invalid or unenforceable, all other portions of this document shall remain in effect to achieve purposes hereof.
- H. Any proposed changes to these Rules and Regulations shall be dated and posted by the Airport Authority at the airport for a period of (30) days. Comments on the proposed changes may be submitted by the general public in writing to the Authority, during this time period. After review of all comments, revisions may be made and the final draft of the proposed changes will be published. Copies of the changes will be posted at the airport and provided to all holders a copy of the manual.
- I. No person shall engage in a business or commercial operation on the Airport, without the approval of the Airport Authority or designated representative.
- J. The soliciting of business, fares, or funds for any purpose on the airport without the permission of the Airport Authority or designated representative is prohibited.
- K. No individual, partnership, corporation, or business shall construct any building, sign, or structure, or modify any pre-existing facility without permission and approval of the Airport Authority.

3.2 Lost Articles

All lost articles should be turned in to the Airport Manager by the finders. If the articles are not claimed within (60) days they shall be disposed of as determined by the Airport Manager.

3.3 Liability

The Airport Authority assumes no responsibility for loss, injury, or damage to any person(s) or property by reason of fire, theft, vandalism, wind, flood, earthquake, collision, lightning strikes, or acts of God, nor does it assume any liability for injury to person(s) while on the airport, or while using airport facilities.

3.4 Responsibility for Damages

Any person(s) causing damage to or destroying airport property of any kind, including buildings, fixtures, and facilities, shall be fully liable to the Airport Authority. Any and all damage shall be reported directly to the Airport Manager.

3.5 Accident Report

All person(s) involved in any accident, whether personal, aircraft, or automotive, occurring on the Airport, shall make a full verbal report to the Airport Manager as soon after the accident as possible, and in any event within 24 hours after it has occurred. Based on the verbal report, a written report may be required.

3.6 Ground Transportation

All carriers (Not defined) shall load and unload passengers in areas designated by the Airport Authority.

3.7 Building Requirements and Ground Rental

Any person desiring to construct any building or facility on the Airport shall be required to submit plans and specifications to the Airport Manager. The plans shall consist of: a general layout, drawn to scale, showing the desired amount of ground required for the operation of the building or facility, in addition to the portion occupied by the building or facility. All buildings and facilities constructed upon the Airport shall conform to the Building Code requirements of the state of Oregon, City of Ontario and Malheur County and be approved by the Airport Authority. Prior to any construction, all licenses and permits must be obtained. Once plans have been approved, a lease may then be entered into at the rate set by the Airport Authority.

3.8 Restricted Areas and Air Operations Areas

All areas of the airport, except the FBO building are restricted and no person shall enter upon the Air Operations Area, or any hangar, except:

Person(s) assigned to duty therein;

1. Authorized representative of the FAA/Airport Authority;
2. Passengers under appropriate supervision, entering the Air Operations Area for the purpose of deplaning and enplaning;
3. Aircraft Owners or Renters and/or their authorized representatives; and
4. Business representatives in the conduct of their business with the tenants.

SECTION 4 – PERSONAL CONDUCT

4.1 Compliance with Signs

All individuals shall observe and abide by all posted signs governing activities and/or demeanour of the respective individual while at the Airport.

4.2 Environment Pollution and Sanitation

While on Airport property, individuals shall limit activities in such a manner as not to cause littering or any other form of pollution.

- a. No person shall dispose of garbage, papers, or any other forms of trash including cigarettes, cigars, and matches, except in the receptacles provided.
- b. No person shall keep any uncovered trash containers in any area of the airport. Areas to be used for trash and garbage containers shall be designated by the Airport Authority. Such areas shall be kept clean and sanitary at all times.
- c. Any solid or liquid, which may be spilled at the Airport, shall immediately be cleaned up, by the person responsible for such spillage, and reported immediately to the Airport Manager of Operations.

4.3 Animals

No person shall enter the Airport with any animal without the permission of the Management, except;

- a. Dogs or other animals which are to be transported by air within a suitable container properly equipped for air travel.
- b. Dogs or other animals which are restrained by leash, or properly confined and under the supervision of an adult.

Animals shall be allowed to the extent mandated by applicable law, including "service animals" pursuant to the Americans with Disabilities Act.

4.4 Firearms and Weapons

- a. All applicable federal and state laws shall be followed with regard to firearms on the premises.

4.5 Preservation of Property

No person shall destroy, injure, deface, or disturb any building, sign, equipment, marker, or other structure on the Airport; nor alter, make revisions to, or erect any building or sign on the Airport without prior approval of the Airport Authority. No person shall travel upon any part of the Airport other than the designated roads, walks, or other marked rights-of-way provided by the Airport for specific purpose.

4.6 Damages and Tampering with Aircraft

All person(s) shall be fully responsible for all damages to buildings, equipment, and real property in the ownership or custody of the Airport Authority, caused by abuse, carelessness, or negligence. No person shall interfere or tamper with any aircraft, or use any aircraft, aircraft parts, instruments or tools, without the permission from the owner or by specific direction of the Airport Authority.

4.7 Maintenance and Equipment in Apron Area

All tenants shall maintain their leased property in such condition or repair, cleanliness, and general maintenance as acceptable to the Airport Authority. All ramp equipment shall be parked and kept in a neat,

orderly manner. No receptacles, cases, or housing shall remain on the apron or ramp area that does not fit in with architectural and cleanliness standards of the rest of the installation. Final approval of these items rests with the Airport Authority.

4.8 Alcoholic Beverages and Controlled Substances

1. No person under the influence of liquor or narcotic drugs shall operate any motor vehicle or aircraft of any type at the Airport.
2. The consumption of alcohol is not permitted on the Airport Property unless permitted in certain areas and times with the permission of the Authority.

4.9 Use of Law Enforcement Agencies

In the event a situation arises that is beyond the control of the Airport Management to deal with, the Ontario Police Department or the Malheur County Sheriff shall be called upon by the Airport Manager or the Airport Authority. The Airport Authority grants permission to the Malheur County Sheriff's Department and Ontario City Police Department to enter the premises and enforce the Rules and Regulations adopted by the Airport Authority.

4.10 Unaccompanied Minors

Unaccompanied minors under the age of 16 are not permitted on airport property without permission of the Airport Manager.

SECTION 5 - AERONAUTICAL

5.1 General Rules

- a. Compliance with Orders

All aeronautical activities shall be conducted in compliance with the then current Federal Aviation Regulations, with these Rules and Regulations, and with the then Authority Minimum Standards.

- b. Inattentive Operations Prohibited

1. No person shall operate any aircraft at the Airport in a careless manner or in disregard of the safety of others.
2. All individuals using the Airport shall be liable for any damage to property caused intentionally, accidentally, or by negligence on or over the Airport.

- c. Disabled Aircraft

All aircraft owners shall be responsible for the prompt removal of all disabled aircraft and their parts at the Airport, when directed by the Airport Manager.

- d. Cleaning, Maintenance, and Repair of Aircraft.

The cleaning, painting, washing, and repairing of any aircraft, shall only be permitted in approved areas by the Airport Authority.

- e. Certification of Aircraft and Licensing of Pilots

As required by the FAA, all aircraft operating at the Airport shall be required to display on board a valid Airworthiness Certificate issued by the FAA, and shall display on the exterior of the aircraft a valid registration number issued by the FAA or appropriate foreign government. All person(s) operating aircraft are required by the FAA to possess an appropriate certificate or license issued by the FAA. If requested by the Airport Manager, the pilot or operator shall be required to show these documents.

5.2 Accidents and Incidents

The pilot of any aircraft involved in an accident on the Airport causing injury or damage to any property other than the aircraft, shall make a prompt and complete written report concerning the accident or incident to the office of the Airport Manager within (48) hours of the time that the accident or incident first occurred. All incidents shall be reported in accordance with all FAA and NTSB regulations. Airport property destroyed or damaged by an accident shall be paid for by the responsible parties.

5.3 Categories of Aircraft, Activities, Rules and Operations

Final determination as to proper designation of any aircraft shall rest with the Airport Authority. Charges as shown in Section 8 shall be determined according to the following classifications:

- A. Private
 - 1. Private aircraft may be used by person(s) other than the owner provided that it is not rented or leased by the owner for a profit.
 - 2. Company and corporation owned aircraft that are operated for the free transportation of their and other personnel and/or products are classified as private aircraft and subject to the restrictions as listed above.
- B. Commercial Aircraft Use:
 - 1. For rental, hire, or charter
 - 2. Student instruction and occupations for hire
 - 3. Any aircraft used for commercial services and not otherwise covered in these regulations.
- C. Air Taxi (Commuters)
 - 1. Contract:
All federally certified Air Taxis or Commuters holding a contract with the Airport Authority for Airport usage.
 - 2. Non-Contract:
All Air Taxis or Commuters not covered in this Section.
- D. Rotorcraft Operation Rules

1. Rotorcraft shall avoid fixed wing aircraft traffic patterns and altitudes to the maximum extent possible, with safety precautions.
2. Rotorcraft shall not be operated within fifty (50) feet of any areas on the Airport where unsecured light aircraft are parked.

Aircraft Activities

1. No fixed wing or rotary wing aircraft shall be allowed to operate at the City of Ontario Municipal Airport unless the aircraft has a current Airworthiness Certificate and is operated by a licensed pilot or student pilot holding a valid medical certificate, except aircraft being taxied by a qualified mechanic for maintenance purposes or operated under a valid ferry permit.
2. The owners of all aircraft based on the Airport will register their aircraft with the Airport Authority.
3. All aircraft shall comply with all applicable Federal Aviation Regulations, including but not limited to:

Federal Aviation Regulations

1. Part 61 – Certification: Pilots & Flight Instructors
2. Part 65 – Mechanics 65.71 thru 65.95
3. Part 67 – Medical Standards and Certifications
4. Part 91 – General Operating & Flight Rules
5. Part 93 – Specific Air Traffic Rules & Airport Traffic Patterns
6. Part 135 – Air Taxi Operators & Commercial
7. Part 137 – Agricultural Aircraft Operators
8. Part 141 – Pilot Schools
9. Part 43.3g – Aircraft Owner Repairs/Preventive Maintenance
10. Part 145 – Repair Stations

National Transportation Safety Board Regulations:

1. Part 830 – Notification & Reporting of Aircraft Accidents

Airport Operations:

- a. The Airport Manager may prohibit aircraft movement at any time, under any circumstances when the Airport Manager deems necessary.

5.4 Taxi and Ground Rules

Aircraft Parking

- a. Aircraft may only be parked in designated spaces and in the manner prescribed by the Authority. If this rule is violated, the aircraft parked may be subject to removal by the direction of the Airport Authority.

- b. No aircraft shall be left unattended on the Airport unless it is in a hangar or securely locked or tied down.
- c. Any materials left in the aircraft are the sole responsibility of the aircraft owner/pilot. Theft or vandalism of any materials is not the responsibility of the Authority.

Non-Flyable Aircraft

- a. No person will be allowed to park an aircraft in non-flyable condition on Airport property, for period over (90) days, without written permission from the Authority.
- b. If an aircraft is parked or stored in non-flyable condition on the Airport, violating this Section, the Authority shall notify the owner or operator by certified or registered mail, requiring the removal of the aircraft within (15) days of the receipt of notice.
- c. Aircraft not removed as required will be removed by the Authority at the owner's expense.

Other

- a. Engine Run-up – Aircraft shall not perform run-up or prolonged engine test operations in any area that would result in a hazard to other aircraft, person(s), or property
- b. No person shall run any engine in any aircraft unless a competent person is in the aircraft attending the engine controls.

5.5 Use of T-Hangars and Storage Hangars

- a. T-hangars and storage hangars shall not be used for any purpose that would interfere with the use of other buildings and structures in the neighbourhood of the leased premises.
- b. T-hangars shall be used for storage of aircraft in accordance with the current lease. These hangars shall not be used for any other purpose without written permission from the Authority.
- c. No alterations may be made to the hangar structure without written approval by the Authority.

SECTION 6 – MOTOR VEHICLES

6.1 Rules of Operation

- a. No person will be allowed to operate a motor vehicle of any kind in a reckless manner or in excess of the speed limits prescribed by the Airport Authority, and in no event in excess of 15 miles per hour in ramp, apron, aircraft parking, and hangar areas.
- b. Pedestrians and aircraft will at all times have the right of way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft.
- c. All person(s) operating a motor vehicle on the Airport shall give proper signals, and observe the directions of posted traffic signs.
- d. No person under the influence of alcohol or narcotic drugs shall operate a motor vehicle or aircraft on the Airport.

- e. No person shall operate any motor vehicle on the Airport overloaded or carrying more passengers than those for which the vehicles were designed.
- f. No vehicle shall be operated on the Airport if it is equipped or loaded as to endanger persons or property.

6.2 LICENSING, REGULATION, AND SPEED LIMITS

Licensing and Regulation

1. All motor vehicles will park in designated parking areas.
2. The installation of two-way radios does not permit the operation of vehicles on the Airport without prior permission by the Airport Manager.
3. No person shall abandon any motor vehicle on the Airport. The Airport Authority has the authority to tow or otherwise move motor vehicles which are parked by their owners on the Airport in violation of the designated parking areas.

6.3 Accident Procedure and Emergency

The operator of any vehicle involved in an accident on the Airport which results in injury or death of any person(s), or property damage, shall immediately stop the vehicle at the scene of the accident in order to render necessary assistance. The operator shall immediately give notice of the accident to the Airport Manager and the Ontario Police Department or County Sheriff Office. The operator of each vehicle shall provide the name and address of owner and driver of the vehicle, as well as the operator's license, vehicle registration, and the name of the liability insurance carrier for the vehicle, to any person injured, the driver of the vehicle damage, and to any police officer. In the event of an emergency on the Airport, notification should be given to the following:

1. The FBO Office (if in radio contact)
2. 911 Emergency Operator
3. The Airport Manager – Office: 541-881-8848 or cell: 541-212-1676

6.4 VEHICLE OPERATIONS ON AIR OPERATIONS AREA (AOA)

Permission

No motor vehicle shall be permitted on the Air Operations Area without specific permission granted by the Airport Manager. All vehicles shall at all times yield right-of-way to aircraft.

Rules of Operations

- a. No motor vehicle shall be parked on any part of the AOA except authorized trucks and other vehicles necessary for the servicing and maintenance of aircraft and transportation of passengers on the Airport.
- b. No person shall park a vehicle so that it blocks or obstructs: fire hydrants, gates, emergency exits, and building entrances or exits.
- c. Aircraft taxiing on any runway, taxiway, or apron area shall always have the right-of-way over any vehicular traffic.

6.5 Reserved and Public Parking

Public Parking

- a. Operators of motor vehicles using public parking facilities at the Airport shall abide by all regulatory signs and markings.
- b. No vehicle shall remain in the public parking facility for more than (30) consecutive days without the permission of the Authority.
- c. Reserved Parking

No person shall park any vehicle in any reserved parking area on the Airport without a valid permit issued by the Airport Authority permitting parking in such specified areas.

SECTION 7 – FIRE, SAFETY, AND HAZARDOUS CARGO

7.1 General

All persons using the Airport and its facilities shall exercise the utmost care and caution against fire and injury to persons and/or property.

7.2 Fueling Operations

- a. No aircraft shall be fueled or de-fueled while one or more of the engines are running, or the aircraft is then being warmed by external heat, or while such aircraft is in a hangar or enclosed space.
- b. No person shall start the engine of an aircraft if there is any gasoline or other volatile fluid on the ground or otherwise when starting the engine could ignite such fuel.
- c. All aviation fuels and oils for sale on Airport property shall be dispensed only by the Airport Authority or FBO Operator. No fuel shall be stored by any persons without the permission of the Airport Authority while on Airport property.
- d. Aircraft being fueled shall be positioned no closer than (10) feet from any hangar or building. Fuel trucks whether loaded or empty shall never be in hangars, nor be parked less than (10) feet from any hangar or building.
- e. No fuel, grease, oil, or flammable liquids shall be allowed to flow in any Airport sanitary or storm drain system. Any person(s) involved in a spillage of fuel shall be held responsible for expeditious

notification to the Airport Manager and will be held responsible for immediate clean-up of the affected area. In the event of a fuel spillage, no vehicles shall be moved or operated in the vicinity of the spill until the spillage is removed.

- f. No person is permitted to fuel or de-fuel an aircraft while passengers are on board.
- g. No person shall park motorized ground equipment near any aircraft that prevents it or the aircraft from being driven or towed away in case of an emergency.
- h. Prior to making a fueling connection to the Aircraft, the fueling equipment shall be physically bonded or grounded to the aircraft being fueled by use of a cable, thus providing a conductive path to equalize the electric potential between the fueling equipment and the aircraft.
- i. All hoses and funnels used in fueling and de-fueling operations shall be equipped with a bonding/grounding device to prevent ignition of volatile liquids.
- j. When a fire occurs in a fuel delivery device while servicing an aircraft, fueling shall be stopped immediately and all emergency valves shall be shut off. Then notify 911 and the Airport Manager immediately.

7.3 Authority to Dispense Aviation Fuel

Only those individuals who have been authorized by the Airport Manager or Authority may dispense fuel into any aircraft at the airport operated by the Authority.

7.4 Fuel Farm Installations and Fuel Transporting Vehicles

Fuel Farm Installations

- a. All fuel farm installation shall conform to the appropriate National Fire Protection Association Standards, City/County Fire Codes, Federal, State, and local laws. There shall always be NO SMOKING within (100) feet of the fuel farm installation.
- b. Fuel installations shall always be kept-up and maintained removing all debris in order to prevent FOD.
- c. Fire extinguishers shall always be maintained in an accessible position, and in an operable condition with an un-expired certification date.
- d. No fuel or fuel-transporting vehicle shall be left unattended during loading or unloading of fuel at a fuel farm.

Fuel Transporting Vehicles

Each fuel transporting vehicle will be labelled on both sides and rear of the cargo tank with the word "FLAMMABLE," "NO SMOKING," and "FUEL TYPE."

7.5 Smoking

Smoking or carrying lighted smoking materials or striking matches or other devices is only permitted in designated smoking areas.

7.6 Storage of Materials and Hazardous Materials

Storage of Materials

1. No person shall store any material or piece of equipment in such a manner that it becomes a hazard. Gasoline, jet fuel, lubricating oil, or any other flammable substance shall be stored in accordance with the applicable City and/or County Codes. Buildings shall be provided with fire-suppressant devices and first-aid equipment as required.
2. No person shall keep, transport, or store any lubricating oils on the Airport except in specified containers or receptacles and regulated amounts.
3. All hazardous waste shall be disposed of in accordance with applicable regulations.

Transport of Hazardous Materials

- a. No person shall handle, transport or store any cargo containing explosive materials without the permission of the Airport Authority.
- b. No person may accept any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with the current provisions of the Federal Regulations.
- c. Any person transporting hazardous articles shall have designated personnel at the Airport authorized and responsible for receiving and handling such shipments.

7.7 Aprons, Buildings, and Equipment

All persons on the Airport shall keep all areas of the premises leased or used by them clean and free of oil, grease and other flammable material. The floors of hangars shall be kept clean, free from waste materials or other trash or rubbish. Any person operating or using any equipment on the Airport shall use extreme caution and care. Any person using a facility or building of the Airport shall exercise cleanliness and caution. No person shall use flammable substances for cleaning hangars or other buildings on the Airport.

7.8 Fire Extinguishers

Fire extinguishing equipment at the Airport shall be checked regularly to avoid tampering. Fire extinguishers shall not be tampered with at any time, nor used for any purpose other than fire fighting or fire prevention. All equipment shall be maintained in accordance with current NFPA Standards. Tags showing the last inspection shall be attached to each unit. All tenants or lessees or any other occupants of hangars on the Airport shall supply and maintain an adequate number of readily accessible fire extinguishers.

7.9 Aircraft Suspected of Carrying Explosives

- a. Persons having knowledge of an aircraft carrying or suspected of carrying explosive materials will advise the Airport Manager and FBO (if in radio contact). The Airport Manager will notify the FBO ASAP.

- b. All passengers will be escorted off the aircraft onto the outer extremities of the AOA. The aircraft will then be parked at a location specified by the Airport Manager and or FBO, until the aircraft is determined safe.

7.10 Inspection of Possible Hazardous Aircraft

Inspection of the aircraft and subsequent declaration of safety or contamination shall be the responsibility of the aircraft owner or his authorized agent, and shall be accomplished immediately after parking and evacuation.

SECTION 8 - CHARGES

8.1 Commercial Operations

- a. No aircraft organization or person shall engage in any commercial operation of any type at the Airport unless prior permission is obtained from, and assessed fees paid to the Airport Authority. Permission and fees are in effect for each and every visit with the fee being set by the Airport Authority.
- b. The Airport Authority may enter into separate contracts with any commercial operation on the Ontario Municipal Airport.
- c. The Airport Authority may adopt a fee schedule to be applied for ramp operations by any commercial operator not having a contract with the Airport Authority, such fee schedule shall be placed at the Airport FBO Building and at the Office or at the office of the Airport Manager. Commercial operators shall pay a ramp fee for each ramp operation at the Airport or as per their contract.
- d. Private or business (non-commercial) ramp fees shall be posted on the Airport's schedule of fees. At the discretion of the Airport Manager fees are subject to change based on the weight of the aircraft.
- e. The Airport Authority may grant written permission for a specific commercial operator to enter the Airport for the purpose of repairing or maintaining an aircraft or equipment which is beyond the capability of any Fixed Based Operator located on the Airport. Capability of the A&P, IA as defined in FAR 65.71 thru 65.95. This privilege will be on a case-by-case basis and will require a separate agreement for each activity.
- f. Any permission granted by the Authority under this clause, will only be for a specific purpose and specific period.

8.2 Aircraft Servicing Fees

All charges owed to the Airport Authority for service performed, for Airport facilities used and for aircraft stored on a daily basis shall be paid before the aircraft is cleared from the Airport, unless credit arrangements have been made. The Airport Manager may detain any aircraft for non-payment of any charges due.

8.3 Ramp Fees

Landing fees for commercial aviation operations shall be payable to the Authority or its designated representatives immediately upon landing at the airport unless other arrangements have been made.

8.4 Aircraft Parking Fees

Aircraft parking on ramp areas shall be appropriately charged.

SECTION 9 – PROCEDURE FOR RECEIVING AND PROCESSING APPLICATIONS

9.1 Applicant

Any applicant wishing to establish commercial operations on the airport shall be furnished a copy of the minimum standards, attached, and shall make application in writing to the Airport Authority, setting forth in detail the following:

- a. The name and address of the applicant;
- b. The proposed land use, facility and/or activity sought
- c. The names and qualifications of the personnel to be involved in conducting such activity;
- d. The financial responsibility and technical ability of the applicant and operator to carry out the activity

9.2 General Information

- a. Upon the filing of any application with the Authority; it shall be immediately referred to the appropriate committee and considered at the next scheduled meeting. If no meeting is scheduled within (45) days from the filing of an application, a meeting shall be called for considering the application and notice will be given to the applicant. Upon consideration of the application the Airport Authority shall determine whether or not the applicant meets the standards and qualifications established in the Rules and Regulations.
- b. Upon approval of the application, the Airport Authority shall prepare a suitable lease or contract agreement setting forth the terms and conditions under which the commercial operation shall be conducted, with the applicant.
- c. Any rejected application shall be returned to the applicant within (10) days of the rejection with a written explanation of the reason for rejection.

SECTION 10 – SPECIAL AIRPORT USES

The Airport Authority obligates itself to operate the Municipal Airport for the use and benefit of the public and to keep the airport open to the various types of aeronautical use for which the facility is designed and intended to serve.

The Airport Authority established these rules to be met by all users so as to provide for the safe and efficient use of the airport and to otherwise protect the safety of person(s) and property both on the ground and in the air.

10.1 Landing Facilities

The landing area facilities that are constructed are primarily intended for the use of powered aircraft whose weights are not in excess of the published strengths of the paved surfaces. Operations on these surfaces by aircraft slightly in excess of the published pavement strengths may be permitted on an infrequent basis. Permission must be obtained from the Airport Authority for use of runways and taxiways by overweight aircraft and the use of the Municipal Ramp.

10.2 Operations of Non-powered Aircraft

No operations involving non-powered aircraft, including gliders, balloons, parachuting, and other special classes of activities, will be permitted on the Airport without the prior written approval Airport Authority.

10.3 Crop Dusting

Any person seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the Airport Authority that:

- a. Suitable arrangements have been provided for the safe storage and containment of chemical materials; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the Airport.
- b. The operator shall have available, properly certified suitably equipped agricultural operation undertaken.
- c. No crop dusting operations shall be conducted on the principal public use apron or ramp of the Airport.
- d. All operations will be in accordance with all appropriate Federal Aviation Regulation, and State and Local Regulations concerning the handling of pesticides and other substances.

10.4 General

- a. No operations involving unlicensed or unregistered aircraft will be permitted on the Airport without prior approval of the Authority.
- b. The Airport will not participate in non-aeronautical events that will conflict with its aeronautical use.

SECTION 11 - MISCELLANEOUS

THE FOREGOING RULES AND REGULATIONS ARE ADOPTED BY THE CITY OF ONTARIO MUNICIPAL AIRPORT AUTHORITY AT A REGULARLY SCHEDULED MEETING ON THE ____ DAY OF _____, AND BECOME EFFECTIVE IMMEDIATELY.

APPENDIX:

MINIMUM STANDARDS FOR COMMERCIAL OPERATIONS AND FIXED BASE OPERATORS

1.1 General

- A. The following minimum standards shall apply to all operations; however, all the activities listed may not be provided, depending on the lease agreement executed between the Airport Authority and the operator.
- B. No commercial operator shall be allowed to operate on the Airport without a lease agreement with the Authority. Any operator whose principal place of business is located other than on the Ontario Municipal Airport and who further has a valid contract with another airport sponsor, may not be required to maintain facilities at the Airport.
- C. The Airport Authority shall determine all substantial conformances to the standards for all operators. Also, all operators must show financial solvency and business ability to the satisfaction of the Airport Authority.
- D. The minimum liability insurance that a fixed base operator shall carry including: general liability, product liability, and premise liability, is **\$1,000,000**. Hangar's keeper/property damage insurance will be decided between the Airport Authority and the operator, but in no case will be less than **\$100,000**. All policies required by this section will name as insured, the Airport Authority, its officers, members, and employees, and will contain a provision which will require the insurance carrier to notify the Authority at least (10) days in advance of cancellation, or change in coverage.
- E. All operators will be required to provide the Airport Authority a performance bond commensurate with any construction required under the minimum standards service to be performed.
- F. All construction shall be in accordance with design and construction standards established by the Airport Authority and approved by the Federal Aviation Administration for the facility involved.
- G. All airport mechanics and inspectors shall carry a **\$1,000,000.00** liability policy naming the Ontario Municipal Airport Authority as co-insured, have written authorization for each occurrence from the Airport Authority, and shall be charged a fee for each occurrence on the Airport.

1.2 Aircraft Maintenance and Repair

All person(s) operating aircraft, engine, or accessory maintenance facilities shall provide:

- A. Hangar space to house any aircraft upon which such service is being performed.
- B. Suitable storage space for aircraft waiting for maintenance or delivery after repair and maintenance has been completed.
- C. Sufficient shop space to house equipment and adequate equipment and machine tools, jacks, lifts, and testing equipment to perform top overhauls as required for FAA certification and repair of parts not needing replacement on all single engine land and light multi-engine land general aviation aircraft.
- D. At least one FAA certified air frame and engine mechanic available during reasonable hours.
- E. Separate space where adequate exhaust type work may be performed.
- F. Appropriate insurance
- G. Non-airworthy aircraft shall be screened from public view

1.2 Flight Training

All person(s) conducting flight training activity shall provide:

- A. At least one certified flight instructor for single engine aircraft. At least one dual equipped single engine land aircraft properly equipped and maintained for flight instruction.
- B. Certified instructor providing ground school instruction sufficient enough to enable students to pass the written FAA examinations.
- C. Public liability and property damage insurance to protect the operator and the Airport Authority from legal liabilities and shall provide liability insurance of at least **\$1,000,000** per passenger seat and property damage liability of at least **\$1,000,000**.

1.4 Aircraft Rental

All person(s) conducting aircraft rental activity shall provide:

- A. Hangar or parking for at least one aircraft to be used as a rental.
- B. At least one airworthy aircraft maintained and certified.
- C. Current up-to-date specifications and price lists for types and models of rental aircraft.
- D. Appropriate Insurance.

1.5 Miscellaneous Operations

Radio and instrument repairs, aerial advertising, and other activities may be conducted by any person, firm, or corporation, upon application and approval from the Airport Authority. Reasonable terms and conditions will be established by the Airport Authority.

1.6 Hangar Space

Facility requirements will be adequate and reasonable for the services offered to operators such as: hangar space, office and lounge areas and aircraft parking.

1.7 Minimum Standards, New Construction

All new hangars shall:

- A. Contain a minimum of **1400** square feet of floor space. Maintenance shops shall contain a minimum of **1400** square feet of floor space.
- B. Be of metal or masonry construction. The interior shall be constructed based on specific uses required, as long as it meets State and Local Codes. All new construction will meet State and Local Codes.

1.8 Aircraft Parking Aprons and Services

All new parking aprons and services provided shall:

- A. Be constructed accordingly to plans and specifications approved by the Airport Authority. Aircraft parking aprons may be required for operators handling aviation petroleum products and aircraft repair.
- B. Be provided on a fair, equal, and not unjustly discriminatory basis to all users of the airport. The prices charged for products on the Airport shall be fair and reasonable.

AIRPORT AUTHORITY SECURITY MEASURES

Please contact the [Airport Manager](#) for more information on the airport's security measures