

**\*\*Please see amendment\*\***

**CHAPTER 5  
AIRPORT\***

**Sec. 5-1. Defined.**

The word "airport," when used in this chapter, shall mean the Twin Cities Airport, known as Ross Field.

Cross reference-Definitions and rules of construction generally, § 1-2.

**Sec. 5-2. Federal, state rules and regulations.**

No person shall violate any law of the United States or of the State of Michigan nor any rule or regulation adopted by any duly authorized agency of the United States or the State of Michigan pertaining to airports and landing fields, airport managers and air traffic. (Gen. Code 1946, Ch. 5, §801.1; Code 1972, § 2.201)

**Sec. 5-3. Intergovernmental agreements.**

The city commission is hereby authorized to enter into agreements with other municipalities and agencies of the United States Government concerning the establishment and maintenance of a Twin Cities Airport, known as Ross Field; concerning the acquisition of land and the manner in which title thereto shall be held and concerning the maintenance of the airport.

Charter reference-Director of the airport, § 3.40.

State law reference-Aeronautics code, MCL § 259.1 et seq., MSA §10.101 et seq.

(Gen. Code 1946, Ch. 5, § 801.2; Code 1972, § 2.202)

Charter reference-Authority for intergovernmental contracts, § 2.3.

**Sec. 5-4. Benton Harbor-St. Joseph agreement.**

(a) The city commission is hereby authorized to establish and maintain in conjunction with the City of St. Joseph, Michigan, an agency regulating and controlling the Twin Cities Airport in accordance with the statutes of the state. Such authority may be exercised by a contract with the City of St. Joseph and such agency to regulate and control the airport shall have such authority as may be delegated to it in the contract or by resolution adopted from time to time by the commission of the City of Benton Harbor and by the commission of the City of St. Joseph, both municipalities of the State of Michigan.

(b) The general and permanent provisions of a certain contract between the City of Benton Harbor and the City of St. Joseph, pertaining to the Twin Cities Airport, and dated and adopted June 19, 1944, and the airport agreement

adopted by the Cities of Benton Harbor and St. Joseph on November 1, 1971 have been incorporated into this chapter and reorganized to fit the format of this Code. (Gen. Code 1946, Ch. 5, §§ 802.1, 804.1; Code 1972, §§ 2.203, 2.205, 2.206)

#### **Sec. 5-5. Appropriations.**

The city commission shall have the authority to appropriate and apportion such sums of money as it deems necessary for the purposes mentioned in this chapter. (Gen. Code 1946, Ch. 5, § 803.1; Code 1972, § 2.204)

#### **Sec. 5-6. Proceeds from sale or abandonment.**

If the airport shall be sold or abandoned, it is agreed that the cities shall participate in the proceeds of the sale of the airport property in the proportion in which they have invested funds therein. To the original investment of each city, agreed to be sixteen thousand dollars (\$16,000.00) by St. Joseph and twenty-seven thousand dollars (\$27,000.00) by Benton Harbor, shall be added all subsequent municipal investments or appropriations, and the proceeds of any such sale shall be divided between the cities in such proportion as the amount so invested by each such city bears to the total municipal investment of both cities. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

#### **Sec. 5-7. Minimum requirements.**

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare in connection with the operation of the airport. It is not intended by this chapter to interfere with, abrogate or annul any leases, covenants or other agreements between parties, provided, however, that where this chapter imposes a greater burden or duty upon any person to which this chapter may apply, then the provisions of this chapter shall control. (Ord. of 11-1-71, Art. VI, § 1; Code 1972, § 2.206)

#### **Sec. 5-8. Amendment.**

This chapter may from time to time be amended in the same manner as the original provisions of this chapter were enacted by approval by both the City of Benton Harbor and the City of St. Joseph. (Ord. of 11-1-71, Art. VI, § 11; Code 1972, § 2.206)

#### **Sec. 5-9. Violations-Injunctive relief.**

In addition to any other remedy, the airport board may institute in any court of competent jurisdiction an action to enjoin, restrict, correct or abate any violation of the provisions of this chapter or any of the rules, regulations or

orders issued in connection with or pursuant thereto. The court may grant such relief, by way of injunction or otherwise, as may be necessary to effect the intent of this chapter and the rules, regulations and orders of the board issued in connection with or pursuant thereto. (Ord. of 11-1-71, Art. VI, § 7; Code 1972, § 2.206)

**Sec. 5-10. Same-Penalty.**

Any person who shall violate or disobey, or shall omit, neglect or refuse to comply with, or who resists the enforcement of any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than one hundred dollars (\$100.00) for each offense, or by imprisonment in the county jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the court. Each day that a violation is permitted to exist shall constitute a distinct and separate offense. In the event a fine is imposed, the court shall have power to commit the violator to the county jail until such time as said fine is paid, not to exceed, however, ninety (90) days from the date of commitment. (Ord. of 11-1-71, Art. VI, § 6; Code 1972, § 2.206)

**Secs. 5-11-5-21. Reserved.**

**ARTICLE II. AIRPORT BOARD\***

**Sec. 5-22. Created.**

There is hereby created an agency to be known and designated as the Twin Cities Airport Board and herein referred to as the airport board. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

**Sec. 5-23. Composition.**

The airport board shall consist of eight (8) members, three (3) of whom shall be appointed by the city commission of the City of Benton Harbor and three (3) by the city commission of the City of St. Joseph. The city manager of the City of Benton Harbor and the city manager of the City of St. Joseph shall be ex officio members of the board, with vote. If the city manager of either city cannot serve, or is absent from any meeting, he shall have the right to appoint a representative to serve in his name and stead, which representative shall have all the rights, privileges and duties of a member of the board. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

**Sec. 5-24. Residency.**

The members of the airport board may reside either within or without the city which they represent. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

### **Sec. 5-25. Equal representation.**

Each city shall at all times be entitled to equal representation on the airport board. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

### **Sec. 5-26. Terms of members.**

In appointing the original members of the airport board, the city commission of each city shall appoint one member for a term of one year, one for a term of two (2) years, and one for a term of three (3) years. Thereafter each city shall annually appoint one member for a three (3) year term. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

### **Sec. 5-27. Filling of vacancies.**

If a vacancy occurs on the airport board it shall be filled by the city commission which appointed the member whose seat is vacant. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, §2.205)

### **Sec. 5-28. Authority.**

The airport board shall have the authority to equip, manage, improve, operate and regulate the airport, and shall have such other authority as may be delegated to it from time to time by the legislative bodies of the Cities of Benton Harbor and St. Joseph. It shall have authority to employ a manager, who shall serve during its pleasure, and who shall be responsible to the board for the management of the airport in accordance with general policies laid down by the board. (Gen. Code 1946, Ch. 5, § 804.1; Ord. of 11-1-71, Art. I, § 1; Code 1972, §§ 2.205, 2.206)

### **Sec. 5-29. Meetings; organization.**

The airport board shall meet at least once each month, or more often if necessary, and shall designate the time and place of its meetings. It shall, within thirty (30) days after its organization, elect its own officers and adopt its own bylaws. It shall have authority to promulgate and enforce rules and regulations governing the operation of the airport. It shall keep accurate books of account showing all receipts and disbursements. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

### **Sec. 5-30. Compensation.**

The members of the airport board shall serve without compensation. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, §2.205)

**Sec. 5-31. Apportionment of expenses and profits.**

Expenses or profits of the operation and maintenance of the airport shall be borne by or divided between the cities in such proportion as the "city" assessed valuation of all taxable real and personal property in each city, as determined from year to year, shall bear to the total "city" assessed valuation of both cities for such year. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

**Sec. 5-32. Annual report and financial statement.**

The airport board shall submit an annual report and financial statement to each of the cities, and shall accompany the same with a request for such funds as it may deem necessary for the operation of the airport for the following year. Such report, financial statement and request for funds shall be filed with the city clerk of each of the cities in sufficient time to be included in the annual city budgets. Each city shall have authority to demand additional financial statements at any time, and shall have authority at any time to examine the books and records of the airport board. (Gen. Code 1946, Ch. 5, § 804.1; Code 1972, § 2.205)

**Secs. 5-33-5-43. Reserved.**

**ARTICLE III. TRAFFIC RULES AND REGULATIONS**

**Sec. 5-44. Generally.**

(a) The airport board shall, from time to time, make, adopt and promulgate such airport traffic rules and regulations as it shall deem necessary and in the manner provided in this section.

(b) The airport board shall submit the same to the city commission of Benton Harbor and the city commission of St. Joseph for consideration. The commissions, if they find that such rules and regulations are proper and are not inconsistent with the Charters and general ordinances of the respective cities, and are germane to the subject, shall approve the same by motion or resolution.

(c) The airport board shall thereupon obtain a sufficient number of mimeographed or printed copies of such rules and regulations, but in no case less than one hundred (100) copies, for free public distribution. Not less than five (5) copies of such rules and regulations shall be deposited with the clerk of the City of Benton Harbor and a like number with the clerk of the City of St. Joseph, and the remainder thereof shall be kept in the office of the airport manager and be available to the public at his office.

(d) Such rules and regulations shall be effective from and after the date of their approval by the respective city commissions. (Ord. of 11-1-71, Art. II, §§ 1-4; Code 1972, §2.206)

**Sec. 5-45. Reckless operation of aircraft.**

Any person who shall operate any aircraft within the air space over and above the airport or upon the lands constituting the airport carelessly and heedlessly and with willful or wanton disregard of the rights or safety of others, or without due caution and circumspection, or at a speed in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of a misdemeanor. (Ord. of 11-1-71, Art. VI, § 8; Code 1972, § 2.206)

**Secs. 5-46-5-56. Reserved.**

**ARTICLE IV. OPERATOR RULES**

**DIVISION 1. GENERALLY**

**Sec. 5-57. Federal and state certification.**

When required by the Federal Aviation Administration or the Michigan Aeronautics Commission, persons doing business at the airport shall be properly certified by these agencies. (Ord. of 11-1-71, Art. III, § 5; Code 1972, § 2.206)

**Sec. 5-58. Fixed base operations.**

Any person using the airport as an operating base and offering to do business for hire in any aeronautical or related activity shall first make application and pay the required fixed base operator fee for an annual operating permit, and shall comply with the following minimum requirements and conditions:

- (1) The applicant shall submit proof of sufficient assets which in the opinion of the airport board will be adequate to permit acquisition, construction and operation of the required facilities.
- (2) The applicant shall provide a hangar type structure with a minimum of four thousand eight hundred (4,800) square feet of aircraft storage space, and an adjoining office of at least eight hundred square feet.
- (3) Prior to construction all hangars and other buildings must be approved in writing by the airport board as to type of construction.
- (4) Necessary utilities will be brought from the closest source to the

proposed building at the lessee's expense.

(5) Improvements and additions may be made by the lessee only after approval in writing by the airport board.

(6) The lessee shall provide a minimum of ten thousand (10,000) square feet of ramp space for aircraft parking in front of or adjacent to the hangar.

(7) The lessee shall provide sufficient automotive parking space for employees and customers.

(8) The lessee shall provide paved taxiway from hangar area to the nearest public taxiway.

(9) The lessee shall carry fire and extended coverage insurance as agreed upon the lease between the board and the lessee.

(10) Airport employees may not own, operate or be financially interested in any fixed base operation on the airport. (Ord. of 11-1-71, Art. III, § 3; Code 1972, §2.206)

#### **Sec. 5-59. Inspections.**

Airport board personnel, the airport manager or his assistant, and the appropriate law enforcement agencies shall have the authority to make such inspections as they deem necessary to determine compliance with this chapter. (Ord. of 11-1-71, Art. III, § 7; Code 1972, § 2.206)

#### **Sec. 5-60. Mechanical work.**

(a) Welding shall not be done in "T" hangars or in hangars occupied by aircraft owned or leased by others.

(b) All mechanical work except welding must be done inside of hangars unless it is impractical to so do.

(c) Doping in connection with fabric work shall not be done in T hangars.

(d) Any hangar used for maintenance work shall comply with national fire protection standards and shall be equipped with adequate fire extinguishers. (Ord. of 11-1-71, Art. III, § 8; Code 1972, § 2.206)

#### **Sec. 5-61. Flying clubs.**

Flying clubs operating from the airport shall comply with all applicable federal air regulations as well as Part 13 "Flying Clubs" of the Michigan

Aeronautics Commissions "General. Rules" and any future amendments to these regulations. (Ord. of 11-1-71, Art. III, § 9; Code 1972, §2.206)

**Sec. 5-62. Other activities.**

(a) No person shall engage in any activity on or at the airport designed to produce revenue without first obtaining a permit from the airport board.

(b) All nonscheduled, foreign based commercial operators landing at the airport shall pay a landing fee in such amount as may from time to time be established by the airport board. (Ord. of 11-1-71, Art. III, § 10; Code 1972, § 2.206)

**Sec. 5-63. Compliance with Federal Airport Act.**

Each person operating on the airport shall comply with all the provisions of the Federal Airport Act (Public Law 377:79 Congress, 2nd Session, as amended) and the regulations issued pursuant thereto. (Ord. of 11-1-71, Art. III, § 11; Code 1972, § 2.206)

**Sec. 5-64. Compliance with the Michigan Aeronautics Code.**

Each person operating on the airport shall comply with all the provisions of the Michigan State Aeronautics Code, AIRPORT § 5-73

being Act 327, of the Public Acts of 1945 of the State of Michigan [MCL § 259.1 et seq., MSA § 10.101 et seq.], as amended, and the regulations issued pursuant thereto. (Ord. of 11-1-71, Art. III, § 12; Code 1972, § 2.206)

Sees. 5-65-5-71. Reserved.

**DIVISION 2. PERMITS**

**Sec. 5-72. Required.**

Any person based at and using the airport while conducting any or all of the following activities shall, prior to the start of operations, be registered with and approved by, and obtain a permit from the airport board; these activities shall include, but are not limited to:

- (1) Ground schools;
- (2) Flight schools and flight instructors;
- (3) Mechanical services;



- (4) Mechanical schools and mechanical instructors;
- (5) Sales, rental or leasing agencies;
- (6) Air taxi and charter operators;
- (7) Scheduled airlines;
- (8) Flying clubs;
- (9) And such other activities as car rentals, food service, advertising, etc. (Ord. of 11-1-71, Art. III, § 1; Code 1972, § 2.206)

#### **Sec. 5-73. Fees.**

The airport board shall from time to time, and at least once each year, establish uniform fees for the permits to be so issued covering each class of operations or services above and hereinafter referred to, and the fee applicable to such classification shall be paid by the applicant at the time of making the application for such permit. The permit so issued shall be for one year and renewable at the end of such year upon payment of the then effective renewal fee. Fees for fixed base operations shall include permit fees referred to in section 5-72. (Ord. of 11-1-71, Art. III, § 2; Code 1972, § 2.206)

#### **Sec. 5-74. Insurance prerequisite to issuance.**

Each person applying for a permit to do business at the airport shall, prior to the issuance of such permit, furnish the airport board with copies of certificates of insurance providing adequate coverage against loss occasioned by bodily injury or property damage in such amounts as the board from time to time shall determine, and each class of permittee shall, if required by the board, provide indemnification to the board against any loss occasioned by bodily injury or property damage in such amounts and such manner as the board from time to time shall determine. (Ord. of 11-1-71, Art. III, § 4; Code 1972, § 2.206)

#### **Sec. 5-75. Transfer.**

Permits issued pursuant to this division are nontransferable. (Ord. of 11-1-71, Art. III, § .6; Code 1972, § 2.206)

#### **Sec. 5-76. Issuance not deemed as exclusive right.**

The issuance of any permit under this division to any person shall not be construed to be the granting of an exclusive right within the meaning of section 208 of the Federal Aviation Act of 1958. (Ord. of 11-1-71, Art. VI, § 2; Code 1972, § 2.206)

**Sec. 5-77. Issuance not to restrict right to improve public portions.**

The issuance of a permit to any person shall not in any manner limit or restrict the right of the airport board to improve the public portions of the airport and all publicly owned air navigation facilities of the airport as it deems proper and desirable. (Ord. of 11-1-71, Art. VI, § 3; Code 1972, § 2.206)

**Sec. 5-78. Subject to emergency agreements with federal government;**

During time of war or national emergency the airport board shall have the right to enter into an agreement with the United States Government for military or naval use of part or all of the airport and its facilities, and if such agreement is executed by and between the board and the United States Government, any permit issued as herein provided, shall be subject and subordinate to such agreement. (Ord. of 11-1-71, Art. VI, § 4; Code 1972, § 2.206)

**Sec. 5-79. Permittees to furnish tangibles and services on nondiscriminatory basis.**

Each person granted a permit as herein provided, shall furnish tangibles and services on a fair, equal and nondiscriminatory basis to all purchasers or users thereof, and such permittee shall not on the grounds of race, sex, religion or national origin discriminate or permit discrimination against any person or group of persons in any manner, as referenced in Part 21 of the Regulations of the Office of Secretary of Transportation (D.O.T.), and the airport board shall reserve and have the right to take such action as the federal government may direct to enforce this obligation. (Ord. of 11-1-71, Art. VI, § 5; Code 1972, § 2.206)

**Sec. 5-80. Revocation.**

Any permit granted and issued pursuant to the provisions of this division shall be revocable by the airport board for good cause after due notice, in writing, is given to the permittee, and a hearing had before the full board at least twenty (20) days subsequent to the giving of such notice, at which hearing the permittee shall have the right to appear and be heard and submit proofs, if any he has, on his own behalf. (Ord. of 11-1-71, Art. VI, § 10; Code 1972, § 2.206)

**Secs. 5-81-5-91. Reserved.**

**ARTICLE V. FEES AND CHARGES**

**Sec. 5-92. Establishment.**

Once each year on or before the first day of December, commencing December 1, 1971, the airport board shall establish uniform permit fees covering each classification of permitted operations, together with established landing fees and service charges. (Ord. of 11-1-71, Art. IV, § 1; Code 1972, § 2.206)

**Sec. 5-93. Public availability.**

A supply of schedules of permit fees, landing fees and service charges, etc., shall be kept in the airport manager's office and a copy thereof shall, upon request, be made available to any interested person. (Ord. of 11-1-71, Art. IV, § 2; Code 1972, § 2.206)

**Sec. 5-94. Fuel charges.**

(a) No fuel shall be sold, delivered or received by any person at or on the airport, except as the same may be sold, delivered or received by and through the airport board or its agents.

(b) Fuel charges shall be by the airport board established from time to time as conditions may require and current prices shall be kept available in the airport manager's office and made available upon request to any interested person. (Ord. of 11-1-71, Art. IV, § 3; Code 1972, § 2.206)

**Secs. 5-95-5-105. Reserved.**

**ARTICLE VI. VEHICULAR RULES AND REGULATIONS\***

**Sec. 5-106. Designation of parking areas and road ways; posting of signs.**

The airport board shall from time to time designate parking areas and roadways upon the airport and shall establish limitations and conditions applying to the use of such designated areas and roadways, and shall post such areas with adequate public signs stating the limitations and conditions on the use thereof, and the fee, if any, that is charged in connection with such use. (Ord. of 11-1-71, Art. V, § 1; Code 1972, § 2.206)

**Sec. 5-107. Carriers for hire.**

(a) No carrier for hire shall load passengers at any place on the airport without first having obtained a written permit from the airport board in accordance with these regulations. This provision shall not prohibit any carrier for hire from entering the airport for the purpose of discharging passengers.

(b) The term "carrier for hire" shall mean and include any motor vehicle other than an aircraft, accepting passengers for transportation for hire.

(c) Any carrier for hire desiring to load passengers on the airport shall file an application for a permit with the board, which application shall contain the following:

(1) Name of carrier for hire;

(2) Number and type of vehicles which applicant intends to operate at the airport;

(3) Experience which applicant has had in operation of such service;

(4) A statement whereby the applicant agrees to comply with any and all pertinent federal, state and local government laws and regulations and all regulations of the board;

(5) Proof that the applicant has obtained all licenses and permits necessary to engage in such service from the federal, state and local governments.

(d) If the board determines to grant a permit to a carrier for hire, the permit shall not issue until such carrier for hire has filed with the board proof of liability insurance issued by a responsible insurance company authorized to do business in the state, insuring the applicant and all motor vehicles which will be operated on the airport against liability for property damage and personal injury to a passenger or passengers in such vehicle or to members of the general public, such insurance coverage to be in amounts which at all times comply with the state financial responsibility law.

(e) The board shall review all applications and grant permits to those carriers for hire which meet the requirements of these regulations, and which the board, in its discretion, determines will provide the best service to passengers and the public at the airport.

(f) All permits issued pursuant to these regulations shall expire on the thirtieth day of November, following the issuance of such permit.

(g) The board shall have the power to suspend or revoke any permit issued by it hereunder for any of the following reasons:

(1) The board determines that any information contained in the application for a permit was false or misleading;

(2) The board determines that the carrier for hire has failed to operate in accordance with the regulations of the board;

(3) The carrier for hire has ceased to operate on the airport for a period of thirty (30) consecutive days without having obtained permission for such cessation of operations from the board.

(h) The fee for each permit shall be established each year prior to December first thereof.

(i) The following regulations shall be observed by all carriers for hire operating on the airport pursuant to a permit issued by the board:

(1) Passengers and baggage shall be loaded only in areas designated for that purpose by the board;

(2) No solicitation of passengers or luggage shall be conducted within the terminal building. (Ord. of 11-1-71, Art. V, § 2; Code 1972, § 2.206)

### **Sec. 5-108. Parking.**

The airport board shall have the authority to lay out and designate parking spaces on airport premises for use by the public, and to charge a fee for such use as follows:

(1) The airport board shall have the authority to prepare a schedule of fees and parking regulations subject to the approval of the city commissions.

(2) The airport board shall have the authority to erect and maintain facilities for the collection of said fees; to have the premises patrolled to enforce said regulations; to order vehicles violating said regulations to be towed away from the premises at the expense of the owner or owners.

(3) The airport board shall have the authority to enter into agreements with any local police agency or agencies for the patrol of airport parking facilities and the enforcement of the regulations thereof, and to designate airport personnel for patrol of such parking facilities and enforcement of such regulations.

(4) All parking shall be at the owner's risk and the airport board shall not be responsible for the theft of or damage to any vehicle or the loss of any articles left in any vehicle while parked in any airport operated parking lot, nor shall the airport board be responsible for the theft of or damage to any vehicle or the loss of any articles left in any vehicle which may be towed away and stored in violation of parking regulations. (Ord. of 8-29-74, § 2.207; Code 1972, §2.206)

### **Sec. 5-109. Reckless operation of vehicles.**

Any person who shall operate any nonaircraft vehicle upon any part or

portion of the lands constituting the airport, including designated highways thereon, carelessly and heedlessly and with wilful or wanton disregard of the rights or safety of others, or without due caution and circumspection, or at a speed in a manner so as to endanger or be likely to endanger any person or property, shall be guilty of a misdemeanor. (Ord. of 11-1-71, Art. VI, § 9; Code 1972, § 2.206)

**Secs. 5-110-5-120. Reserved.**

**ARTICLE VII. SECURITY**

**Sec. 5-121. Law enforcement personnel.**

The airport board is hereby authorized and directed to provide armed law enforcement personnel prior to and throughout the screening of passengers on scheduled commercial flights during boarding. For the purpose of this chapter, "law enforcement officer" means an armed person:

- (1) Authorized to carry and use firearms;
- (2) Vested with the police power of arrest under federal, state or other political subdivision authority;
- (3) Identifiable by uniform, badge or other indicia of authority; and
- (4) Assigned the duty of providing law enforcement support for the preboard screening aspects of the airport security programs. (Ord. of 3-26-73)

**Sec. 5-122. Contract with municipal corporate entity authorized.**

To effect the security and law enforcement procedure the airport board is authorized to enter a contract with any municipal corporate entity located within the county, to furnish law enforcement officers at the necessary required times, and at a rate or price to be agreed upon between the board and such municipal corporate entity. (Ord. of 3-26-73)

**Sec. 5-123. Fire and crash protection.**

The airport board is hereby authorized and directed to provide fire and crash protection for passengers on scheduled commercial flights in conformity with existing federal statutes, rules and regulations or those that may be hereafter enacted or promulgated. (Ord. of 3-26-73)

**Sec. 5-124. Fees.**

- (a) In order to defray the cost of providing the law enforcement officers and such

fire and crash protection, the airport board is authorized and directed to charge each passenger enplaning at the airport on a scheduled commercial flight, a security fee in an amount which from time to time may be determined to be reasonable by the board, and which fee shall be used solely for the purpose of defraying the cost of such security and protection program, and shall be kept by the board in a segregated account and used for that purpose.

(b) The security fee shall be collected by the commercial airline operators at the time of the sale of the airline ticket, or at the time of passenger check-in prior to flight. (Ord. of 3-26-73)