



BOARD OF COMMISSIONERS

1594 Esmeralda Avenue, Minden, Nevada 89423
775-782-9821

COMMISSIONERS:
Barry Penzel, CHAIRMAN
Larry Walsh, VICE-CHAIRMAN
Dave Nelson
John Engels
Wesley Rice

**ACKNOWLEDGEMENT AND RELEASE OF PUBLIC INFORMATION AND
WAIVER OF NOTICE**

The undersigned acknowledges that he or she has been selected as a candidate for a Douglas County advisory board. The undersigned further acknowledges that he or she is hereby advised and accepts that:

(1) Douglas County is a public entity and is subject to the Nevada Public Records Law (NRS Ch. 239) and the Nevada Open Meeting Law (NRS Ch. 241);

(2) Pursuant to Nevada Law, the name of the applicant, cover letter, resume, and any other information you have provided as a part of the application process will be released as part of public meeting agendas and supporting materials. This information is a public record and will be available to the members of the public and the media throughout this process. A candidate may request redactions, in writing to the Douglas County Human Resources, as may be allowed under Nevada law, prior to the release of the information to the Board.

The undersigned hereby waives any and all rights to further notice of the above referenced public posting of information and any notice that may be required by the Nevada Public Records Law or Nevada's Open Meeting Law, and hereby consents to these actions.

Please Initial One:

_____ I authorize the release and do not request redaction of any information.

_____ I authorize the release and request the following be redacted prior to public release:

Date

Printed Name

Signature

Mailing Address: P.O. Box 218, Minden, NV 89423

Title 2 Administration and Personnel

2.58 Douglas County Airport Advisory Committee

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2.58.010 Established-Membership

There is established the Douglas County Airport Advisory Committee (committee).

A. The committee consists of seven members. The board must choose one member qualified to fulfill the duties of the committee from each of the following groups:

1. The airport commercial community.

2. The airport soaring community.

3. The airport powered aircraft community. The board must choose two members qualified to fulfill the duties of the committee from each of the following groups:

4. The business community.

5. The community at large. If the board finds no person available from a group the board may appoint a member at their discretion.

B. All members shall serve without compensation and must be residents of Douglas County.

C. Members will be appointed for two years with a two consecutive term limit.

1. Members' terms expire on December 31, three members on even numbered years and four members on odd numbered years.

2. The board shall appoint new members to fill any vacancies and the appointed member will serve out the unexpired term of the member replaced. (Ord. 756, 1996; Ord. 611, 1993)

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2.58.020 Chairman-Election and duties

A. The committee must select from its membership a chairman and vice chairman annually in the month of March.

B. The chairman will preside at meetings and be the signatory of any correspondence necessitated by action of the committee. (Ord. 756, 1996; Ord. 611, 1993)

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2.58.030 Rules and regulations

The committee may adopt rules and regulations regarding procedures and meetings. (Ord. 611, 1993)

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2.58.040 Quorum

Four members of the committee will constitute a quorum. The approval of a majority of all members present to vote is necessary on any action the committee is to recommend to the commissioners. (Ord. 756, 1996; Ord. 611, 1993)

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2.58.050 Meetings

The committee shall meet at least once every quarter. The chair or a majority of the members may call special meetings if issues warrant. Attendance is required, and failure to attend three scheduled consecutive meetings or three meetings in any 12 month period shall be considered as a voluntary resignation. Notice of the meetings and the conduct of the meetings of the committee must comply with the provisions of chapter 241 of NRS, Nevada Open Meeting Law. (Ord. 756, 1996; Ord. 611, 1993)

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2.58.060 Advisory duties

A. The duties of the committee is to provide recommendations to the county commissioners on the general subject of aviation issues related to the airport. Specifically, the committee shall assist in promoting community compatibility regarding issues including but not limited to as noise management and public relations, shall review proposed master plan changes, and shall assist staff in the development and execution of an airport marketing plan. Generally, the committee shall make recommendations on airport policy to the county commissioners.

B. The committee may hear comments on airport and aviation matters from the public or other agencies for consideration and possible recommendations to the county commissioners.

C. The committee shall advance and promote the interests of aviation and protect the general welfare of the people living and working at or near the airport, and in the county. (Ord. 756, 1996; Ord. 611, 1993)

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Airport Use Ordinance

Approved by Douglas County voters on November 2, 2010

1. **Definitions.** For the purposes of this Chapter, the following definitions shall apply:

- A. **Airport** means the Minden-Tahoe Airport.
- B. **Airport Manager** means the person who is appointed by the Board to oversee operation of the Airport.
- C. **Airport Facility Directory** means the publication of the FAA which contains airport information on all public airports in the United States, including runway landing weights, runway lengths, use restrictions and other pertinent information for pilots.
- D. **Airport Master Plan** means the planning document for the Airport which was adopted by the Commissioners in 2008, and which may be updated as necessary.
- E. **Board** means the Douglas County Board of Commissioners.
- F. **CMGTW** means the FAA certified maximum gross takeoff weight for aircraft of a particular type.
- G. **County General Funds** means tax revenues received by the County that are not allocated to a specific fund for expenditure.
- H. **FAA** means the Federal Aviation Administration.
- I. **Overweight Aircraft** means aircraft with a CMGTW exceeding the weight bearing capacity of the Airport pavement, as disclosed in the then current Airport Facilities Directory.
- J. **Small Aircraft** means a small aircraft commonly operated for personal air transportation.
- K. **Sport Aviation Activity** means an aviation activity that is generally recognized as recreational in nature including, but not limited to Light Sport Aircraft or Sailplanes.

2. **Limitations on Operational Use.**

- A. Prior Permission. Except in the event of a declared and bona fide in-flight emergency, Overweight Aircraft may not land or take off from the Airport without prior permission from the Airport Manager. The Airport Manager may give landing permission to Overweight Aircraft only upon a reasonable and nondiscriminatory determination that such landing or landings are not likely to cause excessive cumulative damage to Airport pavement.

B. Weight Bearing Capacity. Aircraft owners and operators shall be responsible for knowing the CMGTW of their aircraft and for consulting the Airport Facilities Directory for information regarding the weight bearing capacity of Airport pavement. The Airport Manager shall assure that the weight bearing capacity of Airport pavement disclosed in the Airport Facilities Directory and other Airport documents is based on pavement testing under FAA approved methodologies.

C. Landing Fees. The Board shall by Resolution adopt reasonable landing fees for use of the Airport by Overweight Aircraft. In accordance with such Resolution, the Airport Manager shall assess a landing fee on each landing by Overweight Aircraft. Proceeds of such landing fees shall be placed in an Airport fund designated for repair or preventive maintenance of pavement at the Airport.

D. Civil Penalties. A civil penalty shall be assessed jointly and severally against any aircraft owner and pilot of an Overweight Aircraft that lands at the Airport without first having obtained permission from the Airport Manager under paragraph A of this section. For the first violation by any such aircraft owner and pilot the civil penalty shall be \$1,000. For the second violation by any such aircraft owner and/or pilot the civil penalty shall be \$2,000. For the third and any subsequent violation by any aircraft owner and/or pilot the civil penalty shall be \$2,500. Civil penalties shall be assessed and recovered in a civil action brought in the name of Douglas County by the Douglas County District Attorney. Funds recovered thereby shall be placed in an Airport fund designated for repair or preventive maintenance of pavement at the Airport. The Airport Manager shall also notify the FAA of any such violation.

E. Denial of Use of Airport. In the event any person has violated any provision of this ordinance three or more occasions within a five year period, then for a period of five years thereafter, such person shall be deemed a persistent violator and be denied permission to land at the Airport in an aircraft owned, borrowed, rented or leased by such person and denied the right to lease, rent or use space for any aircraft (including tie-down) at the Airport.

F. Exclusion of Aircraft for Violations. In the event an Overweight Aircraft has been operated in violation of any provisions of this ordinance on three occasions within a five year period, whether piloted by the same or different individuals, then it shall be presumed that future operations of said Overweight Aircraft will result in continued violations, and the Airport Manager shall thereafter deny said Overweight Aircraft permission for a period of five years to land, tie-down, or be based at the Airport provided, however, that a new owner, who has not operated the Overweight Aircraft or caused it to be operated in violation of this ordinance, shall be entitled to appeal such decision to the Airport Manager upon furnishing satisfactory evidence of a change in ownership of such Overweight Aircraft. Upon receiving such evidence, the Airport Manager shall restore all rights to said Overweight Aircraft.

G. Other Enforcement. The provisions of this ordinance may be judicially enforced by injunction or other relief deemed appropriate by any court of competent jurisdiction. The remedies described herein shall be cumulative, and, the election to

seek any remedy shall not be deemed to be a waiver of other remedies nor a bar to seek more than one remedy for the same violation of this ordinance.

3. Limitations on Airport Expansion. Except as required by law, or contractual requirements existing on the effective date of this ordinance, the following actions shall not be taken without first having been submitted to the electorate for their approval at the next general election:

A. Runways, Taxiways and Ramps. Extension or widening of existing paved runways; creation of any new paved runways except for sailplane operations consistent with the Airport Master Plan; performance of any work that would increase the current weight bearing capacity of the runways except as may minimally occur in the course of maintenance work; or strengthening of taxiways and ramps, except to the extent necessary to conform to the weight bearing capacity of the runways.

B. Funding. Submission of any applications to the FAA for grant funding, or use of the County's General Fund, for projects at the Airport which include, but are not limited to a permanent FAA control tower, precision landing system or passenger security systems, except for those projects pertaining to:

- (1) maintenance;
- (2) noise control;
- (3) activities necessary to maintain FAA standards for general aviation airports, including safety standards that do not increase Airport capacity in terms of number of aircraft operations or aircraft weight;
- (4) the preservation and rehabilitation of existing pavement infrastructure;
- (5) infrastructure in support of small aircraft and sport aviation activities.

C. Air Carrier Service. The Airport, the Board, or any person or entity under their control or authority shall not seek or obtain airport certification under Federal Aviation Regulations Part 139 for Air Carrier service at the Airport.

4. Limitations on Airport Noise.

A. Voluntary Curfew. A voluntary curfew shall be imposed on all aircraft operations from 10:00 p.m. to 6:00 a.m., except for operations necessary during this period for public health, safety or welfare. The Airport Manager shall take reasonable steps to encourage all local and transient aircraft operators to comply with this curfew.

B. Noise Reduction. The Airport shall take reasonable measures to pursue a Part 150 Noise Control and Compatibility Study in future FAA grant requests, to study and develop recommendations to reduce noise impacts of Airport operations.

5. Limitations on Airport Property Use. To the extent consistent with law and contractual requirements existing on the effective date of this ordinance:

A. Leases and Developments. No lease or development at the Airport shall be approved without prior environmental review if required by the FAA. The cost of such environmental review shall be born by the party requesting the lease or development, or by the Airport if the Airport Manager determines such a review is beneficial to the Airport.

B. Aviation Related Uses. All Airport land leases and subleases with aviation access shall limit the use of the leased land, and any buildings and hangars thereon, to aviation related uses only, and shall further require compliance with Airport plans, policies and regulations, as may be amended from time to time.

6. Airport Protection Zone. Through zoning and planning action consistent with the County Master Plan, the County shall establish an enhanced airport buffer zone around the Airport to maximize the protection and separation of residential uses, and incompatible commercial and manufacturing uses, from aviation uses and operations, in order to reduce negative environmental impacts and enhance safety.

7. Severability of Provisions. In the event any provision of this ordinance shall be determined to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the other or remaining provisions.

8. Changing or Modifying Ordinance. No amendments to this ordinance shall be approved by the Board without prior approval by the voters of Douglas County at the next general election.