

Chapter 3

AIRPORT*

Art. I.	In General, 3-13-15
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ARTICLE I. IN GENERAL

Sec. 3-1. Effect of use.

The exercise of the privilege of use of any of the facilities of the municipal airport shall constitute an acknowledgement that the City, Board of Commissioners and the airport board maintain such airport in a governmental capacity; that the rules and regulations of the airport will be followed and obeyed; and that the privilege of using the airport and its facilities shall be conditioned on the assumption of full responsibility and risk by user thereof and he shall release, hold harmless and indemnify the City, the Board of Commissioners, the airport board, and all City officers and employees from any liability or loss resulting from such use.
(Code 1953, 2.0111; Ord. No. 654, 2-27-67)

Sec. 3-2. Claims.

Any person having a claim for expenditures in connection with the municipal airport either for work, labor or material furnished in connection with the improvement or maintenance thereof, shall file a duly verified claim in writing with the City Auditor who shall on the last Friday of each month deliver said claims, so filed, to the president or the secretary of the airport board, and said claims shall be brought before the airport board at its regular monthly meeting; and all claims allowed by the airport board shall be endorsed in writing as being correct by the president and one other member of said board; said claims shall then be returned to the City Auditor and warrants drawn for the same, upon the airport fund.
(Code 1953, 2.0110; Ord. No. 654, 2-27-67)

Sec. 3-3. Handling of funds.

Except by resolution of the Board of Commissioners, all funds received from the operation of the airport, all funds received from the use of the airport lands and all monies derived from any tax levy imposed for airport purposes, shall be kept in a special fund by the City Treasurer. The deposit of receipts with the City Treasurer shall be tax levy imposed for airport purposes, and shall be kept in a special fund by the City Treasurer. The deposit of receipts with the City Treasurer shall be according to procedures established by the City Auditor .
(Code 1953, 2.0109; Ord. No. 654, 2-27-67)

* **Editor's note**- The provisions in this chapter derived from Ord. no. 654 resulted from a petition for referendum being filed on March 17, 1967 at 4:00 p.m. The Ordinance was voted upon on April 18, 1967 at the annual City election and passed by a vote of 648 to 522.

State law reference-Handling of tax funds, SDCL 1967, 50-6-14.

Sec. 3-4. Hangar rental.

- (a) The City of Madison shall have the right to enter into leases with individuals, companies or entities for the use of the land for hangars built or located upon the property located at the Madison Municipal Airport.
- (b) Such leases shall be in writing and shall be of such terms and conditions as determined on an annual basis.
(Ord. No. 1042, 1-26-87)

Sec. 3-5. Fee to be charged.

The fee to be charged for the use of the land for hangars, built or located upon the Madison Municipal Airport, shall be five cent (\$.05) per square foot.
(Ord. No. 1042, 1-26-87)

Secs. 3-6-3-15. Reserved.

ARTICLE II. BOARD*

Sec. 3-16. Established.

There is hereby created and established a department of the municipal government which shall be known as the airport board.
(Ord. No. 654, 2.0101, 2-27-67)

Sec. 3-17. Members, term of office.

- 1. The Mayor shall nominate, with the approval of the governing body, an Airport Board consisting of five (5) members, each of whom shall be a resident free holder of the municipality.
- 2. The terms of the office shall be for five (5) years, and so arranged that the term of only one (1) member shall expire each year and that all such expiring terms shall terminate on the first Monday in May.
- 3. Members of the board shall receive no compensation for performing their duties as members of the board.
- 4. The Mayor may nominate, with the approval of the governing body, two (2) ex-officio members of the board with no voting rights; one of whom shall be a member of the City Board of Commissioners, and the other a resident from anywhere in Lake County. The ex-officio member who is a member of the City Commission may serve as long as a member of the City Commission.

* **State law reference**-City airport boards, SDCL 1967, Ch. 50-6.

5. A member of the Board will be replaced if he/she misses more than three consecutive board meetings or he/she misses more than five board meetings in any twelve month period.

(Ord. No. 1226, 7-29-96)

(Code 1953, 2.0102; Ord. No. 654, 2-27-67; Ord. No. 709, 7-13-70; Ord. No. 1048, 4-6-87; Ord. No. 1156, 5-10-93; Ord. No. 172, 4-21-94)

State law references-Similar provisions, SDCL 1967, 50-6-1, 50-6-2.

Sec. 3-18. Officers generally.

The airport board shall annually and on the third Friday of May of each year, elect from their number a president, a vice-president and a secretary, each of whom will serve for a period of one year, or until their successor is elected. The vice-president shall act in the absence or disability of the president.

(Code 1953, 2.0103; Ord. No. 654, 2-27-67)

State law reference-Similar provisions, SDCL 1967, 50-6-5.

Sec. 3-19. Duties of president.

The president of the airport board, and in his absence the vice-president, shall be the general executive officer of the board and under the direction of the board shall have charge of the work and general supervision of employees engaged in work at the municipal airport. He shall, with the concurrence of the airport board and subject to the approval of the Board of Commissioners, make such by-laws, rules and regulations for the orderly transaction and conduct of its business as the airport board finds necessary.

(Code 1953, 2.0104; Ord. No. 654, 2-27-67)

Sec. 3-20. Duties of the secretary.

The secretary shall keep a record of the acts and proceedings of the airport board, and such board through its secretary shall each month after the airport board has met submit a copy of the minutes to the City Auditor for transmittal to the Board of Commissioners.

(Code 1953, 2.0105; Ord. No. 654, 2-27-67)

Sec. 3-21. Duties of City commission representative.

In addition to his regular responsibilities as airport board member, the representative of the City Board of Commissioners shall supervise the use of airport lands, exclusive of the portion used in airport operations, and shall report periodically to both the airport board and the Board of Commissioners. Full consideration shall be given the recommendations of the airport board in the use of such lands with final authority for its use reserved to the Board of Commissioners.

(Code 1953, 2.0106; Ord. No. 709, 7-13-70; Ord. No. 1048, 4-6-87)

Sec. 3-22. Meetings.

The regular meetings of the airport board shall be held at such time and such place each month as shall be designated by the board. Special meetings may be called by the president, or in his absence or disability by the vice-president, at any time by giving twenty-four (24) hours notice to the members of the board.

(Code 1953, 2.0107; Ord. No. 654, 2-27-67)

State law reference-Meetings, SDCL 1967, 50-6-4.

Sec. 3-23. Quorum.

Three (3) members of the airport board shall constitute a quorum.

(Code 1953, 2.0107; Ord. No. 654, 2-27-67)

State law references-Similar provisions, SDCL 1967, 50-6-4.

Sec. 3-24. Powers.

The airport board shall have the power and authority to manage, supervise, regulate and care for the municipal airport and the buildings and structures thereon; to employ such supervisory or other personnel as may be found necessary; to fix their duties and compensations; and may require a bond for the faithful performance of their duties in such amount as shall be fixed, to be filed with the City Auditor.

(Code 1953, 2.0108; Ord. No. 654, 2-27-67)

State law references-Similar provisions, SDCL 1967, 50-6-10.

Sec. 3-25. Budget estimate.

The airport board, on or before the 15th day of August of each year, shall make an estimate of the monies necessary for maintaining, establishing, improving, caring for, regulating, managing such airports and for necessary structures and buildings to be placed thereon, for the ensuing fiscal year. Such estimate shall specify the amount required therefore, and the same to be certified by the secretary of the board to the City Auditor on or before the first day of September of each year for approval by the Board of Commissioners.

(Code 1953, 2.0110; Ord. No. 654, 2-27-67)

State law reference-Similar provisions, SDCL 1967, 50-6-12.

Sec. 3-26. Reports.

The airport board shall make an annual report to the Board of Commissioners of its accounts and all the expenditures, and the Board of Commissioners may require a report from such board at any time and the books, records, papers and accounts of the board shall at all times be subject to inspection by the Board of Commissioners or its officers or agents.

State law reference-Similar provisions, see SDCL 1967, 50-6-16.

Sec. 3-27. Recommendations.

Any recommendation by the airport board to the Board of Commissioners shall be by resolution.

State law references-For similar provisions, see SDCL 1967, 50-6-17.

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