



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 23, 2008

Ordinance 16244

Proposed No. 2008-0488.1

Sponsors Gossett

1 AN ORDINANCE relating to King County International
2 Airport fees and penalties; amending Ordinance 1159,
3 Article IX Section 10, and K.C.C. 15.36.100, Ordinance
4 1159, Article XX Section 1, and K.C.C. 15.48.040,
5 Ordinance 10500, Section 1, as amended, and K.C.C.
6 15.52.060, Ordinance 1159, Article XIII Section 9, and
7 K.C.C. 15.52.090, Ordinance 1159, Article XIV Section 1,
8 as amended, and K.C.C. 15.56.010, Ordinance 1159, Article
9 XV Section 1, as amended, and K.C.C. 15.60.010,
10 Ordinance 1159, Article XVI Section 2, as amended, and
11 K.C.C. 15.64.020, Ordinance 3382, Section 21, and K.C.C.
12 15.64.060, Ordinance 3382, Section 22, and K.C.C.
13 15.64.070 and Ordinance 1159, Article XIX Section 1, and
14 K.C.C. 15.76.010, repealing Ordinance 16217, Section 41,
15 Ordinance 16217, Section 49, Ordinance 16217, Section 50,
16 Ordinance 16217, Section 53, Ordinance 16217, Section 54,
17 Ordinance 16217, Section 55, Ordinance 16217, Section 57,

18 Ordinance 16217, Section 58, Ordinance 16217, Section 59,
19 and Ordinance 16217, Section 61, and prescribing
20 penalties.

21

22 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

23 SECTION 1. Findings:

24 A. All legislative matters related to changes in fees and penalties must be publicly
25 advertised before council consideration, in accordance with RCW 36.32.120(7).

26 B. Ordinance 16217 relating to the King County International Airport included
27 several fee and penalty changes.

28 C. Due to an error, advertisement did not occur for Ordinance 16217 before its
29 adoption by a unanimous vote of the full council on July 21, 2008.

30 D. It is the intent of the council to repeal those sections of Ordinance 16217
31 relating to fees and penalties and reconsider those sections after proper advertisement has
32 occurred.

33 E. It is the intent of the council to correct an error in Ordinance 16217, Section 59,
34 which includes an incorrect weight category for aircraft.

35 SECTION 2. Ordinance 1159, Article IX Section 10, and K.C.C. 15.36.100 are
36 each hereby amended to read as follows:

37 ~~((The county, from time to time, shall establish automobile parking rates for the~~
38 ~~public parking lot serving the terminal area.)) Vehicle parking rates may be implemented
39 at King County International Airport at such a time when annual passenger enplanements
40 exceed one hundred thousand or market conditions warrant. Vehicle parking rates shall be~~

41 set by the airport manager to reflect fair market value. The airport may also contract for
42 parking services with a parking service provider. All parking rates shall include applicable
43 sales and use tax. These rates are subject to change without notice.

44 SECTION 3. Ordinance 1159, Article XX Section 1, and K.C.C. 15.48.040 are
45 hereby amended to read as follows:

46 All taxicab(s), limousine or for hire automobile service companies providing
47 service from B.F.I. pursuant to the terms and conditions stated in K.C.C. ((C))chapter 15.48
48 ((of this title)) shall pay to the airport ((five)) five hundred dollars per calendar year for
49 ((each taxicab issued a taxicab)) an operating agreement by the airport. Such operating
50 agreements shall be required when annual airport passenger enplanements exceed one
51 hundred thousand or F.A.A Part 121 commercial air service is approved. No fee shall be
52 charged by the airport for the delivery of passengers to the airport.

53 SECTION 4. Ordinance 10500, Section 1, as amended, and K.C.C. 15.52.060 are
54 each hereby amended to read as follows:

55 The following charges will be made for storage of aircraft on county property
56 ~~((Note: Gross weight shall be that weight for the aircraft as published in leading aviation~~
57 ~~journals)):~~

58	((Pounds	Rates		
		1st 12 hrs.	Subsequent 12 hrs	Monthly
59				
60	0 — 12,500	\$5.00	\$5.00	\$85.00
61	12,501 — 20,000	\$15.00	\$6.00	\$137.00
62	20,001 — 80,000	\$25.00	\$10.00	\$229.00
63	80,001 — 275,000	\$35.00	\$14.00	\$314.00

64 ~~275,001 and above \$61.00 \$25.00 \$544.00))~~

65 Short-term transient aircraft parking shall be provided adjacent to the terminal
 66 building. The use of this space shall be free for one hour. The pilot shall notify the airport
 67 operations office upon arrival. Aircraft parking in excess of one hour shall have the
 68 following rates apply:

69 **B.F.I Aircraft Parking/Storage Fees**

70 Aircraft Weight	1-12	Each Additional	Monthly Rate	Aircraft
71 (weight in pounds)	Hours	12 Hours		Model
				72 <u>Category</u>
				73 <u>(most</u>
				74 <u>common</u>
				75 <u>models</u>
				76 <u>listed)</u>
77 0 – 12,500 lbs.	\$5.00	\$5.00	\$90.00	Light GA
				78 <u>Aircraft</u>
79 12,501 – 20,000 lbs.	\$15.00	\$6.00	\$137.00	GA Aircraft
80 20,001 – 80,000 lbs.	\$25.00	\$10.00	\$229.00	Corporate
				81 <u>Aircraft</u>
82 80,001 – 275,000 lbs.	\$35.00	\$14.00	\$314.00	Narrow Body
				83 <u>Jets</u>
84 275,001 lbs and above	\$61.00	\$25.00	\$544.00	Wide Body
				85 <u>Jets</u>

86 SECTION 5. Ordinance 1159, Article XIII Section 9, and K.C.C. 15.52.090 are
87 each hereby amended to read as follows:

88 Payment of monthly fees is due and payable in advance on the first day of each
89 calendar month. Payment of daily parking fees shall be made prior to departure of aircraft,
90 unless arrangements have been approved by the airport manager. Airport late fees and
91 penalties shall be assessed in the amount of one and one-half percent per month for unpaid
92 rates, charges or fees. Failure to pay airport rates, charges and fees or rents may, at the sole
93 discretion of the airport manager, result in a loss of use of airport facilities and legal action
94 to recover unpaid rates, charges or fees.

95 SECTION 6. Ordinance 1159, Article XIV Section 1, as amended, and K.C.C.
96 15.56.010 are each hereby amended to read as follows:

97 Oil companies or fuel distributor companies, or both, engaged in the business of
98 selling or delivering aviation fuel to any individual, business firm, United ((s))States
99 government or organization on B.F.I., or selling aviation fuel to any individual, business
100 firm, United States government or organization to be used in aircraft located on or being
101 serviced to take off from B.F.I., shall pay a fuel field use fee charge of seven and one-half
102 cents for JetA type fuel and five cents per gallon for AVGas type fuel. This charge shall be
103 collected by the oil companies or fuel distributor companies, or both, making the sale or
104 delivery and reported in a form prescribed by and acceptable to the airport manager with
105 remittance made to the airport on or before the twentieth of each month. Airport late fees
106 and penalties shall be assessed in the amount of one and one-half percent per month for
107 unpaid rates, charges or fees. Failure to pay airport rates, charges and fees or rents may, at

108 the sole discretion of the airport manager, result in a loss of use of airport facilities and
109 legal action to recover unpaid rates, charges or fees.

110 SECTION 7. Ordinance 1159, Article XV Section 1, as amended, and K.C.C.
111 15.60.010 are each hereby amended to read as follows:

112 No person shall allow any aircraft owned by ~~((him))~~ the person or under ~~((his))~~ the
113 person's control to land, take off, use B.F.I. facilities or be parked or tied down on B.F.I.
114 without causing all applicable landing, tie-down or other fees respecting such aircraft or use
115 of B.F.I. facilities to be paid. Any such fees that become due and owing shall constitute a
116 lien on such aircraft. Airport late fees and penalties shall be assessed in the amount of one
117 and one-half percent per month for unpaid rates, charges or fees. Failure to pay airport
118 rates, charges and fees or rents may, at the sole discretion of the airport manager, result in
119 either a loss of use of airport facilities or legal action to recover unpaid rates, charges or
120 fees, or both the loss of use and legal action.

121 SECTION 8. Ordinance 1159, Article XVI Section 2, as amended, and K.C.C.
122 15.64.020 are each hereby amended to read as follows:

123 Aircraft operating in accordance with this chapter are subject to a landing fee of one
124 dollar and twenty-five cents per thousand pounds of the aircraft's certificated maximum
125 gross landing weight as published in ~~((leading aviation journals))~~ the manufacturer's
126 aircraft operating manual, computed to the nearest five cents, with a minimum of ~~((two~~
127 ~~dollars and fifty cents))~~ five dollars per landing plus outside storage charge on all aircraft
128 parked on county property ~~((in accordance with K.C.C. 15.52.060))~~. Airport late fees and
129 penalties shall be assessed in the amount of one and one-half percent per month for unpaid

130 rates, charges or fees. Failure to pay airport rates, charges and fees or rents shall result in a
131 loss of use of airport facilities.

132 SECTION 9. Ordinance 3382, Section 21, and K.C.C. 15.64.060 are each hereby
133 amended to read as follows:

134 A passenger terminal user fee in the amount of ~~((fifty cents))~~ one dollar per
135 deplaning passenger shall be charged to the owner or operator of aircraft with a passenger
136 seating capacity of ten or greater operating pursuant to this chapter. This fee shall apply to
137 passenger deplanement made through or into the ~~((main))~~ passenger terminal building or
138 buildings on B.F.I.

139 SECTION 10. Ordinance 3382, Section 22, and K.C.C. 15.64.070 are each hereby
140 amended to read as follows:

141 ~~((Aircraft not permanently based on B.F.I. will be charged for the testing, ferrying~~
142 ~~and nonrevenue flights in accordance with this chapter. Aircraft based and operating~~
143 ~~permanently from B.F.I. in accordance with an appropriate lease, agreement or permit will~~
144 ~~not be charged for testing, ferrying or nonrevenue flights in accordance with this chapter.))~~

145 A. Aircraft, based or not based at the airport, and operated for hire or compensation
146 or engaged in commercial business activity, regardless of weight, shall pay a landing fee
147 based on the aircraft certificated maximum gross landing weight as published in the
148 manufacturer's aircraft operating manual.

149 B. The following exemptions to the landing fee apply:

150 1. General aviation aircraft based at the airport, regardless of weight and with a
151 King County airport lease, agreement or permit are exempt from the landing fee;

152 2. General aviation aircraft that are not airport based but are using the airport,
153 and that are twelve thousand five hundred pounds and under as published in the
154 manufacturer's aircraft operating manual and are not for hire or provided compensation or
155 engaged in commercial business activity, such as scheduled and other certificated air
156 carriers, aircraft charters, air-taxi, air cargo, air courier, air travel clubs and air ambulance
157 are exempt from the landing fee;

158 3. Aircraft based at the airport and operated by flight schools or operated for the
159 purpose of flight instruction and performing "touch and go landings" by which an aircraft
160 lands and departs on a runway without stopping or exiting the runway shall be charged a
161 landing fee only if the aircraft exits the runway;

162 4. Humanitarian flights, also known as angel flights, which are operated as not-
163 for-profit or nonrevenue generating flights for humanitarian, medical or disaster relief
164 purposes are exempt from the landing fee; and

165 5. Any aircraft exempt under state or federal statute or regulatory code is exempt
166 from the landing fee.

167 SECTION 11. Ordinance 1159, Article XIX Section 1, and K.C.C. 15.76.010 are
168 each hereby amended to read as follows:

169 Hangar space and office space in county-owned facilities will be leased or rented
170 based upon the rental rate and terms established from time to time by King County.

171 Airport property rental rate shall be based upon fair market rental value as required by
172 K.C.C. chapter 4.56. A hangar wait list shall be maintained by the airport and a one time
173 wait list application fee of one-hundred dollars shall be charged. The wait list application

Ordinance 16244

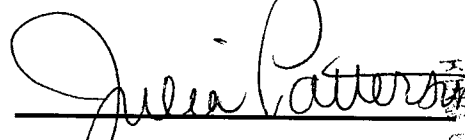
174 fee shall be applied to the first monthly rental charge. A nonrefundable annual fee of ten
175 dollars shall be charged hangar wait list applicants to cover list administrative costs.

176 SECTION 12. Ordinance 16217, Section 41, Ordinance 16217, Section 49,
177 Ordinance 16217, Section 50, Ordinance 16217, Section 53, Ordinance 16217, Section 54,
178 Ordinance 16217, Section 55, Ordinance 16217, Section 57, Ordinance 16217, Section 58,
179 Ordinance 16217, Section 59, and Ordinance 16217, Section 61, are each hereby
180 repealed.
181

Ordinance 16244 was introduced on 9/8/2008 and passed by the Metropolitan King County Council on 9/22/2008, by the following vote:

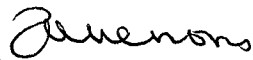
Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



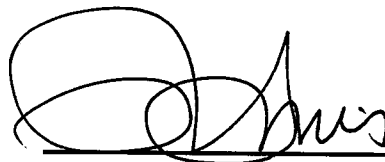
Julia Patterson, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of September, 2008.



Ron Sims, County Executive

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CLERK OF COUNCIL

Attachments None