**CHAPTER 8: AVIATION**

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***ARTICLE I. IN GENERAL***

**8‑1 DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

***AIRPORT.*** The Laurinburg‑Maxton Airport.

***AIRPORT COMMISSION.*** The Laurinburg‑Maxton Airport Commission as created in  8‑31.

(2001 Code,  8‑1) (Ord. 1993‑5(b), passed 1‑12‑1993)

***Cross-reference:***

*Definitions generally, see 1‑2*

**8‑28‑30 RESERVED.**

***ARTICLE II. AIRPORT COMMISSION***

***Cross-reference:***

*Boards, commissions and committees, see  2‑141 et seq.*

**8‑31 CREATION; DESIGNATION.**

There is created a commission to be known as the Laurinburg‑Maxton Airport Commission, whose duty it shall be to establish, improve, maintain, equip, operate and regulate all airports, navigation facilities and all other real and personal property now owned or hereafter acquired by the City of Laurinburg and Town of Maxton for the use and benefit of the Laurinburg‑Maxton Airport.

(2001 Code,  8‑31) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑32 COMPOSITION; APPOINTMENT OF MEMBERS; TERM OF MEMBERS.**

The Airport Commission shall be composed of six members. The governing body of the City of Laurinburg and the Town Board shall each elect three members to the Airport Commission, who shall be residents, respectively, of the city and of the town. The terms of all initial members of the Commission appointed by the town shall be staggered. Thereafter, each member appointed by the Town Board shall serve a three‑year term.

(2001 Code,  8‑32) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑33 MAJORITY VOTES; QUORUM.**

The actions of the Airport Commission shall be determined by a majority vote of its members and a majority of the members shall constitute a quorum for any meeting of the Airport Commission.

(2001 Code,  8‑33) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑34 FILLING OF VACANCIES IN MEMBERSHIP.**

Any vacancy that shall occur in the membership of the Airport Commission caused by death, resignation or inability to serve, shall be filled by the governing body of the City of Laurinburg or the Town Board, depending on where the vacating Airport Commission member was a resident at the time the vacancy occurred.

(2001 Code,  8‑34) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑35 COMPENSATION.**

Each member of the Airport Commission, including the Secretary‑Treasurer and the Chairperson of the Airport Commission, shall receive compensation as the governing body of the City of Laurinburg and the Board of Commissioners shall designate, commensurate with the duties and requirements of their offices.

(2001 Code,  8‑35) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑36 ORGANIZATION; CHAIRPERSON, ATTORNEY, AUDITOR.**

(A) At the regularly scheduled meeting in July or as soon thereafter as possible, the Airport Commission shall convene and elect officers to serve for one‑year terms and to employ paid personnel as it deems necessary for the proper performance of its duties.

(B) (1) The Chairperson may be elected to serve one additional successive term of one year.

(2) The Chair of the Commission shall alternate between members appointed by the City of Laurinburg and the members appointed by the town.

(3) If the Chairperson, as previously elected by the Commission, is not eligible for reelection to the Chair, either by reason of having served two successive one‑year terms or by reason of not having been reappointed to the Commission, the Chair shall automatically rotate, so that the Chairperson shall be elected from the members appointed by the municipality from which the retiring Chairperson was not appointed.

(4) The Chairperson shall have no voting privilege, except in the case of a tie.

(C) At the regularly scheduled meeting of the Commission in June of each year, the Commission shall elect an Attorney to advise and represent the Airport Commission and an Auditor to advise and assist the Airport Commission, for the next ensuing fiscal year, extending from July 1 of the then current year to the next following June 30.

(2001 Code,  8‑36) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑37 EXERCISE OF POWERS.**

In addition to the powers and duties enumerated in 8‑31, the Airport Commission may exercise, on behalf of the City of Laurinburg and the town, all powers of each municipality granted by G.S.  63‑1 et seq., except as limited by the agreement between the City of Laurinburg and the town entered into for the purpose of operating the airport property.

(2001 Code,  8‑37) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑38 DISPOSITION OF REAL PROPERTY.**

No real property and no airport or other navigation facility owned jointly by the City of Laurinburg and the town shall be disposed of by the Airport Commission by sale or otherwise, except by authority of the governing body of the City of Laurinburg and the Town Board of Commissioners; but the Airport Commission may lease personal property, space, area, land or improvements and grant concession at the airport for aeronautical purposes or incidental purposes or for other purposes wherein the revenue is to be used for airport purposes; except that, no agreement shall be contrary to the existing joint agreement between the City of Laurinburg and the town for the operation of the facilities, or any condition or restrictions placed upon the property as a condition upon which it was obtained from the United States government or in violation of any related laws of the United States or the state.

(2001 Code,  8‑38) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑39 CONTROL AS TO REVENUES, EXPENDITURES.**

The Airport Commission shall have full control of all revenues received by reason of the airport or other aeronautical facilities and shall have power to expend all sums for aeronautical purposes as the Airport Commission deems proper and to pay over any surplus to the City of Laurinburg and to the town in proportion to their respective interests; however, this right may be limited by any restrictions or agreements whereby any of the property owned or controlled by the Airport Commission was obtained.

(2001 Code,  8‑39) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑40 BONDING FOR THE DISBURSEMENT OF FUNDS.**

The Airport Commission shall require an appropriate bond for any of its members or employees who shall have the authority to disburse funds controlled by the Airport Commission.

(2001 Code,  8‑40) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑41 AIRPORT COMMISSION FUND; ESTABLISHMENT, DEPOSITS.**

For the purpose of providing funds for the necessary expenditures in carrying out the provisions of this chapter, the Airport Commission shall establish an Airport Commission Fund into which the City of Laurinburg and the town shall deposit its proportionate share as provided by the joint agreement adopted by the two municipalities for the operation of the airport facilities and into which shall be paid all revenues obtained from the ownership, control and operation of the airport and other air navigation facilities jointly owned by the town and the City of Laurinburg and controlled by the Airport Commission.

(2001 Code,  8‑41) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑42 DISBURSEMENT OF FUNDS.**

All disbursements from the Airport Commission Fund referred to in  8‑41 shall be made by order of the Airport Commission, subject however, to the limitations as shall be contained in the agreement of the City of Laurinburg and the town adopted for the operation of the airport facilities. All funds under the control of the Airport Commission shall only be disbursed upon the signature of the Chairperson and one Commission member or the Chairperson or Vice‑Chairperson and the duly appointed fiscal agent of the Airport Commission.

(2001 Code,  8‑42) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑43 APPROVAL OF TOTAL ANNUAL EXPENDITURES.**

The total amount of expenditures to be made by the Airport Commission for any purpose in any calendar year shall be determined and approved by both the governing body of the City of Laurinburg and the Town Board of Commissioners.

(2001 Code,  8‑43) (Ord. 1993‑5(b), passed 1‑12‑1993)

**8‑44 ANNUAL REPORT AND BUDGET.**

The Airport Commission shall make a report at least annually to the governing body of the City of Laurinburg and the Town Board of Commissioners, giving information regarding the condition of the airport facilities and other property owned by the two municipalities. Included in this report shall be a budget adopted by the Airport Commission, setting forth the anticipated revenue and expenditures of the Airport Commission in the administration of its duties for the forthcoming year. The reports shall be made not later than the date fixed by the laws of the state for the adoption of annual budgets by municipalities, as provided in state law.

(2001 Code,  8‑44) (Ord. 1993‑5(b), passed 1‑12‑1993)