[MS-0348.030.016.038]



The contributions may be subject to such terms and conditions as the board, in its discretion, deems reasonable under the circumstances, and contracts may be entered into for that purpose.

(Added by Stats.1974, c. 814, p. 1773, § 2.)

**Library References**

Counties ⟹21½.
C.J.S. Counties § 49.

## Article 2
## AIRPORTS

**Section**

26020. Acquisition of airports; special tax; funds; issuance of bonds.
26021. County aid for aviation.
26022. Requisites of resolution for aid.
26023. Types of aviation aid.
26024. Payment of aid.
26025. Unused aid.
26026. Contributions to United States for aviation.
26027. Zoning ordinances; provision for airports.
26028. Zoning ordinances; provision for airports; notice to interested persons.

*Article 2 was added by Stats.1947, c. 424, p. 1135, § 1.*

**Library References**

Aviation ⟹211.
Counties ⟹21½, 47, 103, 161, 174, 192.
C.J.S. Aeronautics and Aerospace § 5 et seq.
C.J.S. Counties §§ 49, 81, 165, 231, 261, 281.

### § 26020. Acquisition of airports; special tax; funds; issuance of bonds

As a necessary adjunct to aerial transportation and the use of aerial highways, the board of supervisors may provide and maintain public airports and landing places for aerial traffic for the use of the public. For such purposes the board of supervisors may:

(a) Acquire by purchase, condemnation, donation, lease, or otherwise real or personal property, either within or without the incorporated territory of municipalities, necessary for such purposes, and improve, construct, reconstruct, lease, furnish, refurnish, use, repair, maintain, and control the property, including buildings, structures, and lighting and other equipment and facilities necessary for such use.

(b) Provide all necessary custodians, employees, attendants, and supplies for the proper maintenance of the property for the purposes specified in this section.

(c) In addition to all other taxes, levy in any year a special tax not to exceed three mills ($0.003) on the one dollar ($1) of assessed valuation on all taxable property in the county, the proceeds of which may be accumulated for not to exceed five years for use in carrying out the purposes of this section. A county board of supervisors shall not levy an airport tax as provided for by

this section on any airport district formed pursuant to the "California Airport District Act" (Part 2 (commencing with Section 22001) of Division 9 of the Public Utilities Code).

(d) Establish a fund or funds for such purposes and appropriate and transfer from the general fund to such fund or funds from time to time such money as it deems necessary.

(e) In the manner provided by law, incur a bonded indebtedness on behalf of the county.

(Added by Stats.1947, c. 424, p. 1135, § 1. Amended by Stats.1951, c. 1331, p. 3220, § 1; Stats.1967, c. 888, p. 2334, § 1.)

**Historical Note**

The 1951 amendment provided that the special tax proceeds may be accumulated for a time not to exceed five years.

The 1967 amendment provided that a board shall not levy an airport tax on any airport district formed pursuant to the California Airport District Act.

**Derivation:** Pol.C. § 4056c, added Stats. 1927, c. 404, p. 664, § 1.

**Cross References**

Acquisition or use of property for airport, see § 50470.
Assessment of taxable property, see Revenue and Taxation Code § 401 et seq.
Authorization for bonded indebtedness, see § 50472.
Eminent domain, aeronautics act, see Public Utilities Code § 21633 et seq.
Erection, maintenance and operation of airports, see § 50474.
General fund of county, see § 29301.
Power of eminent domain, see Const. Art. 1, § 19; Code of Civil Procedure § 1240.010 et seq.

**Library References**

Counties ⇐47, 103, 192.
C.J.S. Counties §§ 81, 165, 281.

**WESTLAW Electronic Research**

See WESTLAW Electronic Research Guide following the Preface.

**Notes of Decisions**

**Construction of facilities 1**
**Leases 2**

**1. Construction of facilities**

This section does not purport to touch upon the subject of the manner of construction of airport facilities. 13 Ops.Atty.Gen. 129.

**2. Leases**

When county acquired title to airport from irrigation district, county had right to obtain cancellation of invalid lease of airport by district to individual for rental of $1 a year. Allen v. Hussey (1951) 225 P.2d 674, 101 C.A.2d 457.

County supervisors may lease facilities at a county airport to private persons for a flying school if it does not interfere with other activities of the airport. 5 Ops.Atty.Gen. 99.

## § 26021. County aid for aviation

By a resolution adopted by a four-fifths vote of its members, the board may determine that the acquisition by purchase, condemnation, lease, or otherwise of real or personal property for the construction and completion of improvements necessary and convenient for any of the following purposes is of general county interest, and that county aid shall be extended for: