

AIRPORTS: The legislative body of a political subdivision which has established an airport may establish a board or body to administer the same.



January 29, 1946

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Mr. Hugh Denney, Director  
Missouri State Department of  
Resources and Development  
State Office Building  
Jefferson City, Missouri

Dear Sir:

General Taylor wishes to acknowledge receipt of your request from this department, which reads as follows:

"The Aviation Division of the State Department of Resources and Development has had many inquiries concerning Aviation law. We would like to have an official opinion as to whether or not a local legislative body of a city, including a city under special charter, village, town or county, which has established an airport or landing field, may vest authority for the construction, improvement, equipment, maintenance and operation thereof, in a board or body especially appointed or provided for by such city, village, town or county. In other words can a political sub-division of the State establish under law an Aviation Board, Airport Board or Airport Commission, to administer to the Aviation affairs of a political sub-division of the State."

In that regard, Section 15126, R. S. Mo. 1939, provides:

"The local legislative body of a city, including cities under special charter,

village, town or county which has established an airport or landing field and acquired, leased, or set apart real property for such purpose may construct, improve, equip, maintain, and operate the same, or may vest jurisdiction for the construction, improvement, equipment, maintenance, and operation thereof, in any suitable officer, board or body of such city, village, town or county, or may by franchise or contract authorize others, in whole or in part, to construct, equip, maintain, and operate the same. The expense of such construction, improvement, equipment, maintenance and operation shall be a city, village, town or county charge, in whole or in part, as the case may be. The local legislative body of a city, village, town, or county may adopt regulations and establish fees or charges for the use of such airport or landing field."

There is no restriction in this section as to classes of cities and it will include any political corporation of the state named therein.

Such Aviation Board, Airport Board or Airport Commission as referred to in your letter, may be established under the words "board or body of such city, village, town or county," as provided in Section 15126, R. S. Mo. 1939, supra, for the purposes designated.

#### Conclusion

It is the opinion of this department that the legislative body of a political subdivision of the state which has established an airport or landing field and acquired, leased, or set apart real property for such purpose, may establish a board or body to administer the construction, improvements,

Mr. Hugh Denney, Director

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equipment, maintenance and operation thereof.

Respectfully submitted,

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APPROVED:

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