
City of Phoenix Aviation Department Rules & Regulations

Number: R&R 03-03

Authority: This Rule and Regulation (Rule) is promulgated pursuant to Phoenix City Code, Chapter 4, Article I, Section 4-7; and Chapter 4, Article II, Section 4-38.

Rule and Regulation: Aircraft Removal and Indemnification of City

Definitions

Accident means a collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing which results in property damage, personal injury, or death; or an entry into or emerging from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person, or which results in property damage.

Aircraft means a device that is used or intended to be used for flight in the air.

Airport means all of the land, buildings, and facilities comprising Phoenix Sky Harbor International Airport (PSHIA), Phoenix Deer Valley Airport (PDVA), or Phoenix Goodyear Airport (PGA), including the Rental Car Center, as now existing or as the same may hereafter be expanded and developed, unless otherwise designated.

Aviation Director means the Aviation Director of the City of Phoenix or his or her designee.

FAA means the Federal Aviation Administration.

Owner means one with the right to exclusive use, control, or possession of the aircraft.

Pilot means the person responsible for the operation and control of an aircraft.

Removal of Damaged or Disabled Aircraft; Associated Costs

Aircraft owners and pilots shall be responsible for the expeditious removal of damaged or disabled aircraft and/or debris thereof upon approval of the Aviation Director, unless required or directed by the FAA and/or the National Transportation Safety Board to delay such action pending an investigation of an accident. In the event of failure by owner or pilot to expeditiously remove such damaged or disabled aircraft and/or debris thereof, or in the event that the Aviation Director deems it necessary for the safe and convenient operation of the airport, the Aviation Director may cause the aircraft and/or debris thereof

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to be removed and bill the owner or pilot of the aircraft at the time of the accident for all charges incurred in the removal. The City of Phoenix shall not be responsible for any damage to aircraft or debris thereof removed by the owner, the pilot, the City of Phoenix, or other persons.

The owner or pilot of an aircraft involved in an accident that occurs at an airport shall deliver to the Aviation Director a copy of the FAA accident report as soon after the accident as possible.

Unless stated otherwise on the invoice or modified by a contract provision, the owner or pilot of the aircraft at the time of the accident shall reimburse the City of Phoenix on presentation of an invoice for all charges incurred for the removal of damaged or disabled aircraft and/or any debris thereof and any related delinquent fees pursuant to Phoenix City Code Chapter 4, Article I, Section 4-7, as amended.

Indemnification

The aircraft owner and pilot shall indemnify, defend, save, and hold harmless the City of Phoenix and its officers, officials (elected and appointed), agents, and employees (hereinafter referred to as "Indemnatee") from and against any and all demands, claims, complaints, actions or causes of action, assessments, liabilities, damages, losses, costs, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation, and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property, caused, or alleged to be caused, in whole or in part, by the removal of the aircraft and/or debris thereof. In addition, the Indemnatee shall, in all instances, be indemnified by owner and pilot from and against any and all Claims due to the removal of the aircraft and/or debris pursuant to a request for removal thereof even though the Claim may arise out of the negligence or carelessness on the part of the City of Phoenix, or its agents or employees.

Through this Rule, the Aviation Director hereby delegates authority to the following classifications to act on behalf of the Aviation Director to coordinate and direct the removal of damaged or disabled aircraft and/or debris thereof at an airport:

Airport Manager, Deputy Aviation Director of Operations, Airport Duty Manager, Airside Superintendent, Airside Manager, Airside Supervisor, and Deputy Aviation Director for Facilities & Services.

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The inclusion of the above list of classifications does not preclude the Aviation Director from delegating authority to another classification as needed.

Note that this Rule is intended to supplement and not amend, repeal, or supersede the provisions of Phoenix City Code Chapter 4, Article I, Section 4-7 or Chapter 4, Article II, Section 4-38.

The foregoing Rule is hereby adopted and promulgated this 16th day of April, 2026.



Chad R. Makovsky, A.A.E.
Aviation Director



Carolina Potts
Assistant Chief Counsel *DK*