

824.

APPROVAL, BONDS OF VILLAGE OF GREENFIELD, HIGHLAND COUNTY, OHIO—\$4,300.00.

COLUMBUS, OHIO, September 3, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

825.

APPROVAL, BONDS OF VILLAGE OF WEST FARMINGTON, TRUMBULL COUNTY, OHIO—\$27,537.64.

COLUMBUS, OHIO, September 3, 1929.

Industrial Commission of Ohio, Columbus, Ohio.

826.

AIRPORT—MUNICIPAL—A PUBLIC UTILITY—HOW MANAGED—COUNCIL OF NON-CHARTER CITY MAY NOT CREATE BOARD FOR SUCH UTILITY'S CONTROL.

SYLLABUS:

1. *The authority given to municipalities in this state, by Section 3939, General Code, to purchase or condemn land necessary for landing fields for aircraft and transportation terminals, and rights of way for connection with highways and railways, gives to such establishments the character of a public utility, and all laws applicable to municipally owned utilities are applicable thereto.*

2. *The authority of a municipality in Ohio, to acquire, construct, own, lease and operate a municipal airport or landing field for aircraft, is not dependent upon the adoption by the municipality of a charter except as such authority may be limited, restricted or qualified by charter provisions.*

3. *Council of a non-charter city is without power to create by ordinance a municipal airport board to control the operations of a municipal airport. Such airport, if established, should be managed and supervised as provided by general laws, that is by the Director of Public Service in cities, and by a board of trustees of public affairs in villages, until such time as other provision is made therefor by municipal charter.*

COLUMBUS, OHIO, September 3, 1929.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—This will acknowledge receipt of your request for my opinion, which reads as follows: