



# **Dallas Executive Airport**

## **Rules and Regulations**

**February 2010**

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## Section 1. Definitions

The words and phrases included within this section should be understood as defined below with respect to Rules and Regulations documentation, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases. All definitions contained in 49 U.S.C. § 40101 et seq. (previously known as the Federal Aviation Act of 1958, hereinafter cited as "FAA Act") and all amendments thereto shall be considered as included herein; and all definitions shall be interpreted on the basis and intention of the FAA Act and amendments thereto unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases.

Abandon - as applied to property left at the Airport, means that the object has been left on City property or the property of another without consent of the City for forty-eight (48) hours without the owner moving or claiming it. Such property shall be impounded by the City police department.

Accident - a collision or other contact between any part of an aircraft or a 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.

Aeronautical activity - any activity or service that involves, makes possible, or is required for the operation of aircraft, or contributes to, or is required for, the safety of such operations. "Aeronautical activities" include, but are not limited to, charter operations (under either Federal Aviation Regulation (FAR) Part 121 or 135), charter brokerage, aircraft hangar leasing, pilot training, aircraft rental and sight-seeing, aerial photography, crop dusting, fire suppression, aerial advertising and surveying, aircraft sales, leasing and servicing, aircraft management, and sale of aviation petroleum products, whether or not conducted in conjunction with other included activities which have a direct relationship to the operation of aircraft, repair and maintenance of aircraft, sale of general aviation aircraft parts, and other activities which because of their relationship to the operation of aircraft can appropriately be regarded as an "aeronautical activity."

Aeronautical business permit - administrative approval issued by the Airport Manager to a person to conduct commercial aeronautical activity and provide such services to based and transient aircraft on the Airport only in facilities on the Airport at which such services are authorized.

Air traffic - aircraft in operation anywhere in the airspace and on that area of the Airport normally used for the movement of aircraft.

Aircraft - any device intended to be used, or designed, to navigate, or fly in the air.

Aircraft fuel - all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating: (a) an internal combustion engine; or (b) a jet or turbine engine.

Aircraft operation - an aircraft arrival at, or departure from, the Airport.

Aircraft parking and storage areas - those hangar and apron locations on the Airport designated by the Airport Manager for the parking and storage of aircraft, and such areas of the Airport designated for aircraft maintenance, engine run-up, and self-fueling.

Airport - the entirety of City-owned or leased real or personal property comprising Dallas Executive Airport as it currently exists or as it may hereafter be expanded and developed. "Airport" includes all of its facilities as shown on the most current Airport Layout Plan.

Airport Manager - the duly appointed manager of the Airport or the director's designee.

Airport Traffic Control Tower (ATCT) - the control tower located at the Airport.

Airside - the area of the Airport that is either contained within the Airport perimeter fence, or which requires access through a controlled access point.

Based aircraft - an aircraft: (1) which the owner physically locates at the Airport with no present intention of definite and early removal and with the purpose to remain for an undetermined period; (2) which, whenever absent from the Airport, its owner intends to return to the Airport for permanent storage or parking; and (3) whose presence on the Airport is something other than merely transitory in nature.

Based location - the location on the Airport that is listed as an aircraft's hangar, shade or tie down location as registered with the Airport Manager.

Commercial activity - the conduct of any aspect of a business, concession or service in order to provide goods or services to any person for compensation. An activity is considered commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt.

Director of Aviation - the duly appointed Director of Aviation for the City of Dallas.

Fuel handling - the transportation, delivery, fueling, and draining of fuel or fuel waste products, and the fueling of aircraft.

Fuel storage area - any portion of the Airport designated temporarily or permanently by the City as an area in which gasoline or any other type of fuel may be stored or loaded

General aviation - all phases of aviation other than aircraft manufacturing, military aviation, and scheduled or non-scheduled commercial operations.

Hazardous material - any hazardous or toxic substance, waste or material:

- A. the presence of which requires investigation, removal and/or remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or common law;
- B. which is or becomes subject to regulation under any federal, state or local statute, regulation, rule or ordinance or amendments thereto;
- C. which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, teratogenic, or otherwise hazardous, and is or becomes regulated by any

- governmental authority, agency, department, commission, board, agency or instrumentality of the United States, the State of Texas or any political subdivision thereof; or
- D. which, without limitation, contains trichloroethene ("TCE"), 1,1,1 - trichloroethane ("TCA"), 1,1 - dichloroethene ("DCE"), tetrachloroethene ("PCE"), 1,2-dichloroethene, chloroform, gasoline, diesel fuel, propane or other petroleum hydrocarbons, polychlorinated biphenyls ("PCBs"), asbestos, urea formaldehyde foam insulation or radon gas.

Landside - the general public-use common areas of the Airport such as public roadways, parking lots and buildings which are not contained in the airside area.

Local aircraft operations - aircraft operating in the local air traffic pattern or within sight of the air traffic control tower; aircraft that are known to be departing for, or arriving from flight in local practice areas located within a twenty-five (25) mile radius of the air traffic control tower; or aircraft making simulated instrument approaches or low passes at the Airport.

Major aircraft alterations and repair - major alterations and/or repairs of the parts or of the types listed in FAR Part 43x.A.a and 43x.A.b.

Movement area - the runway, taxiways and other areas of the Airport which require permission from air traffic control prior to entering. The designation of movement areas shall apply at all times including hours when the Airport traffic control tower is closed.

Owner of an aircraft - a person who holds legal title to an aircraft, or any person having exclusive possession of an aircraft pursuant to a written lease for a minimum term of twelve (12) months.

Park or parking - the standing of an aircraft or vehicle, whether occupied or not.

Pedestrian - any person traveling on foot.

Permission or permit - permission granted by the City.

Person - the state, county, a political subdivision of the state, other governmental entity, a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual. Person includes a trustee, receiver, assignee or similar representative.

Preventive aircraft maintenance - maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations as listed in FAR Part 43x.A.c, except that item 22, replacing prefabricated fuel lines, shall, for purposes of these regulations, be considered major aircraft repair.

Public area - those areas normally used by the general public, including structures and devices such as roadways, sidewalks and terminal facilities that are maintained and kept at the Airport for use by the general public.

Roadway - any street or road whether improved or unimproved, within the boundaries of the Airport and set aside or designated for use by vehicles, whether dedicated or not.

Smoking - burning or carrying any lighted cigarette, tobacco or any other weed or plant, or placing any burning tobacco, weed or plant in an ashtray or other receptacle and allowing smoke to diffuse into the air.

Taxilane - the portion of the Airport apron area, or any other area, used for access between taxiways and aircraft parking and storage areas.

Taxiway - a defined path established for the taxiing of aircraft from one part of the Airport to another.

Technical specialist - a technical representative of an aircraft manufacturer, aircraft engine manufacturer, aircraft appliance manufacturer, or a non-destructive inspection specialist.

Traffic pattern - the traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from the Airport.

Vehicle means a device, except aircraft, in, upon, or by which any person or property is or may be propelled or moved, except a device moved by human power.

Vehicle parking area - any portion of the Airport designated and made available temporarily or permanently by the City for the parking of vehicles.

## **Section 2. Use of Airport Restricted**

No person, partnership, firm, association, corporation or entity, incorporated or otherwise, shall use the Airport for any commercial activity, unless approved by a written permit from the City Council or its duly authorized agent.

## **Section 3. General Rules and Regulations**

The following Rules and Regulations shall be observed in the use and operation of the Airport:

**Rule 3-1. Federal Air Traffic Rules** of the Federal Aviation Administration (FAA) for aircraft operated within the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part hereof as though fully set forth and incorporated herein.

**Rule 3-2. Safeguard of Persons and Property** – The Airport Manager shall at all times have authority to take necessary and legal actions to safeguard any person, aircraft, equipment, or property at the Airport. No person shall make any alterations to any signs, buildings, aircraft parking and storage areas, leased areas or other Airport property, nor erect any signs, buildings or other structures without prior written permission of the Airport Manager.

No aircraft shall be operated within the City in a careless, negligent or reckless manner, or in disregard of the rights and safety of others, or in an unmaintained or otherwise hazardous condition, or without due caution and circumspection, or while any person controlling the aircraft would be prohibited by law from operating an

automobile on the public streets with the City due to alcohol or drug influence or impairment, or at a speed or in a manner which endangers, or is likely to endanger, persons or property.

No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools without permission of the owner, or under the specific direction of the Airport Manager in an emergency.

**Rule 3-3. Through-the-Fence Operations Prohibited** – No private individual, Partnership, FBO, company, or corporation shall be permitted direct ground access to the Airport by their aircraft, customers' aircraft, or private vehicle from the property adjacent to or in the immediate vicinity of the Airport. Furthermore, no private individual, partnership, company, corporate, or customers' aircraft or vehicle shall be permitted direct ground access to property from the Airport – a practice commonly known as a "through-the-fence operation." Under extenuating circumstances, the City Council may request approval from TxDOT Aviation Division for certain through-the-fence operations on a case by case basis.

**Rule 3-4. Lien for Charges** – To enforce the payment of any charge for repairs, improvements, storage, or care of any personal property by the City or its agents in connection with the operation of the Airport, the City may place a lien upon such personal property, which shall be enforceable as provided by law.

**Rule 3-5. Lien Possessory Right** – To enforce the payment of any such charge, the Airport Manager may retain possession of such personal property until all reasonable, customary, and usual compensation has been paid in full.

**Rule 3-6. Unauthorized Signs and Equipment** – No signs, non-aeronautical equipment, portable buildings, or trailers may be erected, moved-in, or installed on Airport property, except as may be specifically authorized by the Airport Manager.

**Rule 3-7. Surreptitious Activities** – Any person observing suspicious, unauthorized or criminal activities should report such activities immediately to the Airport Manager, local police, officers of the Texas Department of Public Safety, and the Transportation Security Administration General Aviation Information Hotline at 1-866-GASECUR(E) or 1-866-427-3287.

**Rule 3-8. Disabled or Wrecked Aircraft** – Every aircraft owner, his/her pilot or agents, shall be responsible for notifying FAA and promptly removing disabled or wrecked aircraft from the operational areas of the Airport, under the direction of the Airport Manager. In the event of failure to promptly remove such disabled aircraft, the Airport Manager may cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The City shall not be responsible for damage to disabled aircraft removed by the owner, the pilot, the City or other persons.

**Rule 3-9. Repairs to Aircraft** – No aircraft shall be repaired on any part of the landing or takeoff area. All outside repairs shall be made only at places designated by the Airport Manager for such purpose. Major engine, airframe, or avionics repairs shall be conducted by a properly licensed mechanic or other person authorized by the FAA within a hangar or building rented, leased, or owned for such commercial purposes.

Any preventative maintenance authorized by FAR Part 43 may be made by the owner or operator of any aircraft, but only within a hangar leased or owned by that aircraft owner or operator or at places designated by the Airport Manager for such purpose.

Aircraft maintenance shall only be conducted in areas designated by the Airport Manager and shall only be used for preventative aircraft maintenance and in accordance with the posted rules at each maintenance area. Major aircraft alterations and repairs are prohibited on the Airport except in hangars, where it can be demonstrated that the area of alterations and repairs is equipped with oil/water interceptors into the sanitary sewer system, or other preventative measures are taken as approved by the Airport Manager, and are conducted:

- A. by a person holding a valid aeronautical business permit for such activity; or
- B. by the owner of the aircraft with an approved aircraft maintenance permit under the provisions provided in these regulations.

**Rule 3-10. Damage to Airport** – No person shall destroy, deface, injure or disturb in any way Airport property or conduct at the Airport activities that are injurious, detrimental or damaging to Airport property or to activities and business of the Airport. Any person causing, or liable for any damage shall be required to pay the City on demand the full cost of repairs. Any person failing to comply with this section shall be in violation of these regulations and may be refused the use of any Airport facility until the City has been fully reimbursed for damage done.

**Rule 3-11. Injury to Person** – Persons entering the Airport groundside property by automobile, other vehicular conveyance, or on foot (does not include persons in aircraft using approved airside facilities) do so at their own risk and with no liability incurring to the City for any injury or damage to person or property. Further, any person desiring to use the Airport shall observe and obey all laws, resolutions, orders, rules, and regulations promulgated and enforced by the City or by any other Authority having jurisdiction over the operation of the Airport.

**Rule 3-12. Licensed Pilots** – Only aircraft with current and correct FAA Certificates of Registration and Airworthiness and persons holding valid and current airman and medical certificates issued by the FAA, for those flight operations requiring medical certificates, shall be authorized to operate aircraft upon the Airport except as provided in this ordinance/order. This limitation shall not apply to student-in-training under licensed instructors or to public aircraft of the Federal government or of a State, Territory, or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has reciprocal agreement covering the operation of such licensed aircraft. Use of the Airport by ultralight aircraft (FAR 103) and light sport aircraft in the weight shift control and powered parachute class shall be subject to approval by the City Council and shall be in accordance with FAA Order 5190.6 (latest change) and appropriate FARs Part 61 and 103 and any other rules established by the City.

**Rule 3-13. Registration** – Each person owning an aircraft based at the Airport, or any person based and receiving flight instruction toward an FAA rating at the Airport shall register at the office of the Airport Manager their name, address, telephone



number, aircraft model, aircraft registration "N" number, and the name, address and telephone number of their next of kin or person to be notified in case of an accident or emergency.

**Rule 3-14. Animals** – No person shall enter the Airport with a dog, cat, or other animal unless the animal is, and remains, restrained by a leash or properly confined as determined by the Airport Manager.

**Rule 3-15. Living Quarters** – No person may make permanent living quarters on Airport property.

**Rule 3-16. Intoxicants and Narcotics Prohibited** – No person under the influence of any intoxicant, narcotic, or other illicit drug shall operate or fly in any aircraft to or from the Airport. Such prohibition shall not apply to a passenger under the care of a medical doctor and accompanied by a doctor, nurse, or caretaker.

No person shall:

- A. Commit any disorderly, obscene or unlawful act or commit any nuisance on the Airport.
- B. Drink any intoxicating liquor upon any portion of the Airport open to the public, except in such restaurant facilities as may be lawfully established or other place as shall be properly designated and licensed for on-sale liquor dispensing by the City or for the purpose of a special event that has received a special event permit where alcohol is not for sale.
- C. Become intoxicated on any portion of the Airport.
- D. No intoxicated person shall enter upon or loiter on or about the Airport, any of its facilities, or any City-owned property.

**Rule 3-17. Foreign Objects** – No foreign objects, including bottles, cans, scrap, nuts, bolts, nails or any object that may cause damage to an aircraft shall be left upon the floor of any building or upon any part of the surface area of the Airport. Individuals are encouraged to pick up such foreign objects when observed and place them in a trash receptacle.

**Rule 3-18. Waste Disposal and Containers** – No boxes, crates, cans, bottles, paper, tall grass, weeds, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter shall be permitted to accumulate in or about a hangar, building, or other leased space. If such trash and litter is permitted to accumulate around privately owned, rented, or leased hangar/building, the Airport Manager shall notify the hangar/building owner, renter or lessee by registered letter to remove the offending litter. If within ten (10) work days after the receipt of the letter the hangar/building owner, renter, or lessee has not removed the trash and litter as directed, the Airport Manager may have the area cleaned and the cost for such cleaning shall be charged to the hangar/building owner, renter, or lessee.

All Airport tenants, users, or visitors shall dispose of all waste in the appropriate waste containers. Types of waste containers and the location of waste accumulation areas shall be designated by the Airport Manager and no other containers or areas shall be used. Containers for recyclable materials shall be used in strict accordance with the rules posted for such use. Waste water shall not be disposed of in storm water drainage or dirt/grass areas under any circumstances. Waste water may be disposed of in sanitary sewer or sink drains, unless the waste water contains petroleum or hazardous materials or hazardous waste. No petroleum products, industrial waste matter, batteries, or other hazardous materials shall be dumped or otherwise disposed of except in accordance with local, county, state and federal law.

**Rule 3-19. Commercial Photography** – No person shall take still, motion or sound pictures of, or at, the Airport for commercial purposes without first receiving a duly-authorized permit from the City, written approval from the Airport Manager, and paying the appropriate fee(s).

**Rule 3-20. Advertisements** – No person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airport without written permission from the Airport Manager.

#### **Section 4. Ground Operations**

**Rule 4-1. Air, Ground & Vehicular Traffic** – No person shall operate a vehicle on the Airport except in accordance with the following rules, and all federal, state, and local law:

- A. All vehicles shall yield right of way to aircraft in motion and emergency vehicles.
- B. No person shall operate a vehicle of any kind on the Airport without a current motor vehicle operator's license.
- C. All vehicles shall maintain the appropriate type and amount of vehicle liability insurance required by state law.
- D. No vehicle except ground service and emergency vehicles shall approach so close to any aircraft with running engine(s) as to create a hazard.
- E. All vehicles entering or exiting an operating Airport gate shall wait for the gate to completely close behind them before proceeding to their destination so as to not allow the entry of any other vehicle.
- F. Any vehicle authorized to operate on the Airport runways or taxiways shall display a rotating or steady beacon that complies with FAA Advisory Circular 150/5210 (latest change).
- G. No vehicle shall be operated on the runway and taxiways unless so authorized in writing by the Airport Manager. All vehicles that are authorized to operate on taxiways or the runways must be equipped with a two-way aviation radio, and must receive a clearance from, and remain in continuous communications with,

the Airport Traffic Control Tower (ATCT) when the ATCT is operating. When the ATCT is not operating, any vehicle authorized to access the taxiways or runways is required to monitor the published Common Traffic Advisory Frequency (CTAF) for the Airport, and have the ability to communicate with aircraft via two-way aviation radio.

- H. The Airport Manager may cause to be removed from any area of the Airport any vehicle which is disabled, abandoned, parked in violation of these regulations, or which presents an operational problem to any area of the Airport, at the operator's expense and without liability for damage which may result in the course of such movement.
- I. No person shall load or unload more than ten (10) passengers to or from a vehicle in the airside area unless otherwise authorized in writing by the Airport director, and in no event at any place other than that designated by the City.
- J. Vehicles parked in an aircraft parking and storage area shall be parked in a manner so as to be completely contained in the aircraft parking or storage space and not obstruct adjacent aircraft parking and storage areas, or taxilanes unless for the purposes of immediate and temporary loading, unloading, or staging of an aircraft.

**Rule 4-2. Speed Limits** – All vehicles shall be operated within the posted speed limits at the Airport. The maximum speed limit for all vehicles in the airside area, with the exception of authorized municipal vehicles in the performance of their duties, is fifteen (15) miles per hour, unless posted otherwise.

**Rule 4-3. Airport Perimeter Road** – The Airport perimeter road shall only be used by authorized vehicles with appropriate signage as determined by the Airport Manager, which include all Airport administration vehicles, governmental vehicles, and other vehicles with prior written approval from the Airport Manager.

## Section 5. Airport Security

**Rule 5-1. Security** – The Transportation Security Administration publication "Security Guidelines for General Aviation Airports", Information Publication A-001 dated May 2004, is available for reference at their website – [www.tsa.gov/](http://www.tsa.gov/). This document is used by the Airport as a guideline to security on the Airport and is incorporated as a working document.

- A. No person shall enter the airside area, except as necessary for the lawful use of an aircraft thereon, or to conduct a permitted business activity and with the consent of the Airport Manager.
- B. No person shall enter any area posted as being closed to the public, except with the consent of the Airport Manager.

- C. No person shall enter into, remain in or place in, or remove any object from, any hangar, T-shade or other building at the Airport without prior written consent of the City or the person with the legal right of possession of such building.

**Rule 5-2. Access Codes/Devices** – Persons who have been provided either a code or device for the purpose of obtaining access to the Airport shall not divulge, duplicate, or otherwise distribute the same to any other person, unless otherwise approved in writing by the Airport Manager. Violation of the aforementioned regulation may result in the loss of access privileges.

## **Section 6. Aircraft Operation Rules**

**Rule 6-1. Aircraft Tie Downs** – No person shall operate a vehicle on the Airport except in accordance with the following rules, and all federal, state, and local law:

- A. All aircraft not hangared shall be tied down and additionally should have the wheels chocked when remaining overnight and during inclement weather.
- B. All aircraft owners or their agents are responsible for the tie down or security of their aircraft at all times and particularly during inclement weather.
- C. Aircraft parked overnight on the transient apron shall pay a tie down fee of \$25 for each night, except that such fee may be waived upon purchase of fuel or services.

**Rule 6-2. Aircraft Hangars** – The use of aircraft hangars are expressly for the storage and parking of aircraft. Aircraft hangars and associated aircraft equipment and supplies are provided through the Airport's Fixed Based Operators (FBOs) as approved by the City and Airport Manager. Additional regulations related to the storage of aircraft may also be enacted by FBOs and are enforceable under the terms of their hangar lease agreement. Aircraft parked in hangars shall be parked in a manner so as to be completely contained in the aircraft parking space and not obstruct adjacent aircraft parking and storage areas or taxilanes, except for purposes of immediate and temporary staging and fueling of such aircraft.

Use of aircraft storage hangars shall be subject to the following restrictions:

- A. Major aircraft alterations and repairs may be performed in hangars on the based aircraft with prior written approval of the Airport Manager and the City Fire Department, unless otherwise approved by a lease with the City.
- B. Where no personnel exit is provided, the sliding hangar doors shall remain open thirty-six (36) inches while the hangar is occupied by any person.
- C. Oily rags, oil wastes, rags and other rubbish and trash may only be stored in containers with secondary containment and self-closing, tight-fitting lids as approved by the Airport Manager or City Fire Department.

- D. Major aircraft alterations and repairs or preventive aircraft maintenance may be conducted on based aircraft at the based location as approved in writing by the Airport Manager.
- E. Oxygen or any combustible compressed gas in a cylinder or portable tank must be secured to a fixed location or secured to a portable cart designed for the cylinder(s) or tank(s). Compressed gas cylinders or tanks must have pressure relief devices installed and maintained. Cylinders or tanks not in use shall have a transportation safety cap installed.
- F. Batteries shall only be charged while the owner, operator or tenant is in attendance. Aircraft batteries shall not be connected to a charger when installed in an aircraft located inside or partially inside a hangar.
- G. Aircraft hangars shall be subject to annual and periodic inspections by the Airport Manager and City Fire Department to ensure compliance with all laws, ordinances and these regulations.

**Rule 6-3. Running Aircraft Engines**

- A. Aircraft not equipped with adequate brakes shall not be started until the wheels have been set with chocks attached to ropes or other suitable means of removing them.
- B. No aircraft will be left running without a qualified person at the controls.
- C. No aircraft engine shall be started or run inside any building or hangar.
- D. No engine shall be started, run up, or warmed up until the aircraft is in such position that the propeller stream or jet blast will clear all buildings, other aircraft, and groups of people.
- E. All aircraft preflight engine run-ups shall be conducted in the appropriate run-up areas located at each end of the runway. Except in an emergency, all aircraft engine run-ups for maintenance testing purposes shall be conducted between the hours of 7:00 a.m. and 10:00 p.m., in accordance with the posted rules.

**Rule 6-4. Damage to Airport Lighting** – Any person damaging any runway, ramp, or taxiway light or fixture by operation of aircraft or otherwise, shall immediately report such damage to the Airport Manager. Persons causing damage to runway or taxiway lights as a result of negligent operation of an aircraft or willful acts will be liable for replacement cost of the light(s) and/or fixture(s) and may be charged with a misdemeanor as provided in Section 10 of this order.

**Rule 6-5. Taxiing Aircraft**

- A. No person shall taxi an aircraft until it is reasonably ascertained there will be no danger of collision with any person or object in the immediate area.

- B. Aircraft will be taxied at a safe and prudent speed and in such manner as to be under the control of the pilot in command at all times.
- C. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant (wing-walker) is at a wing of the aircraft to assist the pilot.
- D. Aircraft shall not taxi onto the runway from the ramp and taxiway area if there is an aircraft approaching to land or on the ground in takeoff position. Aircraft waiting on the taxiway for another aircraft to take off or land will remain behind the runway holding position markings.
- E. Aircraft shall not be taxied by engine power into or out of any hangar.
- F. ATCT Airports - Taxi operations in the movement area will be as directed by the ATCT, when the Tower is operating. When the ATCT is not operating, and for taxiing operations in other than the movement area, these operations shall be as stated in Rule 5-4, A to E.

**Rule 6-6. Parking Aircraft**

- A. No person shall park, leave parked, or allow to remain stationary any aircraft at the Airport except within an aircraft parking and storage area. Unoccupied aircraft shall not be parked or tied down within any protected area (object free area, runway safety area, etc.) as described in FAA AC 150/5300-13 (latest change) and all aircraft not hangedared shall be parked in the areas designated by the Airport Manager for that purpose.
- B. Aircraft shall be parked within fifty (50) feet on an aircraft fuel pump, or fuel service truck parking area.
- C. Aircraft shall not be parked in such a manner as to hinder the normal movement of other aircraft and traffic unless specifically authorized y the Airport Manager as an emergency measure.
- D. It is the responsibility of the pilot in command when leaving a parked aircraft unattended to see that the brakes are set and/or it is properly chocked and/or tied down.
- E. The prolonged storage of damaged/dismantled aircraft or aircraft that appear to be un-airworthy in aircraft shades, tiedowns or other unscreened areas of the Airport shall not exceed thirty (30) calendar days after written notification from the Airport Manager. The aircraft owner is required to diligently correct such condition as soon as possible to prevent an unsightly Airport appearance.
- F. If any aircraft is parked in violation of this section or, in the determination of the Airport Manager, presents an operational or safety concern in any area of the Airport, the Airport Manager may cause the aircraft, at the owner's/operator's expense, to be moved by a representative of a fixed base operator. The City

shall not be liable for any damages which may result from the relocation of the aircraft.

**Rule 6-7. Wash Racks** – Wash racks shall be used for purposes of washing and polishing aircraft, and any other purpose approved by the Airport Manager. Runoff shall be collected and properly disposed of in a manner acceptable to the Airport Manager, in accordance with all federal, state, county and local law.

All aircraft washing shall be conducted in accordance with posted rules, with biodegradable soap, and without the use of solvents or degreasers, only:

- A. At approved wash racks/pads, or
- B. By mobile aircraft washing services operators in accordance with their Approved Wash Plan (AWP).
- C. City-owned wash racks/pads shall only be used for the purposes of aircraft washing and polishing, or preventive aircraft maintenance.

In no case shall aircraft washing be conducted within fifty (50) feet of storm water drainage or dirt/grass areas without containment (berm, tarp, etc.), nor shall wash/waste water be disposed of in storm water drainage or dirt/grass areas.

**Rule 6-8. Loading and Unloading Aircraft** – Loading and unloading aircraft with the engine running is prohibited. Exception will be approved by the Airport Manager.

**Rule 6-9. Authority to Suspend Operations** – The Airport Manager may suspend or restrict any or all operations whenever such action is deemed necessary in the interest of safety. In the event the Airport Manager believes the conditions of the Airport are unsafe for landing or takeoffs, it shall be within the manager's authority to close the entire Airport or any part thereof.

**Rule 6-10. Aircraft Accident Reports** – Any persons involved in an aircraft accident occurring on the Airport, within the City, or that involves aircraft which departed from or were enroute to the Airport, shall make a full report thereof to the Airport Manager as soon after the accident as possible, but in no event later than the time required for reporting the accident to the FAA or to any other governmental agency, or within forty-eight (48) hours of the accident, whichever is sooner. The report shall include the names and addresses of the persons involved, and a description of the accident and its cause. When a written report of an accident is required by federal or state law, regulation, or agency, a copy of such report shall also be submitted to the Airport Manager.

**Rule 6-11. Emergency Locator Transmitter (ELT)** – At a safe and appropriate time after takeoff and after landing prior to engine shutdown, pilots should tune their aircraft radios to the emergency frequency (121.5 or 243.0) and listen to determine if their, or any, aircraft ELT is transmitting. If your ELT is transmitting after takeoff or landing, turn off the ELT and advise the FAA Automated Flight Services Station for the area via radio or telephone (800-WX-BRIEF or 800-992-7433) that your ELT was

accidentally turned on. Provide the time and location of activation, if known, and the time and location of deactivation. 406 Mhz ELTs should be checked for normal operation as part of the preflight/post flight checks.

**Rule 6-12. Standard Traffic Pattern, Altitude and Noise Abatement** – When the ATCT is operational, all aircraft will follow traffic guidance provided by the ATCT. All flight activity will adhere to FAA Advisory Circular 90-66 (latest change) "Recommended Standard Traffic Patterns and Practices for Aeronautical Operations at Airports without Operating Control Towers", also depicted in the Aeronautical Information Manual when the ATCT is closed or not operational.

Recommended traffic pattern altitudes are 1000 feet Above Ground Level (AGL) for piston powered airplanes and 1500 feet AGL for turbine powered airplanes. Helicopters will operate as to not obstruct the normal traffic pattern. The use of standard traffic patterns does not alter the responsibility of each pilot to see and avoid other aircraft.

Arrivals and departures to and from the Airport shall avoid flight over populated, residential or noise sensitive areas whenever possible, consistent with safety. Operators are requested to use NBAA standard noise abatement departure procedures.

**Rule 6-13. Clearing Public Right of Ways** – No aircraft shall takeoff or land in such manner as to clear any public street or highway at an altitude of less than fifteen (15) feet, or seventeen (17) feet over an interstate highway, twenty-three (23) feet over a railroad, or twenty-seven (27) feet over a coastal waterway, or the clearance height of the tallest bridge over the waterway, nor land or take off on the taxiway or over hangars or other structures, automobile parking areas, or groups of spectators. (Ref: FAR Part 77).

**Rule 6-14. Takeoffs on Other Than Runways** – Takeoffs or landings shall not be made on the apron, parking ramp, taxiway, or any area other than designated runways by airplanes, gyroplanes, power lift, balloons, airships, ultralight, or light sport aircraft except by prearranged permission from the Airport Manager or in emergencies. Helicopters may operate to and from designated helicopter landing areas.

**Rule 6-15. Landing and Takeoffs of Aircraft**

- A. Takeoffs and Landings Allowed, Tower not Operating – Low approach, full stop, touch and go, or stop and go landings may be made at the discretion of the pilot in command. Pilots remaining in the traffic pattern making landings should broadcast on the CTAF their pattern direction of turn and their landing (low approach, full stop, touch and go, stop and go) intentions at least by the final segment leg. All aircraft departing shall clear the traffic pattern for traffic before taxiing into takeoff position. See FAR91.113 (g).
- B. Tower Operational – When the tower is operating, the tower controller will direct traffic. When the tower is not operating, the guidelines of Rule 5-13 A. will be used. The movement areas and non-movement areas are depicted on the FAA's Airport/Facility Directory and Airport Layout Plan.



- C. No aircraft shall make a one-hundred eighty (180) degree turn after landing on a runway unless instructed to do so by the Airport traffic control tower.
- D. Landing aircraft shall clear the runway as soon as practical, consistent with safety, taxiing ahead to the nearest turn-off.
- E. Except in an emergency, no rotorcraft equipped with skid-type landing gear shall perform run-on landings or any other maneuver that would cause the skids to slide upon the pavement surface.

**Rule 6-16. Preferred Runway, Tower Not Operating** – If the winds are calm or at a ninety (90) degree crosswind to Runway 17/35, the preferred takeoff and landing runway is 13/31. During periods when the Tower is operating, the ATCT will determine the preferred runway based on wind conditions.

**Rule 6-17. Aircraft Wingspan and Weight Restrictions** – Aircraft shall not occupy a hangar or tiedown, nor shall aircraft be operated in areas of the Airport such as taxiways or taxilanes, where the aircraft's wingspan and/or weight exceeds the maximum approved designation for that area as specified by the Airport Manager or as established by the design standards set forth in FAA Advisory Circular 150/5300-13 Airport Design (latest version) and published on the Airport Layout Plan.

**Rule 6-18. Student Training, Local Operations**

- A. Flight instructors shall avail themselves and their students of all Rules and Regulations, including local rules and FARs in effect at the Airport.
- B. The Airport Manager may designate and advise Airport users via public posting and electronic transmission of limited areas of the Airport and local areas sanctioned by the FAA for practice flying and student training.

**Rule 6-19. Agriculture Spraying Operations** – Agricultural (Ag) spraying operations will be conducted in accordance with procedures approved by the Airport Manager and made know to all persons conducting agricultural spraying operations. Ag operations shall be accomplished in accordance with the standards of the Environmental Protection Agency and the Texas Commission on environmental Quality in an area so designated by the Airport Manager. Each Ag operator shall carry liability insurance in the amount of \$2 million dollars, payable to the City/County for the cleanup of any hazardous chemical spills on the Airport property caused by the Ag operator.

**Rule 6-20. Special Procedures, Parachuting**

- A. The Airport Manager may, in the interest of safety, designate special traffic procedures for certain operations, such as helicopters, air shows or aviation fly-ins, agricultural operations, gyroplanes, powered lift, gliders, balloons, airships, ultralights, and light sport aircraft in the weight shift control or powered parachute class Any such change from standard procedures shall be published in the FAA's Airport/Facility Directory if of a permanent nature or the Airport Manager shall issue a NOTAM if such change is if a temporary nature.

Permanent changes requiring filing through TxDOT Aviation Division to the FAA. Temporary closing of a portion of the Airport for special events will be approved by the FAA, through TxDOT Aviation Division. See FAA ORDER 5190.6 (latest change)

- B. Parachute descent onto the Airport property shall not be permitted without the recommendations of the City/County/Airport Advisory Board and the written approval of the City Council/Commissioners Court. The Airport Manager may develop operating procedures and designated landing areas for parachute operations.

**Rule 6-21. Model Aircraft, Kites, Fireworks, etc.** – No person shall fly or release a model aircraft, rocket, kite, fireworks, balloon, parachute, etc., within two (2) miles of the Airport as such activity would create a hazard to aircraft operations, or as otherwise determined by the Airport traffic control tower or the Airport Manager. Model A/C operations for specific aeronautical events such as fly-ins or air shows may be approved for specific times by the Airport Manager.

## **Section 7. Fueling, Flammable Fluids, and Fire Safety**

### **Rule 7-1. Fueling Aircraft**

- A. All aircraft fueling, fuel equipment, and procedures will be in accordance with Manual 407 – “Standard for Aircraft Fuel Servicing, 2007 edition,” (or as revised) published by the National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02169-7471, 800-344-3555, <http://catalog.nfpa.org> and the Airport’s manual on “Regulations for Aviation Fuel Vending and Self-Fueling Operations”.
- B. All transportation, storage and other handling of aircraft and vehicle fuel shall comply with the International Fire Code, 2000 Edition, (or current edition) as published by International Code Council, Inc. and FAA Advisory Circular 150/5230-4, (latest change).
- C. All aircraft shall be fueled clear of all hangars, other buildings, and aircraft by at least fifty (50) feet.
- D. Fueling trucks shall not be parked within any building or hangar or within 50 feet of any building, hangar, or parked aircraft. Fuel trucks shall be parked with at least ten (10) feet separation between vehicles.
- E. Aircraft fuel storage tanks for below-ground or above-ground use will be constructed and installed, registered, monitored for leakage, operated, and maintained in accordance with Federal and State statutes, rules, and regulations promulgated by the Environmental Protection Agency and the Texas Commission on Environmental Quality.

- F. Aviation or auto fuels shall not be stored within a hangar or building except in approved five (5) gallon or smaller containers manufactured and marked for such purpose and only with the approval of the Fire Marshall.
- G. Persons or businesses wishing to dispense fuel into the privately owned aircraft shall not be denied, however, they must meet all reasonable requirements the City/County places on other fuel suppliers, public or private. Private fueling facilities located on leased or private property must be installed and the fuel dispensed in accordance with all rules applicable to aircraft fueling and fire safety contained herein.
- H. Public sale of automobile gasoline for use in aircraft will not be permitted on the Airport without written approval of the Airport Manager. Aircraft authorized by the FAA to use auto gasoline may be privately fueled by the owner in a location designated by the Airport Manager in accordance with all rules appertaining to aircraft fuel and fire safety contained herein.
- I. All aviation fuel storage tanks, aviation fuel pumps, hydrant fuel services, and aircraft fuel service vehicles, whether publicly or privately owned, shall have the type of aviation fuel dispensed printed in large block letters, including octane if aviation gasoline, plus the fuel I.D. number, and "NO SMOKING" signs. This information shall be printed on all sides of the fueling tanks, pumps, etc so the information is visible from any direction on the ground.
- J. Fuel spills in excess of one gallon must be reported to the Airport Manager and immediate action taken by the spilling entity to clean up the spill in accordance with all local, state, and federal regulations.
- K. Persons shall not fuel an aircraft in a manner that overfills the tank(s) or causes the tank(s) to leak fuel through its vent. In the event of spillage or dripping of gasoline, oil, grease or any material that may be unsightly or detrimental to the Airport, the same shall be removed immediately and the incident reported to the Manager within two hours. The responsibility for the immediate removal of such gasoline, oil, grease or other material shall be assumed by the operator or owner of the equipment causing the same or by the tenant or concessionaire responsible. In the event of such spillage, and the failure of the operator or owner to restore the area to its original safe and environmentally sound status, the City may clean up any material unlawfully spilled, placed or otherwise deposited at the Airport and may charge the responsible person(s) for the cost of the cleanup, any required environmental remediation, and any expenses incurred by, or fines or damages imposed on, the City as a result thereof.
- L. Fueling of boats, motor homes, ATVs or other recreational vehicles is prohibited in the airside area.

**Rule 7-2. Fuel Flowage Fee** – Any person, corporation, partnership, association, or business entity of any kind, or any person acting for or through them, including, but not limited to, any wholesale fuel distribution company, who delivers fuel to a fuel storage tank or who delivers fuel obtained from a source not on the Airport directly into any aircraft on the Airport must pay the amount of \$0.07 per gallon of fuel delivered.

Payment to the City or County of all fuel flowage fees must be made not later than the fifteenth (15) day of the month following the date of the fuel delivery.

Payment of fuel flowage fees shall be accompanied by a report in a form approved by the Airport Manager that indicates the amount of fuel delivered to the Airport during the preceding month. Military aircraft conducting operations which require fueling from U.S. Government facilities are exempt from fuel flowage fees.

**Rule 7-3. Fire Safety**

- A. Every person using the Airport or its facilities in any manner shall exercise the greatest care and caution to avoid and prevent fire.
- B. Smoking or open flame within fifty (50) feet of any fuel tank, fuel pump, or fuel truck is prohibited.
- C. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Manager.
- D. No flammable substance shall be used for the cleaning of any aircraft part or anything inside a hangar, T-hangar, or other building upon the Airport.
- E. No one shall smoke or ignite a match or lighter in any building, hangar, or public ramp area except in posted "Designated Smoking Areas" identified by the Airport Manager.
- F. Hangar entrances must be clear in a manner such that emergency or fire/rescue personnel and equipment can immediately access the hangar without hindrance.
- G. The floors in all buildings shall be kept clean and free of oil. Volatile or flammable substances shall not be used to clean floors, walls or any portion of a hangar structure.
- H. All Airport tenants and lessees shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by applicable fire codes and regulations. Each fire extinguisher shall carry a suitable tag showing the date of most recent inspection.

**Section 8. Lease of Airport Property and Construction on Airport**

Hangars and other buildings or structures owned by the City may be leased to private individuals, companies, or corporations on a monthly or yearly basis for the storage of aircraft and ancillary equipment or to conduct a commercial Fixed Base Operation (FBO). All persons using the Airport shall maintain their premises in a condition of repair, cleanliness and general maintenance equal to that maintained by the City in comparable areas. All persons having possession, control or use of any portions of the Airport shall at all times maintain such premises in clean, serviceable, safe and operable condition and repair.

The City may lease property within the building area or other portions of the Airport for the construction of hangars, buildings, lean-tos, aprons, taxiways, and auto parking lots in accordance with an approved Airport Master Plan/Airport Layout Plan and designed guidelines. Aviation related use must be given priority in the use of all leased or privately owned property, buildings or structures. If the aviation needs of the Airport are sufficiently met, the City Council may authorize non-aviation use of any portion of the Airport or any building on the Airport on a case-by-case basis. Application of such non-aviation use shall be made to the City Council; and approved from TxDOT Aviation Division must be received prior to granting authorization for non-aviation use.

**Rule 8-1. Lease Term** – No lease of Airport property or facilities shall be granted for a term exceeding twenty (20) years, however the initial term of a lease of Airport property or facility may exceed twenty (20) years but in no case more than forty (40) years if a loan or deed of trust lien is obtained expressly for construction of the facility which will become property of the City at the end of the lease term, free and clear of all liens and encumbrances. Non-aviation leases shall not exceed eighteen (18) months.

**Rule 8-2. Construction on Leased Property**

- A. The FAA Form 7460-1, "Notice of Proposed Construction or Alteration," (or most current FAA approved form) will be completed for all construction and submitted to the Airport Manager to forward to TxDOT Aviation Division. TxDOT Aviation Division will review the form for completeness and accuracy, then forward to the FAA for the air space study. A favorable determination must be received from the FAA prior to any construction on the Airport. No hangar or structure may be erected beyond the building restriction line or in conflict with the approved Airport Layout or Development Plan.
- B. All plans and specifications for construction, renovation, remodeling, or refurbishing of the leased premises shall meet all current Standard Fire and Building Codes by the Southern Building Code Congress and the National Electrical Code, and shall provide for the construction to be from material satisfactory and acceptable to the City Council/Commissioners Court. All construction must be of a compatible standard of withstanding winds applicable to the Airport location, with doors open or closed.
- C. The Director of Aviation must have written approval of the plans and specifications must be obtained prior to construction of the improvements.
- D. Construction must begin within one hundred twenty (120) days after the effective date of the lease or final comment from TxDOT and the FAA for the filed air space study as required by FAR Part 77, whichever date is later. Construction must be substantially completed within one hundred eighty (180) days of start of construction. Projects anticipated to exceed 180 construction days require approval of the Airport Manager. The improvements on the leased premises shall remain the tenant's property until expiration of termination of the lease and its covenants or as otherwise agreed to in the contract between the City Council and the tenant.

- E. Any privately owned structure or hangar not in use for aviation purposes for a period in excess of ninety (90) days or not available for lease or sublease for aviation purposes, unless so authorized for non-aviation uses by the City Council, must be removed after due notice to the owner in writing or the City Council will consider such structures or hangars abandoned and will seek title to such structure or hangar.
- F. Leased land which any building, hangar, or structure is removed, after due notice will be cleared, cleaned, and put back in its original or acceptable condition.

**Rule 8-3. Assignment and Sub-letting** – without the prior written consent of the Director, the leased premises or any rights there under (except to a leasehold mortgagee as herein provided) may not be assigned. Any assignment or subletting shall be expressly subject to all the terms and provisions of the original lease.

**Rule 8-4. Flying Clubs** – Flying clubs ("Club") shall meet the following standards:

- A. At the time of applying for a lease, license, permit or agreement to operate at the Airport, the Club shall furnish the Airport Manager with a copy of its documents of organization; the Club's list of members, including names of officers and managers; evidence of required insurance; a description of all aircraft used; evidence that such aircraft are properly certificated; evidence of ownership of such aircraft; any operating rules of the Club.
- B. All aircraft used by the Club shall be owned by the Club or leased exclusively by written agreement to the Club, and all ownership or lease rights to such aircraft must be vested on a pro-rata basis in all of the Club's members. The property rights of the Club members shall be equal, and no part of any revenues received by the Club shall inure to the direct benefit of any member (e.g. by salary or bonus). The Club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of its aircraft and facilities.
- C. The Club's aircraft shall not be used by any person other than the Club's members and shall not be used by any person for hire, charter, or air taxi. Flight instructions may be given in Club aircraft.

**Rule 8-5. Environmental Issues and Indemnification** – Any tenant of the Airport, its agents, employees, independent contractors, or sub lessee shall not install, store, use, treat, transport or dispose of any:

- A. Asbestos in any form.
- B. Urea formaldehyde foam insulation.
- C. Transformers or other equipment which contain dielectric fluid containing levels of polychlorinated biphenyls in excess of 50 parts per million; or

D. Any other chemical, material, air pollutant, waste, or substance which is regulated as toxic or hazardous or exposure to which is prohibited, limited or regulated by the Resource Conservation Recovery Act, the Comprehensive and Environmental Response Compensation and Liability Act, the Hazardous Materials Transportation Act, the Toxic Substances Control Act, the Clean Air Act, and/or the Clean Water Act or any other Federal, State, County, Regional, Local or other governmental authority or which, even if not so regulated, may or could pose a hazard to the health and safety of the occupants of the Leased Premises, and which is either:

1. in amounts in excess of that permitted or deemed safe under applicable law;
2. or in any manner which is prohibited or deemed unsafe under applicable law. (The substances referred to in (A), (B), (C) or (D) are collectively referred to hereinafter as "Hazardous Materials.").

**Rule 8-6. Environmental Cleanup Laws** – An Airport tenant will, at their own expense, comply with all existing or hereafter enacted laws relating to Hazardous Materials (collectively, "Cleanup Laws") in effect at the same time of the lease, and all future laws thereafter. An Airport tenant will, at their own expense, make all submissions to provide all information to, and comply with all requirements of the appropriate governmental authority (the "Authority") under Clean up Laws. Should any Authority require that a cleanup plan be prepared and that a cleanup be undertaken because of the existence of Hazardous Materials which were installed, stored, used, treated, transported, disposed of or discharged on the leased premises, by an Airport tenant, its agents, employees, independent contractors or sub lessees during the term of a lease, the Airport tenant will prepare and submit the required plans and financial assurances in accordance with such Cleanup Laws. The Airport shall be indemnified and held harmless from and against all obligations, damages, injunctions, fines, penalties, demands, claims, costs, expenses, actions, liabilities, suits, proceedings and losses of whatever nature (including, without limitation, attorney's fees and court costs). And all cleanup or removal costs and all actions of any kind arising out of or in any way connected with the installation, storage, use, treatment, transporting, disposal or discharge of Hazardous Materials in or on the leased premises by an Airport tenant.

**Rule 8-7. Environmental Notices** – An Airport tenant shall promptly supply the City Council with copies of any notices, correspondence and submissions made or received from any governmental authorities of the United States Environmental Protection Agency, the United States Occupational Safety and Health Administration, or any other local, state or federal authority that requires submission of any information concerning environmental matters or Hazardous Materials.

**Rule 8-8. Environmental Survival** – An Airport tenant's liability pursuant to any environmental issue shall survive the expiration or earlier termination of their lease.

**Rule 8-9. Storm Water Compliance**

A. The Airport is subject to federal storm water regulations, 40 C.F.R. Part 122 for "vehicle maintenance shops" (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations and/or

deicing operations that occur at the Airport as defined in these regulations and if applicable, state storm water regulations. Each Airport tenant shall become familiar with these storm water regulations if it conducts "vehicle maintenance" or operates equipment cleaning operations and/or deicing activities as defined in the federal storm water regulations.

- B. The City shall take steps necessary to apply for or obtain a storm water discharge permit as required by the applicable federal and/or state regulations, including the leased property occupied or operated by an Airport tenant. A storm water discharge permit issued to the City may name an Airport tenant as a co-permittee.
- C. An Airport tenant's close cooperation is necessary to ensure compliance with any storm water discharge permit terms and conditions, as well as to ensure safety and to minimize costs. An Airport tenant may to implement and maintain "Best Management Practices" to minimize the exposure of storm water (and snow melt) to "significant materials" generated, stored, handled or otherwise used as defined in the federal storm water regulations.
- D. The City's storm water discharge permit is incorporated by reference into each lease and any subsequent renewals.
- E. The City will provide an Airport tenant with a written notice of those storm water discharge permit requirements that are in the City or County's storm water permit, that a tenant will be obligated to perform from time to time, including, but not limited to:
  - 1. certification of non-storm water discharges;
  - 2. collection of storm water samples
  - 3. preparation of storm water pollution prevention or similar plans.
  - 4. implementation of "good housekeeping" measures or best management practices; and maintenance of necessary requirements.

Each Airport tenant shall participate in any organized task force or other work group established to coordinate storm water activities of the Airport.

**Rule 8-10. Non Discrimination Covenants**

- A. Each lease will include as a covenant running with the land to insure that:
  - 1. No person on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the leased property;
  - 2. that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person. On the grounds of race, color, sex, or national origin, shall be excluded from participation in, denied benefits of, or otherwise be subjected to discrimination.
- B. The right to conduct aeronautical activities for furnishing services to the public is granted to an Airport tenant subject to the agreement:



1. to furnish services on a fair, equal and not unjustly discriminatory basis of all users.
2. to charge fair, reasonable, and not unjustly discriminatory prices for each unit or service provided an allowance may be made to make reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions to volume purchasers.

**Rule 8-11. Insurance** – An Airport tenant shall during the term of lease maintain at their cost and expense insurance relating to the leased premises as follows:

- A. Insurance against loss or damage to improvements by fire, lightning, and other risks included under standard extended coverage policies
- B. General public liability insurance against claims for bodily injury, death or property damage occurring on, in or about the leased premises, such insurance to afford protection to City of not less than \$500,000.00 with respect to any one person, \$1,000,000.00 with respect to any one accident and not less than \$200,000.00 with respect to property damage.
- C. Hangar keeper's liability insurance providing coverage for aircraft not owned by the tenant in the following limits: \$200,000.00 per aircraft and \$400,000.00 per occurrence on property damage to aircraft in the care, custody, or control of tenant.
- D. All such policies of insurance shall be issued by insurance companies acceptable to the City, shall name the City as an additional insured or loss payee, as the case may be, and shall provide for at least ten (10) days written notice prior to cancellation or modification.

**Rule 8-12. Hold Harmless** – the City shall not be liable to an Airport tenant's employees, agents, servants, customers, invitees, or to any other person whomsoever, for any injury to persons or damages to property on or about the leased premises or any adjacent area owned by the City.

### **Section 9. Knowledge of Rules Implied and Responsible Party**

By publication and adoption of this ordinance/order, all persons shall be deemed to have knowledge of its contents. However, the Airport Manager is directed to have copies of the ordinance/order posted in paper or electronically, where appropriate. Copies shall be available at all times in the Airport Manager's office, and copies shall be furnished to all owners and operators of aircraft based at the Airport.

Any person accessing the Airport shall be responsible for their actions and all actions of any person to whom they provide access, whether directly or indirectly.

## **Section 10. Conflicting Laws, Ordinances, Regulations and Contracts**

If and where there are conflicts in the Rules and Regulations prescribed herein and the FAA's Federal Aviation Regulations (FAR) the latter shall prevail. In any case where a provision of these regulations is found to be in conflict with any other provision of these regulations adopted hereunder or in conflict with a provision of any zoning, building, fire, safety, health or other ordinance, code, rule, or regulation of the City, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

In cases where two (2) or more provisions of these regulations are in conflict, the most stringent or restrictive shall prevail.

It is not intended by these regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances, codes, rules or regulations except those specifically repealed by these regulations, or to excuse any person from performing obligations to the City under any lease or other contract.

No existing or future City contract, lease agreement or other contractual arrangement, nor any payment or performance thereunder, shall excuse full and complete compliance with these regulations. Compliance with these regulations shall not excuse full and complete compliance with any obligations to the City under any existing or future City contract, lease, agreement or other contractual arrangement.

Compliance with these regulations does not excuse failure to comply with any other law.

## **Section 11. Penalty for Violation**

The Airport Manager may deny use of the Airport for a period not exceeding fifteen (15) days for any person violating or refusing to comply with any of these rules or regulations prescribed herein pending a hearing by the City Council. Upon such hearing, such person may be deprived of the further use of the Airport and its facilities for a period of time as may appear necessary for the protection of life and property. Any violation of this ordinance/order shall be a misdemeanor, and upon conviction, be punishable by a fine not exceeding two-hundred (\$200) dollars, and each day of violation continues to exist shall constitute a separate offense. This section is cumulative of all other penalties for violation of Federal, State, and Local laws, rules, regulations, ordinances, and orders. Citation for violation or issuance of a violation ticket of any of the Rules and Regulations prescribed herein may be made by any authorized police officer. The Airport Manager or City Council may request authorized police officers to investigate any suspected violation of these rules.

## **Section 12. Severability**

If any of the provisions of this ordinance/order or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance/order which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.