

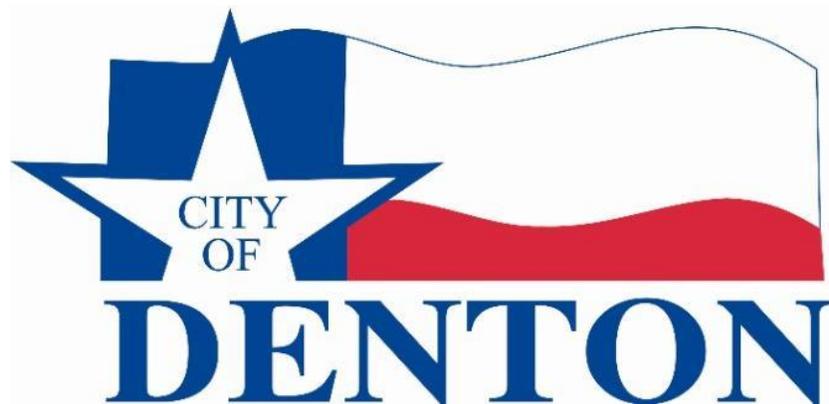
***Denton Enterprise Airport***

***DTO***

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AIRPORT ADMINISTRATION OFFICE  
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DENTON, TEXAS 76210  
(940) 349-7736

***AIRPORT  
RULES AND REGULATIONS***



**REVISIONS**

**REVISION NO.**

**DATE**

**SECTION**

DRAFT

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## ARTICLE 1 DEFINITIONS

The following words and phrases, whenever used in these rules and regulations, shall be construed as defined in this article 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 it 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* means 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* means any activity or service which 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 any other activities which because of their relationship to the operation of aircraft can appropriately be regarded as an “aeronautical activity.”

*Air traffic* means aircraft in operation anywhere in the airspace and on that area of the airport normally used for the movement of aircraft.

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

*Aircraft fuel* means 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* means an aircraft arrival at, or departure from, the airport.

*Aircraft parking and storage areas* means those hangar and apron locations of 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 means all of the city-owned or leased real or personal property comprising Denton Enterprise Airport as now exists or as may hereafter be expanded and developed. “Airport” includes all of its facilities as shown on the most current airport layout plan.

Airport Advisory Board means the duly appointed seven (7) member airport advisory board of the city.

Airport business permit means 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.

Airport Manager means the duly appointed manager of the airport or the manager’s designee.

Airport traffic control tower means the control tower located at the airport.

Airside means 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 means 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 means the location on the airport, which is listed as an aircraft’s hangar or tie down location as registered with the airport manager.

Commercial activity means 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.

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

Fuel storage area means 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 means all phases of aviation other than aircraft manufacturing, military aviation, and scheduled or non-scheduled commercial operations.

Hazardous material means 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 including, without limitation, the

Texas Hazardous Waste Management Act, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.*, the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et seq.*);

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

Local aircraft operations means 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 means 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 means the runways, 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 means 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 means the standing of an aircraft or vehicle, whether occupied or not.

Pedestrian means any person traveling on foot.

Permission or permit means permission granted by the city.

Person means 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 means 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 means 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 means 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 means 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 means the portion of the airport apron area, or any other area, used for access between taxiways and aircraft parking and storage areas.

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

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

Traffic pattern means 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 means any portion of the airport designated and made available temporarily or permanently for the parking of vehicles as designated by pavement markings or as approved by the Airport Manager.

## ARTICLE 2 GENERAL USE OF AIRPORT

### ***Section 2-1. Purpose of rules and regulations.***

Rules and regulations provided in this document and any amendments thereto (hereinafter referred to as “regulations”), adopted pursuant to chapter 3 of the Code of Ordinances, are intended for the safe, orderly and efficient operation of the airport, and apply to all persons using the airport for any reason.

### ***Section 2-2. Conflicting laws, ordinances, regulations and contracts.***

- (a) 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.
- (b) In cases where two (2) or more provisions of these regulations are in conflict, the most stringent or restrictive shall prevail.
- (c) 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.
- (d) 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.
- (e) Compliance with these regulations does not excuse failure to comply with any other law.

### ***Section 2-3. Responsible party.***

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 2-4. Minimum operating standards.***

Prior to commencing any aeronautical or commercial activities at the airport, all persons shall comply with all applicable requirements concerning such activities as are set forth in the Denton Enterprise Airport Minimum Operating Standards.

### ***Section 2-5. Closing of airport.***

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.

**Section 2-6. Aircraft parking.**

- (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.
- (b) No person shall park an aircraft in a based aircraft parking and storage area without applying for and obtaining an approved aircraft storage permit/agreement; and
- (c) Any person who parks an aircraft city-operated aircraft parking and storage areas shall remit to the city all applicable parking fees until such time as the person applies for and obtains an approved aircraft storage permit/agreement.
- (d) The prolonged storage of damaged/dismantled aircraft or aircraft that appear to be un-airworthy in aircraft 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.
- (e) 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 or other 3<sup>rd</sup> party. The city shall not be liable for any damages which may result from the relocation of the aircraft.
- (f) The airport manager may immobilize an aircraft by installing on the aircraft a propeller lock or by such other suitable means under any of the following circumstances:
  - 1. Failure to apply for and obtain an approved aircraft storage permit/agreement, and until such time as the aircraft owner/operator applies for and obtains the approved permit/agreement and remits all fees and charges due the city in accordance with Section 3-116 of the Code of Ordinances. Under these circumstances, the aircraft owner shall be provided a hearing as soon as reasonably practical, but in no event shall said hearing be delayed more than seventy-two (72) hours after the immobilization of the aircraft, except upon mutual agreement of the airport manager and the aircraft owner. The hearing and any subsequent appeal shall be conducted generally in accordance with the procedures set forth in Section 3-501 *et seq.* of the Code of Ordinances.
  - 2. Upon revocation of an aircraft storage permit/agreement pursuant to Section 3-701 *et seq.* of the Code of Ordinances, and until such time as the aircraft owner/operator remits all fees and charges due the city in accordance with Section 3-116 of the Code of Ordinances.
  - 3. If, in the determination of the airport manager, the aircraft presents an operational safety concern in any area of the airport, or otherwise constitutes a danger to the health, safety, or welfare of any individual or the public in general, and until such time as the

aircraft no longer presents such health, safety or welfare concerns. Under these circumstances, the aircraft owner shall be provided a hearing as soon as reasonably practical, but in no event shall said hearing be delayed more than seventy-two (72) hours after the immobilization of the aircraft, except upon mutual agreement of the airport manager and the aircraft owner. The hearing and any subsequent appeal shall be conducted generally in accordance with the procedures set forth in Section 3-501 *et seq.* of the Code of Ordinances.

### ***Section 2-7. Aircraft hangars.***

(a) Aircraft storage hangars shall only be used for the following purposes:

1. Storage and parking of aircraft and associated aircraft equipment and supplies as described in the Denton Enterprise Airport General Aviation Hangar Handbook and as approved by the city fire department and airport manager. 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.
2. Parking of vehicles in accordance with section 4-2.

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

1. Major aircraft alterations and repairs may be performed in hangars ~~on the based aircraft with prior written as permitted by city lease agreement, city fire code, and/or certificate of occupancy approval of the airport manager and the city fire department, unless otherwise approved by a lease with the city.~~
2. Where no personnel exit is provided, the hangar doors shall remain open thirty-six (36) inches while the hangar is occupied by any person.
3. 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.

(c) 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.

### ***Section 2-8. Aircraft T-hangars.***

In addition to the provisions contained in section 2-7, the following restrictions apply to T-hangars:

- (a) Preventive aircraft maintenance may be conducted on based aircraft at the based location ~~as approved in writing by the airport manager.~~

- (b) 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.
- (c) 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.

***Section 2-9. Aircraft tiedowns.***

Aircraft tiedowns shall only be used for storage and parking of aircraft in a manner so as to be completely contained within 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.

***Section 2-10. Aircraft washing.***

- (a) All aircraft washing shall be conducted in accordance with posted rules, with biodegradable soap, and without the use of solvents or degreasers, only:
  - 1. At approved wash areas, or
  - 2. By mobile aircraft washing services operators in accordance with their Approved Wash Plan (AWP).
- (b) City-owned wash areas shall only be used for the purposes of aircraft washing and polishing.
- (c) 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.
- (d) 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.

***Section 2-11. 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 2-12. Smoking areas.***

No smoking shall be permitted:

- (a) Airside

- (b) Within fifty (50) feet of an aircraft, fuel truck and/or fuel storage area;
- (c) Where specifically prohibited by the city.

***Section 2-13. Restricted areas.***

- (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, 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.

***Section 2-14. Access codes/devices.***

Persons who have been provided either a code or device for the purpose of obtaining access to the airport shall only use airport-issued codes/devices and 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 pursuant to chapter 3 of the Code of Ordinances.

***Section 2-15. Self-services.***

- (a) Persons are permitted to fuel, wash, repair, or otherwise service their own based aircraft, provided there is no attempt to perform such services for others and further provided that such right is conditioned upon compliance with these regulations and all applicable laws.
- (b) An aircraft owner may hire an individual to provide, under the direction and supervision of the aircraft owner, services only on the owner's based aircraft. Such services may only be provided by a direct employee of the aircraft owner or a technical specialist.
- (c) Aircraft owners shall notify the airport manager at least one (1) hour in advance of the technical specialist performing maintenance services on any aircraft.

***Section 2-16. Aircraft maintenance.***

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 by a person holding a valid airport business permit for such activity.

***Section 2-17. Maintenance of premises.***

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.

***Section 2-18. Floor and apron care.***

All tenants on the airport shall keep the floors of hangars and tiedowns leased by them, or used in their operations, clean and clear of fuel, oil, grease and other similar materials.

***Section 2-19. Waste containers and disposal.***

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, including, but not limited to, the Texas Hazardous Waste Management Act, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.*, the Toxic Substances Control Act, 15 U.S.C. § 2601 *et seq.*, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 *et seq.* Any hazardous waste shall be the responsibility of the originator under all applicable law.

***Section 2-20. Storage.***

No person shall store or stock materials or equipment in such a manner as to be unsightly or constitute a hazard to personnel or property, as determined by the airport manager.

***Section 2-21. Storage, transfer and cleanup charges.***

Pursuant to chapter 3 of the Code of Ordinances the city may remove and impose storage, removal and transfer charges upon any property unlawfully located at the airport. 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.

***Section 2-22. 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 if such activity would create a hazard to aircraft operations, or as otherwise determined by the airport traffic control tower or the airport manager.

***Section 2-23. 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 film permit from the city, written approval from the airport manager, and paying the appropriate fee(s).

***Section 2-24. 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 2-25. Animals.***

No person shall enter the airport with a dog or other animal unless restrained by a leash or properly confined as determined by the airport manager. No person in charge of a dog or other animal shall permit the animal to wander unrestrained on any portion of the airport.

***Section 2-26. Firearms, explosives, etc.***

- (a) No person, except a sworn law enforcement officer, member of the Armed Forces of the United States on official duty, or persons holding a valid concealed carry weapons permit pursuant to Texas Administrative Rules R13-9-101 through R13-9-113., shall possess any firearms on the airside, except firearms that do not contain live ammunition, are in an enclosed case, and are intended for immediate transport off the airport.
- (b) No person, except a sworn law enforcement officer or member of the Armed Forces of the United States on official duty shall possess any firearms in the terminal building pursuant to Texas Administrative Rules R13-9-101 through R13-9-113., except firearms that do not contain live ammunition, are in an enclosed case, and are intended for immediate transport off the airport.
- (c) No person, except a sworn law enforcement officer or member of the Armed Forces of the United States on official duty, shall possess any explosives on the airport.
- (d) No person, other than those in the above-excepted classes, shall store, keep, handle, use, dispense or transport at, in, or upon the airport any class A or class B explosives, any radioactive substance or material (except for minimum amounts of radioactive substances, such as radioactive paint illuminating instrument dials), without prior written authorization from the airport manager.

***Section 2-27. Disorderly conduct, intoxicating liquors, etc.***

- (a) No person shall:
  - 1. Commit any disorderly, obscene or unlawful act or commit any nuisance on the airport.
  - 2. 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 county or for the purpose of a special event that has received a special event permit where alcohol has been approved by the city.

3. Become intoxicated on any portion of the airport.

(b) No intoxicated person shall enter upon or loiter on or about the airport, any of its facilities, or any city-owned property.

***Section 2-28. Property damage, injurious or detrimental activities.***

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.

***Section 2-29. Alteration of airport property.***

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. Any construction on the airport must be approved in writing by the airport manager. Such persons shall comply with all building codes and permit procedures of the city and shall deliver to the airport manager as-built plans upon completion.

***Section 2-30. Lost articles.***

Any person finding lost articles in public areas of the airport shall immediately deposit them at the office of the airport manager or, if after normal business hours, with an airport staff member or security officer on duty at the airport. Articles unclaimed after thirty (30) calendar days may be turned over to the finder or otherwise disposed of in a legal manner.

***Section 2-31. Abandoned property.***

No person shall abandon any property on airport property or in any building on the airport.

***Section 2-32. Flying clubs.***

~~A flying club is a non-profit entity or organization organized solely for the purpose of providing its members with one (1) or more aircraft for their personal use and enjoyment. A flying club shall meet the following standards:~~

~~(a) At the time of applying for a lease, license, permit or agreement with or from the city to operate at the airport, the club shall furnish the airport manager with a copy of its articles of incorporation, if the club is a corporation; a copy of its articles of organization, if the club is a limited liability company; a copy of its certificate of limited partnership, if the~~

~~club is a limited partnership; a copy of its partnership agreement, if the club is a general partnership; the club's roster or list of members, including names of officers and directors; evidence of required insurance; a description of all aircraft used; evidence that such aircraft are properly certificated; evidence of ownership of such aircraft; and any operating rules of the club.~~

- ~~(b) The club's books and records shall be available for inspection and copying by the airport manager at any reasonable time. The club shall update its roster or list of members twice annually and provide the airport manager with such updated roster or list no later than June 30 and December 31 of each year.~~
- ~~(c) 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.~~
- ~~(d) The club's aircraft shall not be used by anyone other than the club's members and shall not be used by anyone for hire, charter or air taxi. Flight instruction may be given in club aircraft, but only by one (1) club member to another member. The member providing flight instruction may be compensated by credit against payment of club dues or flight time.~~
- ~~(e) The club and its members are prohibited from leasing, selling, trading or bartering any goods or services to or with any non-members of the club, except that a club may sell or exchange its aircraft and equipment for replacement or liquidation purposes.~~
- ~~(f) The club shall at all times maintain in effect the types and minimum amounts of insurance specified in article 4 of the Airport Minimum Operating Standards for any of its activities at the airport which may be covered by such insurance.~~
- ~~(g) The flying club shall pay fees as prescribed by lease, license, permit or agreement, and any applicable fees identified on the airport rates and fees schedule.~~

### **Section 2-323. Temporary permits.**

- (a) Notwithstanding any rules and regulations to the contrary, the airport manager shall have authority to issue temporary permits and to establish procedures related thereto. A temporary permit shall only be issued when in the best interests of the City and when issuance will not adversely affect the public health, safety and general welfare.

## **ARTICLE 3 AIRCRAFT RULES**

### ***Section 3-1. Landing and takeoff of aircraft.***

- (a) Except in an emergency, all fixed wing aircraft landings and takeoffs shall be made on the runway.
- (b) 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.
- (c) Landing aircraft shall clear the runway as soon as practical, consistent with safety, taxiing ahead to the nearest turn-off.
- (d) 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 runway surface.

### ***Section 3-2. Aircraft wingspan restrictions.***

Aircraft operators shall operate at their own risk in areas where the aircraft's wingspan exceeds the maximum approved wingspan designation for that area as specified by the airport manager or as published.

### ***Section 3-3. Traffic patterns and noise abatement procedures.***

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

### ***Section 3-4. Traffic pattern altitudes.***

Traffic pattern altitude above ground level (AGL) for all aircraft operations at the airport is eight hundred (800) feet (AGL).

### ***Section 3-5. Qualifications to operate aircraft.***

Operators of aircraft entering or leaving the traffic pattern of the airport or using the movement area for the purpose of landing, or taking off shall be holders of a valid, current pilot certificate with rating appropriate to the type of aircraft operated and conditions under which they are operating. Reciprocal certificates issued by foreign governments are acceptable if accepted by the Federal Aviation Administration.

### ***Section 3-6. Disabled aircraft.***

Aircraft owners and pilots shall be responsible for the immediate removal of disabled aircraft and parts thereof, unless required or directed by the airport manager or the Federal Aviation Administration to delay such action pending an investigation of an accident. If in the determination

of the airport manager, the disabled aircraft 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 or other 3<sup>rd</sup> party. The city shall not be liable for any damages which may result from the relocation of the aircraft.

***Section 3-7. Negligent operation of aircraft.***

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.

***Section 3-8. Required aircraft equipment.***

No aircraft shall land or take off at the airport unless it is equipped with brakes and a functioning radio capable of direct two-way communications with the air traffic control tower, except in the case of an emergency or with prior consent of air traffic control.

***Section 3-9. Motorless aircraft.***

No motorless aircraft may land or take off at the airport without prior written permission of the airport manager and having complied with all sections of FAR Part 103.

***Section 3-10. Running of aircraft engines.***

Aircraft engines shall only be run at idle except as may be necessary for safe taxiing operations, taking off, landing, preflight testing, and maintenance testing. All engine run-ups for maintenance testing purposes shall be performed in accordance with section 3-11 of these regulations. At no time shall an aircraft's engine(s) be operated while the aircraft is in a hangar.

***Section 3-11. Aircraft engine run-ups.***

All aircraft maintenance and preflight engine run-ups shall be conducted in the appropriate run-up areas located at each end of the runway.

***Section 3-12. Exhaust and propeller blast.***

No aircraft engine shall be started or aircraft taxied where the exhaust or propeller blast may cause injury to persons or do damage to property or spread debris on the airside area.

***Section 3-13. Taxiing of aircraft.***

No person shall taxi an aircraft without first taking all necessary precautions to prevent a collision with other aircraft, persons or objects. Aircraft shall not be taxied into or out of any hangar, or other covered area. No person shall taxi an aircraft except on areas designated for

taxiing. If it is impossible to taxi aircraft in compliance with this section, then the engine must be shut off and the aircraft towed to the new location.

***Section 3-14. Common air traffic advisory frequency.***

During hours when the airport traffic control tower is not in operation, aircraft operators shall utilize the common air traffic advisory frequency, 119.95 MHz, to broadcast their intentions and operate the pilot controlled lighting system as provided in the Aeronautical Information Manual (AIM) Official Guide to Basic Flight Information and ATC Procedures.

***Section 3-15. 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.

***Section 3-16. Refusal of clearance or use.***

The airport manager may delay or restrict any flight or other operations at the airport and may refuse takeoff or landing clearance to any aircraft for any reason believed to be justifiable.

***Section 3-17. Interfering or tampering with aircraft.***

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.

***Section 3-18. Aerobatic flying.***

No person shall conduct aerobatic flying over the any portion of the city, unless in conjunction with a city approved airshow or event.

## ARTICLE 4 VEHICLES, PEDESTRIANS, ETC.

### *Section 4-1. General requirements.*

No person shall operate a vehicle on the airport except in accordance with the rules prescribed by the airport manager and all federal, state and local law.

- (a) Vehicles shall only be operated airside in a manner that complies with these regulations.
  - 1. No person shall operate airside without an approved driver permit for that vehicle operator or;
  - 2. A person without an approved driver permit shall be permitted to operate a vehicle airside while being monitored by a business or facility that has a vehicle control plan which has been approved by the airport manager. The vehicle control plan shall include, but is not limited to, procedures for physical presence, physical barriers, visual examination, and verbal or written instructions.
- (b) Vehicles shall access all airport facilities and businesses from the landside public parking areas for said facility or business.
- (c) Vehicles shall obtain access to, and depart from, aircraft parking and storage areas via the gate specified in the driver permit.
- (d) When a gate is out-of-service, vehicles shall access a secondary gate as specified by the out-of-service notification.
- (e) Vehicles shall yield right of way to aircraft in motion and emergency vehicles.
- (f) No vehicles shall operate in a careless, negligent or reckless manner nor pass closer than fifty (50) feet to the rear of taxiing aircraft.
- (g) No vehicles shall operate in a careless, negligent or reckless manner nor approach closer than fifty (50) feet to any aircraft whose engines are running, excluding ground service and emergency vehicles.
- (h) All vehicles, upon entering or exiting an airport access gate, shall wait for the gate to completely close behind them before proceeding to their destination so as to not allow the entry of an unauthorized vehicle.

### *Section 4-2. Licensing, registration and insurance.*

- (a) No person shall operate a vehicle of any kind on the airport without a current motor vehicle operator's license.
- (b) All vehicles shall maintain the appropriate type and amount of vehicle liability insurance required by state law.

### ***Section 4-3. Control of vehicles.***

No person shall operate or park a vehicle at the airport in a manner prohibited by signs, pavement markings, or other signals posted by the city or by regulations under this article. The airport manager has plenary power to regulate or prohibit any class or type of vehicle or any other type or class of wheeled vehicle or other form of transport that operates in the airside area.

### ***Section 4-4. Speed limits.***

All vehicles shall be operated in strict compliance with all 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 their official duties, is fifteen (15) miles per hour or less if conditions warrant in order to ensure safe operation.

### ***Section 4-5. Vehicles operating on runway and taxiways.***

- (a) No vehicle shall be operated on the runway and taxiways unless so authorized in writing by the airport manager.
- (b) Any vehicle authorized to operate on the airport runway or taxiways shall display a rotating or steady beacon that complies with FAA Advisory Circular 150/5210-5, as amended, and is visible to the air traffic control tower personnel. Exceptions to this rule must be authorized in writing by the airport manager.
- (c) All vehicles that are authorized to operate in the movement area must be equipped with a two-way aviation radio, receive a clearance from, and remain in continuous communications with, the airport traffic control tower. The installation of a two-way radio does not permit the operation of vehicles on runway or taxiways without prior written permission of the airport manager. If vehicles are not equipped with radios, prior arrangements must be made with the airport manager. Additionally, all vehicle operators shall be conversant with the standard airport light gun signals.

### ***Section 4-6. Authority to remove vehicles.***

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.

### ***Section 4-7. Bicycles, scooters and miscellaneous vehicles.***

No person shall use at the airport any bicycle, go-cart, go-ped, skateboard, rollerblade, all-terrain vehicle or other vehicle not licensed or otherwise permitted by state law for operation on a public street or highway. This section does not pertain to city vehicles or vehicles used solely for tugging, marshaling, or refueling aircraft. On a case-by-case basis, and with the prior written approval of the airport manager, other modes of transportation may be used on the airport.

***Section 4-8. Motor homes, boats, recreational vehicles, and trailers.***

Motor homes, boats, recreational vehicles, and trailers shall not be stored anywhere on the airport unless in accordance with a city-approved lease or with the written consent of the airport manager.

***Section 4-9. Vehicle accidents.***

The driver of any vehicle involved in an accident on the airport which results in injury or death to any person, or damage to any property, shall immediately stop such vehicle at the scene of the accident; render reasonable assistance to a person injured in the accident, including making arrangement for the caring of the person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that treatment is necessary or if the caring is requested by the injured person; and give his name, address and operator's license and registration number to the person injured, the airport manager and to any police officer or witnesses of the accident. The operator of such vehicle shall make a report of such accident in accordance with state law and provide a copy of same to the airport manager.

***Section 4-10. Careless operation, driving while intoxicated, etc.***

No vehicle shall be operated at the airport or upon any area thereof:

- (a) In a careless, negligent or reckless manner;
- (b) In disregard of the rights and safety of others;
- (c) Without due caution or circumspection;
- (d) At a speed or in a manner which endangers or is likely to endanger persons or property;
- (e) While the driver would be prohibited by law from operating an automobile upon the public streets of the city due to drug or alcohol impairment or influence;
- (f) If the vehicle is so constructed, equipped or loaded as to endanger or be likely to endanger persons or property, or to result in the load or other materials becoming separated from the vehicle;
- (g) Without operating headlights, tail lights, turn signals, and brake lights during hours of darkness or during inclement weather; or
- (h) In a manner that does not allow the vehicle to be immediately driven or towed away from any nearby aircraft.

***Section 4-11. Parking restrictions.***

- (a) No person shall park or leave any vehicle standing, whether occupied or not, except within a designated parking area.

- (b) Aircraft owners, operators, and guests shall only park their vehicle in the aircraft storage area when the aircraft is not present.
- (c) Vehicles parked in an aircraft storage area shall be parked in a manner so as to be completely contained in the aircraft 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.

***Section 4-12. Volunteer Assistance.***

No person shall enter the airside area of the airport for the purposes of attending, observing or assisting at the scene of an accident except persons authorized by law or otherwise requested or with consent of the airport manager.

***Section 4-13. Pedestrians in the airside area.***

- (a) No person shall walk airside from ramp area to another ramp area that requires crossing a taxilane.
- (b) No person shall walk, stand, or loiter in the airside area if such activity is determined to be an operational, security, or safety concern as determined by the airport manager.

***Section 4-14. Pedestrians soliciting rides.***

No person shall solicit aircraft rides from any area of the airport.

***Section 4-15. Vehicle repair.***

No person shall clean or make any repairs to vehicles anywhere on the airport, other than in designated shop areas, except those minor repairs necessary to remove such vehicles from the airport. No person shall move, interfere or tamper with any vehicle, or put in motion the engine, or take, or use any vehicle part, instrument or tool thereof, without the written permission of the owner or satisfactory evidence of the right to do so duly presented to the airport manager.

***Section 4-16. Airport Security.***

The owner/operator or any facility located on the airport perimeter shall at all times maintain and comply with an airport facility security plan that has been approved by the airport manager.

## ARTICLE 5 FUELING, FLAMMABLE FLUIDS, AND SAFETY

### ***Section 5-1. Fuel safety.***

All transportation, storage and other handling of aircraft and vehicle fuel shall comply with the Uniform Fire Code, as amended, the National Fire Protection Association's codes and standards, as amended, FAA Advisory Circular 150/5230-4, as amended, all requirements of these regulations, and all other applicable law.

### ***Section 5-2. Unauthorized fuel possession and storage.***

Except as expressly permitted by these regulations, no person shall possess fuel at the airport.

### ***Section 5-3. Storage of aircraft fuel trucks, trailers and other aircraft refueling devices.***

- (a) Aircraft refueling vehicles, other moveable aircraft fuel containers and refueling devices shall be stored outside and not less than fifty (50) feet from a building or such other distance as shall be approved by airport manager and city fire department.
- (b) Aircraft refueling vehicles shall be parked in a manner that provides a minimum of ten (10) feet of separation between said vehicles and any other vehicle or aircraft refueling device.
- (c) No aircraft refueling vehicle, aircraft fuel container, or other aircraft refueling device, empty or otherwise, shall be brought into, kept or stored within any building at the airport unless the building is used exclusively for that purpose. This section does not apply to vehicle fuel cans with a capacity of not more than five (5) gallons, provided no more than one (1) such can may be located within a single vehicle, and not more than two (2) such cans in any hangar.

### ***Section 5-4. Aircraft fueling locations.***

All aircraft fueling/defueling shall be performed outdoors. Aircraft being fueled/defueled shall be positioned so that aircraft fuel system vents or fuel tank openings are not closer than twenty-five (25) feet from any building or hangar unless otherwise approved by the airport manager and city fire department.

### ***Section 5-5. Maintenance of fuel servicing vehicles.***

Maintenance and servicing of aircraft fuel servicing vehicles shall be performed outdoors or in a building approved for that purpose by the fire department.

### ***Section 5-6. Open flame.***

There shall be no open flames in the airside area, within fifty (50) feet of any aircraft, fuel truck, and/or fuel storage area, or where specifically prohibited by the city. The category of open flames and lighted open-flame devices shall include, but shall not be limited to, the following:

- (a) Exposed flame heaters, liquid, solid or gaseous devices, including portable and wheeled gasoline or kerosene heaters and gas or charcoal grills;
- (b) Heat-producing, welding, or cutting devices and blowtorches;
- (c) Flare pots or other open-flame lights.

***Section 5-7. Environmental spills and removal.***

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, and/or dumping fuel. 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 airport manager within two (2) 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 for the deposit. 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.

***Section 5-8. Lubricating oils.***

A total of sixty (60) gallons of lubricating oils which are necessary for minor aircraft maintenance and have a flash point at or above one-hundred (100)° F, may be stored in hangars or other suitable storage devices as approved by the airport manager, provided they are stored in their original container and have original manufacturer's labeling.

***Section 5-9. Use of waste oil stations.***

Waste oil stations shall be used solely for the disposal of waste aircraft engine oil, and for the exclusive use of non-commercial general aviation tenants. No person shall place any vehicle engine oil, solvents, cleaners, antifreeze, or any other material or substance in the receptacle. Any person violating this section shall be responsible for all charges incurred during the proper disposal of such waste. Waste oil stations shall be used in accordance with the rules posted at the station.

***Section 5-10. Fire extinguishers.***

- (a) All tenants, lessees, licensees and permittees shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by the city fire department. Each fire extinguisher shall carry a suitable tag showing the date of most recent inspection.
- (b) At least two (2) fire extinguishers, each having a rating of at least 20-BC, shall be available for use in connection with aircraft fuel handling operations.

### ***Section 5-11. Fuel storage tanks.***

Subject to the other requirements of these regulations, a person may possess fuel within a fuel storage tank constructed, operated and maintained in all respects as required by federal, state, county, and local law.

- (a) Fuel so stored may be dispensed into any aircraft if operated and maintained by a fixed base operator in accordance with the Airport Minimum Operating Standards.
- (b) Fuel so stored in any other fuel storage tank must meet the following:
  - a. Be a minimum of a 10,000 gallon tank.
  - b. Submit fuel flowage fees as indicated in the Airports Rates and Fees Schedule.
  - c. Guarantee a minimum of 96,000 gallons per full or prorata share of the fiscal year (October 1<sup>st</sup> – September 30<sup>th</sup>). Failure to meet the 96,000 gallons will result an invoice for the balance of the minimal annual guarantee gallons multiplied by the fuel flowage fee indicated in the Airports Rates and Fees Schedule. This provision was originally adopted in Ordinance 2008-129 on June 17, 2008, thus does not apply to fuel storages tanks install prior to the adoption.
  - d. Meet the fueling safety, training, and insurance requirements for commercial operators indicated in the Airport Minimum Operating Standards.

### ***Section 5-12. Moveable fuel storage tanks.***

Unless otherwise approved by the airport manager moveable fuel storage tanks are prohibited at the airport except for:

- (a) Fuel trucks constructed, operated and maintained in all respects as required by law.
- (b) Permanent fuel tanks in an operable aircraft.
- (c) Tanks not exceeding one (1) gallon capacity used solely for sampling and testing fuel, engines and fuel handling apparatus.
- (d) No more than one (1) tank with a capacity of not more than fifty-five (55) gallons used by a person to fuel his own aircraft pursuant to a self-fueling permit.
- (e) Tanks lawfully transporting fuel for immediate dispensing into a fuel storage tank permitted by the city. Such vehicles shall access the airport at a point approved by the airport manager and remain under escort by a representative of the company receiving the fuel.

***Section 5-13. Self-fueling.***

Except as may be prohibited by other provisions of these regulations and any other applicable law, owners of a based aircraft that desires to self-fuel their aircraft, shall apply for and receive a self-fueling permit from the airport manager. The preceding sentence does not apply to the use of a self-service fuel facility provided by a fixed base operator.

***Section 5-14. Vehicle fuel.***

No person shall possess vehicle fuel on the airport except:

- (a) Within the permanently installed fuel tank of a vehicle for use only by that vehicle;
- (b) Within a moveable container designed for storage of vehicle fuel and having a capacity of not more than five (5) gallons. No more than one (1) moveable container containing vehicle fuel shall be located in a single vehicle. No more than two (2) such containers shall be located in any hangar. No such containers shall be located in a city-owned rental hangar.
- (c) Within above ground storage tanks with a capacity of not more than two-thousand (2,000) gallons, lawfully installed and maintained in accordance with section 5-1.

***Section 5-15. Fueling of non-aviation vehicles.***

Fueling of boats, motor homes, ATVs or other recreational vehicles is prohibited in the airside area.