



City of Arlington  
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# **City of Arlington Rules and Regulations Arlington Municipal Airport (GKY)**

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**1. GENERAL RULES AND REGULATIONS**

**1.1. Purpose**

The purpose of these Rules and Regulations is to protect the public health, safety, interest, and general welfare of the Operators, Lessees, Sublessees, Permittees, and users of the Arlington Municipal Airport (Airport), and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport.

**1.2. General Provisions**

These Rules and Regulations incorporate, by reference, the General Provisions.

**1.3. Enforcement**

Representatives of the City of Arlington (City), as designated by the City Manager, shall enforce these Rules and Regulations. Any entity who violates these Rules and Regulations may be cited, removed from the Airport, denied use of the Airport, and/or prevented from engaging in Activities at the Airport and shall be subject to all legal, equitable, statutory, and common law rights and remedies available to the City.

**1.4. Security**

City of Arlington Police Department (Police Department) has the overall responsibility for security of the Airport. Operators, Lessees, or Sublessees are responsible for the security of Leased Premises.

**A. Security Gates.** Gates providing access to the Air Operations Area (AOA) shall remain closed, locked, and secured except when actually in use. Manual Security gates actually in use shall be immediately closed and secured. Any Security gate left open for an extended period must be manned in a manner to prevent unauthorized entry. Only persons authorized by the Airport Manager shall be allowed to control an open Security gate.

**B. Locks and Access Codes.** Tampering with, interfering with, or disabling the lock or closing mechanism, or breaching any security device is prohibited unless authorized by the City. Persons who have been provided a code or device for the purpose of obtaining access to a Restricted Area shall not, under any circumstances, convey the code or device to any other person unless authorized in writing by the City.

**C. Falsified Documents.** No person shall make, possess, use, offer for sale, pass, or deliver any forged or falsely altered pass, permit, identification card, sign, and/or other authorization purporting to be issued by or on behalf of the City.

**D. Leased Premises.** Leased Premises are expressly for the conduct of the Lessee's or Sublessee's activities. No person (other than its employees or customers) shall use or Loiter on such premises without permission of the Lessee or Sublessee. The Airport shall not be used to camp or stay overnight without permission of the Airport Manager.

**1.5. Emergency Conditions**

Emergency conditions shall not mitigate or cancel these Rules and Regulations. Permits issued under these Rules and Regulations shall be rendered invalid until the

emergency situation has been fully and completely resolved and normal operations have resumed. Emergency directives or procedures may be issued at the discretion of the Airport Manager, who shall also determine when normal operations may resume.

### 1.6. General Conduct

No person shall:

- Commit any disorderly, obscene, lewd, indecent, or unlawful act; or commit any act of nuisance (including the use of abusive or threatening language).
- Engage in activities that create a hazard or risk of injury or death to a person(s) or damage to Property.
- Destroy, damage, injure, deface, disturb, or tamper with Property. Any Property damaged or destroyed shall be replaced (or replacement shall be paid for) by the responsible person(s).
- Loiter at the Airport. Unauthorized use of the Public Area (which does not include areas owned and/or leased by Commercial businesses) for hotel, motel, or other accommodations purposes is prohibited.

Alcoholic beverages may only be consumed in accordance with applicable Regulatory Measures. No person shall be intoxicated, and the City reserves the right to exclude or expel any person who is intoxicated or under the influence of alcoholic beverages or drugs.

Smoking in any Public Area of the Airport is prohibited except in areas specifically designated.

### 1.7. Access To, Entry Upon, or Use of the Airport

Access to or entry upon the Airport shall be made only at locations designated by the Airport Manager. Any person accessing, entering upon, or using the Airport shall be fully and completely responsible for their actions and the actions of any person to whom they provide access to the Airport. All actions shall be in full and complete compliance with these Rules and Regulations.

Commercial Operators that allow airside access to delivery personnel or vendors are responsible for their conduct, and must provide driver training. A class on driving in the aircraft movement area is available from Airport Operations at no charge.

No person shall travel at the Airport other than on designated roadways, walkways, or other approved areas. No person shall occupy roadways or walkways in such manner that hinders or obstructs their proper use.

Vehicle Operators shall stop the Vehicle and allow the perimeter gate to fully close before proceeding. The Vehicle Operator shall also ensure that no unauthorized Vehicles or persons gain access to the Airport while the gate is in operation. If the Vehicle Operator cannot prevent such access, the Vehicle Operator shall immediately contact the Airport Operations or call "911".

No person shall use or otherwise conduct themselves in any area of the Airport in any manner contrary to the directions posted in or for that area. Access to Restricted Areas is limited to persons:

- Under appropriate supervision or escort, or
- As otherwise approved by the Airport Manager.

Conduct of or participation in solicitation, picketing, demonstrating, parading, marching, patrolling, sit-ins, sit-downs, or other similar activities and/or assembling, carrying, distributing, or displaying pamphlets, signs, placards, or other materials is prohibited without prior written permission of the City. When approved by the City, such activities shall only be conducted in those areas identified by the City.

**Any person accessing, entering upon, or using the Airport shall defend, indemnify, save, protect, and hold harmless the City, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers from and against (and reimburse the City for) any and all actual or alleged claims, demands, damages, expenses, costs or fees including, but not limited to, attorney, accountant, paralegal, expert, and escrow fees and fines, environmental costs, and/or penalties (collectively referred to as costs), which may be imposed upon, claimed against or incurred or suffered by the City and which, in whole or in part, directly or indirectly, arise from or are in any way connected with the person's activities at and use of the Airport.**

#### **1.8. Animals**

No person shall bring animals, birds, reptiles, or insects (except for special assistance animals or animals used for law enforcement purposes) into the Public Areas, unless restrained by a leash of no more than six (6) feet in length, container, or crate. Animal waste must be promptly picked up by the owner and properly disposed of in a trash receptacle. Domestic pets shall be kept inside facilities, Aircraft, or Vehicles, but shall not remain overnight. Unauthorized hunting, trapping, catching or killing of any bird, fish, or animal is prohibited. No person shall feed or encourage the congregation of birds or other animals on the Airport.

#### **1.9. Weapons and Explosives**

Weapons or explosives may only be carried (possessed) in accordance with applicable Regulatory Measures. Unauthorized storage, discharge of any weapon, or possession of Class C explosives (e.g., fireworks, firecrackers, etc.) is prohibited.

#### **1.10. Trash and Recycling**

Trash shall be placed in designated trash receptacles and shall be emptied to prevent overflowing and cleaned periodically to prevent offensive odors. Trash shall not be brought to the Airport.

Lessees and Sublessees are encouraged to utilize separate stream recycling by discarding recyclable materials into separate bins which shall be emptied to prevent overflowing and cleaned periodically to prevent offensive odors. The recycle dumpster is located behind Fire Station 12. Recyclable materials shall not be brought to the Airport.

Used or spent Aircraft engine oil shall be disposed of at approved disposal locations. Hangar tenants may access the used oil containment facility by calling Airport Operations, or picking up a key from Airport Administration.

**1.11. Safe Operation of Equipment and Aircraft**

Starting, moving, using, or interfering with the safe operation of any Aircraft, Vehicle, or equipment without the owner's permission or by specific direction of Airport Operations is prohibited. If requested by Airport Operations or a Law Enforcement Officer, satisfactory evidence of the right to do so shall be presented.

**1.12. Accidents**

Any person involved in or witnessing an Accident resulting in any injury or death to a person(s) or damage to Property shall immediately call "911" and Airport Operations. If reasonably able to do so, such person shall remain at the scene and respond to the inquiries of (and provide the information requested by) the City, Police Department, City of Arlington Fire Department (Fire Department), and/or investigative personnel.

No person shall tamper with an Accident scene or fail to comply with any directive issued by Airport Operations, the Police Department, the Fire Department, or any other Agency having jurisdiction over the Accident scene. Unauthorized entry to the AOA to gain access to an Accident scene is prohibited.

**1.13. Abandoned, Derelict, or Lost Property**

Property shall not be abandoned at the Airport. Abandoned, derelict, or lost Property found in Public Areas shall be reported or turned in to the City. The City will comply with State of Texas Transportation Code, Title 7. Vehicle and Traffic, Subtitle H. Parking, Towing, and Storage of Vehicles, Chapter 683. Abandoned Motor Vehicles upon identifying Abandoned Property.

**1.14. Commercial Activities**

Any entity desirous of engaging in a Commercial Aeronautical Activity (Applicant) shall complete all relevant and applicable sections of the General Aviation Operator and Lessee Application (Application) and obtain a General Aviation Operator Permit from the City prior to engaging in the desired Commercial Activity.

The Permit process is described in Section 12 of the General Aviation Minimum Standards (Minimum Standards). Any entity:

- Engaging in Commercial Aeronautical Activities must comply with the Minimum Standards.
- Basing an Aircraft at the Airport shall not permit the Aircraft to be used for Commercial Aeronautical Activities unless authorized by Agreement.
- Desiring to engage in Commercial photography or filming at the Airport shall obtain written permission from the City prior to engaging in such activity.

**1.15. Signage and Advertisements**

Signage must be consistent with the Design Standards and City Ordinances. Signs, advertisements, notices, circulars, and/or handbills may not be posted, displayed, or distributed without the prior written permission of the City. The City has the right to remove or relocate any unauthorized sign, advertisement, notice, circular, and/or handbill posted, displayed, or distributed.

### **1.16. Fire and Flammable Materials**

Operators, Lessees, and Sublessees shall comply with practices recommended by the National Fire Protection Association (NFPA) and all fire codes, regulations, or directives issued by the Fire Department and/or the City. In no event shall smoking or carrying lighted cigars, cigarettes, or pipes occur within 50 feet of any Aircraft, Refueling Vehicle, or Fuel storage facility. Unauthorized open flames are prohibited without the prior written permission of the City and the Fire Department. This excludes approved open flames utilized in the performance of Aircraft Maintenance.

Uncontrolled fires (regardless of size or whether the fire has been extinguished) shall be reported immediately to "911" and Airport Operations. No person shall tamper with any fire extinguisher or related equipment or use it for any purpose other than fire prevention or firefighting. Such equipment may be inspected by the Fire Department and/or City at any time and shall be kept fully operational and inspected annually. A tag showing the date of the last certified inspection shall be attached to each unit, and records shall be kept documenting the status of each unit.

No person shall block or modify any self-closing fire door or do anything which would interfere or prevent closing in the event of a fire. Flammable materials shall only be used or stored in accordance with the practices recommended by the NFPA and in compliance with Regulatory Measures. Unauthorized use of flammable, volatile liquids having a flash point of less than 100 degrees Fahrenheit is prohibited. The practices recommended by the NFPA shall be adhered to in all cleaning, painting, refurbishing, and other operations using flammable liquids including the storage of such liquids.

### **1.17. Hazardous Materials**

No person shall store, keep, handle, use, dispense, discharge, or transport any Hazardous Materials or Hazardous Materials container in contravention of any Regulatory Measures. Material Safety Data Sheets (MSDS) for all Hazardous Materials shall be maintained on-site and be readily available to the City, its representatives, and emergency responders for review.

Hazardous Materials shall not be stored in close proximity to operating Aircraft, Vehicles, equipment, or sources of heat nor be stored in excess of amounts needed as current inventory. If permitted under Regulatory Measures, Hazardous Material shall be kept enclosed in a clearly marked and properly labeled container approved by the Fire Department. Secondary containment is required for the storage of Hazardous Materials being stored in tanks, drums, or other similar storage receptacles. Fuels or deicing fluids in containers greater than 55 gallons shall not be stored without providing prior notification (and a copy of an SPCC Plan) to the City and the Fire Department.

Hazardous Materials and Hazardous Materials containers shall be disposed of in a manner that is consistent with NFPA recommendations and complies fully with Regulatory Measures. No Hazardous Materials shall be disposed of on the ground or into the air during Aircraft preflight inspections. Any person who experiences a release of Hazardous Materials shall comply with Section 1.18 of these Rules and Regulations and Regulatory Measures.



### 1.18. Environmental (Hazardous Materials) Clean Up

The party responsible for an environmental incident is responsible for:

- The immediate mitigation and cleanup of the overflow or spill;
- Proper disposal of the substance(s) and used cleanup materials; and
- The immediate notification of the Fire Department and the City.

In the event the City determines the responsible party is unavailable, unable or unwilling to take appropriate action to mitigate the incident in a timely manner (at the responsible party's risk, cost, and expense), the City may take action and/or employ those services that are required to control and/or clean up the site at the risk, cost, and expense of the responsible party, without liability to the City.

The use of deicing fluids is exempt when such use complies with Regulatory Measures pertaining to the deicing of Aircraft and/or Paved surfaces.

In the event a Hazardous Materials overflow or spill occurs, regardless of the amount of the overflow or spill, the responsible party shall take appropriate action to contain the overflow or spill, notify the Fire Department and other appropriate Agencies and clean up, mitigate, and remediate the site. The following procedures shall be followed unless otherwise required under an approved SPCC Plan or instructed by the City or the Fire Department.

A. **Minor Hazardous Materials.** Overflow or spills of less than five gallons which do not compromise public safety. The responsible party shall:

- Stop the source of the spill immediately.
- Contain the spill with appropriate absorbent material(s).
- Block all stormwater drains in the immediate area to prevent the spill from flowing into the drain(s).
- Contact the City immediately.
- Dispose of the used absorbent material(s) into in a sealed container(s) until proper disposal can be made. Salvage drum(s) shall be approved by the Department of Transportation (DOT) (DOT-E-10102).

B. **Major Hazardous Materials.** Overflow or spills in excess of five gallons (or which compromises public safety), but less than 25 gallons or any spill causing an immediate threat to public safety. In addition to following all of the procedures in the Minor Hazardous Materials Overflow or Spill response, the responsible party shall:

- Call 911.
- Determine the threat to the immediate public and make any arrangements to secure the safety of the immediate public (e.g., evacuation).
- Assess the damage to land and/or ground water in conjunction with the City.
- Provide a written summary of the spill to the City within five business days of the spill.

C. **Serious Hazardous Materials.** Overflow or spills in excess of 25 gallons which may pose a serious threat to the public safety. In addition to following all of the procedures in the Minor and Major Hazardous Materials Overflow or Spill response, the responsible party shall:

- Provide a detailed written summary of the spill to the City within five business days of the spill which shall also identify the measures which the responsible party will take to eliminate the potential for such a spill in the future.

Operators, Lessees, Sublessees, or users with Fueling capability or responsibility for maintenance of Fuel systems shall have on hand sufficient: (a) containment booms to form a barrier around the spill and (b) sufficient absorbent material(s), booms, blankets, pads, pillows, and other clean-up materials available to pick up the spilled product and store it in a sealed container(s) until proper disposal can be made. Salvage drum(s) shall be approved by the Department of Transportation (DOT) (DOT-E-10102).

#### **1.19. Safety Management System**

Operators, Lessees, or Sublessees engaged in any activity, whether using or occupying Airport land and/or Improvements, shall adhere to the practices recommended by the FAA and shall comply with all Safety Management Systems (SMS) regulations or directives issued by the City.

## **2. AIRCRAFT RULES AND REGULATIONS**

### **2.1. Regulatory Measures**

Aeronautical Activities shall conform to 14 Code of Federal Regulations (CFR), these Rules and Regulations, and the directives of the Airport Manager or Air Traffic Control (ATC) personnel.

### **2.2. Non-Airworthy, Disabled, or Abandoned Aircraft**

Only Airworthy Aircraft or Flyable Aircraft meeting the conditions set by the FAA in 14 CFR 91.7, and having (1) correct and valid certificates, documents and equipment in the aircraft, or available, (2) an annual or condition or progressive maintenance inspection completed and released by an appropriate authority that substantiates the aircraft is in a condition safe for flight, (3) a determination by the pilot in command that the aircraft is in a condition safe for flight shall use the Airport and Leased Premises for Aircraft parking, staging, or storage. Military aircraft and those with a special flight authorization by the FAA may also use the Airport and Leased Premises. Non-airworthy Aircraft may undergo long-term major renovation or restoration as long as the Aircraft is stored in an approved Hangar.

Aircraft Owner/Operator shall remove Non-airworthy or Non-flyable Aircraft within 90 days of becoming a non-airworthy or non-flyable aircraft, unless otherwise previously authorized in writing by the Airport Manager. Aircraft Owner/Operator shall either remove non-airworthy Aircraft or provide evidence that the aircraft is airworthy or in a condition safe for flight within 30 days of written notification being sent from or on behalf of the City. If Aircraft Owner/Operator is unknown or cannot be located, the Airport Manager shall conspicuously post and affix such written notice to the Aircraft.

Aircraft Owner/Operator shall be responsible for the safe and prompt removal of disabled Aircraft and any part thereof from a Movement Area to a designated Non-Movement Area, unless otherwise required or directed by the City, FAA, NTSB, or Agency having jurisdiction.

Abandoning an Aircraft on the Airport is prohibited. The City will comply with State of Texas Statute Transportation Code Title 7, Subtitle H Chapter 683 upon identifying an Aircraft abandoned or derelict. Once an Aircraft is impounded by the City, the City shall charge impound fees and publish a legal notice of intent to remove the Aircraft in the county in which the Aircraft Owner/Operator was last known to reside/exist, and if such location is unknown, then in the legal organ of Arlington, Texas.

The Aircraft Owner/Operator may claim the Aircraft by paying applicable fees and charges in full, promptly removing the Aircraft from the Airport, and responding to the Airport Manager as set forth in the published notice. If the Aircraft Owner/Operator fails to remove the Aircraft within the established period, the City may, without liability to the City:

- Cause the removal of the Aircraft from the Airport at the risk, cost, and expense of the Aircraft Owner/Operator;
- Sell the Aircraft at public auction through sealed bids to the highest bidder;

- Or in the event no bid is received, the Aircraft may be sold by negotiation, disposed of as junk, or donated to any government agency.

The City shall retain any surplus arising from the sale of the Aircraft. The City may assess and recover from the Aircraft Owner/Operator all applicable rents and fees, impoundment charges, and other related expenses including reasonable attorney fees incurred by the City in connection with the enforcement of these provisions.

### **2.3. Based Aircraft Registration**

Based Aircraft must be registered with the City or through an authorized FBO or SASO where the Aircraft is based. Registration information shall include the following:

- Aircraft make, model, registration number, and maximum gross landing weight.
- The name of all Aircraft Owner(s)/Operator(s) including address, and phone number and email address.
- A Certificate of Insurance identifying required liability coverages for the non-commercial Aircraft.

The Aircraft Owner and/or Aircraft Operator shall procure, maintain, and pay all premiums and carry and keep policy in full force and effect throughout the registration period for the applicable insurance coverages. The insurance company or companies underwriting the required policy shall be authorized to write such insurance in the State of Texas (with a Best rating of A or above) or be approved in writing by the City. The City reserves the right to require more or different types of insurance coverage based on entity's individual risks or exposures.

Based Aircraft Operators must have a Tie-down or Hangar agreement with either the City or an authorized FBO or SASO.

### **2.4. Hours of Operation**

The Airport is available for use 24 hours per day, 7 days per week, unless closed by Notice to Airmen (NOTAM).

### **2.5. Accidents**

Aircraft Operators involved in an Aircraft Accident shall make a full and complete report of the Accident to the City and appropriate Agencies in a timely manner, complete any additional required forms and/or reports, and comply with NTSB Regulations Part 830. The report to City shall include copies of any forms, reports, and/or documentation provided to the NTSB, FAA, or other Agencies having jurisdiction.

Aircraft involved in an Accident may not be removed from the scene of the Accident until authorized by the City, who shall receive authorization (to remove the Aircraft) from the FAA, NTSB, or other Agencies having jurisdiction. Once authorization to remove the Aircraft has been issued, the Aircraft Owner or operator shall be responsible for the safe and prompt removal of the Aircraft and any parts thereof to a designated Area.

### **2.6. Prohibiting Use of the Airport**

The Airport Manager shall have the right at any time to restrict or close the Airport or any portion thereof (except for emergency arrivals) or ground movement, or deny the

use of the Airport to any person(s) when the Airport Manager considers such actions to be necessary in the event of an emergency or in the interest of safety or security. The Airport Manager, the FAA, or ATC may issue or cancel a NOTAM to close or open the Airport (or any portion thereof) or to restrict or terminate any activity at the Airport. Under no circumstance shall an authorized Airport closure or restriction constitute grounds for reimbursement of any expense, cost, loss of revenue, or damage which may be incurred by any Operator, Lessee, Sublessee, user, or any other entity.

### **2.7. Maintenance**

Aircraft Maintenance may only be performed within approved and fully permitted facilities or areas identified by the City. The owner or pilot housing an aircraft in an Aircraft Storage Hangar may perform preventive maintenance as defined in FAR 43 Appendix A(c) on any aircraft owned or operated by that pilot which is not used under part 121, 129, or 135 so long as such maintenance activity conforms with the City's Building/Fire Codes.

### **2.8. Painting**

Doping, painting, or paint stripping is prohibited in any Aircraft Storage Hangar and shall only be performed in specifically approved facilities and in accordance with the practices recommended by the NFPA and in full compliance with Regulatory Measures.

### **2.9. Cleaning**

Aircraft cleaning shall only be performed at an approved wash rack. Aircraft cleaning, which creates runoff directly into a storm drain, is prohibited. All residual fluids (cleaning byproducts) must be contained and removed by approved methods or flow to an oil/water separator. It is recommended that all Aircraft cleaning be accomplished with biodegradable soap and without the use of solvents and/or degreasers. When non-biodegradable soap, solvents, and/or degreasers are used for Aircraft cleaning, these substances shall be disposed of in accordance with Regulatory Measures. Aircraft, Aircraft engines, and/or parts may be dry washed without approval by the City.

### **2.10. Deicing**

Aircraft deicing (the removal of snow and/or ice with chemical substances) shall only be accomplished in the location(s) specified by the City.

### **2.11. Engine Operation**

Between the hours of 10:00 p.m. and 6:00 a.m., Aircraft engine Runups are not permitted except for Runups required in preparation for Aircraft departure. Aircraft engines shall not be started within any structure. Aircraft operators shall take precautions to protect the public from potential hazards resulting from Aircraft operations. Starting an Aircraft engine when flammable liquid is on the ground in the immediate vicinity of the Aircraft is prohibited. Aircraft controls shall be attended while Aircraft engines are operating.

### **2.12. Parking and Storage**

Aircraft shall be parked within the confines of the assigned or designated Tie-down or parking space and shall not block a Taxiway, Taxilane, or obstruct access to other

Aircraft storage or parking areas, Vehicles, equipment, gates, or other facilities. Unless utilizing a Leased Premises or as otherwise provided in an Agreement, no person shall use any area for the parking, staging, and storage of Aircraft, without prior written permission of the City. In the event a person uses any area for Aircraft parking, staging, or storage without first obtaining the prior written permission of the City, the City may remove and store the Aircraft at the risk, cost, and expense of the Aircraft Owner or Aircraft Operator without liability to the City.

Aircraft Operators shall ensure Aircraft are properly secured when parked and/or stored. Moored lighter-than-air Aircraft shall have at least one person monitoring the safety of the mooring for the duration of the mooring.

Upon request of the City, the Aircraft Owner/Operator shall move the Aircraft to a location identified by the Airport Manager. In the event the Aircraft Owner/Operator refuses, is unable, or unavailable, the Airport Manager may move the Aircraft at the risk, cost, and expense of the Aircraft Owner/Operator without liability to the City.

### **2.13. Security**

In the event an Aircraft requires added security, the Aircraft Owner/Operator shall be responsible for such security and may provide and/or arrange for such security after notifying the Airport Manager. No person shall interfere or tamper with any Aircraft without the Aircraft Owner's/Operator's permission.

### **2.14. Operations**

Operating an Aircraft in a careless, negligent, or reckless manner which endangers or is likely to endanger persons or Property is prohibited. Aircraft Operators shall obey all pavement markings, signage, and lighted signals unless instructed otherwise by ATC or by written notification of the City or NOTAM.

Airborne radar equipment shall not be operated or ground-tested in an area which endangers or is likely to endanger persons or Property or within 100 feet of another Aircraft, an Aircraft Refueling Vehicle, or a Fuel storage facility. Aircraft radio transmissions, if not for maintenance purposes, are prohibited while an Aircraft is inside a Hangar.

The starting, positioning, or taxiing of Aircraft shall be done in such a manner so as to avoid generating or directing propeller or jet blast which may endanger persons or Property. It may be necessary to tow the Aircraft to another location prior to engine start to avoid endangering persons or Property.

Aircraft shall not land, takeoff, taxi, park, or be staged in any area that has been restricted to a maximum weight which is less than the maximum weight of the Aircraft or on any closed runway or taxiway. It shall be the Aircraft Owner's/Operator's responsibility to repair any damage caused by excessive Aircraft weight and/or other operations.

### **2.15. Taxiing and Towing Operations**

Aircraft Operator shall not taxi an Aircraft until it has been determined that there is no danger of a collision with any person, structure, object, or Property. Aircraft shall not be taxied into, out of, or within any structure. Aircraft being taxied shall have a person at

the controls who shall monitor the radio frequency in use by ATC. Taxiing Aircraft shall yield the right-of-way to Emergency Vehicles, equipment, or Aircraft unless otherwise directed by ATC or by written notice of the City or issued NOTAM.

Aircraft Operators shall not taxi an Aircraft at a speed greater than is reasonable and prudent under the prevailing conditions so as not to endanger persons or Property. Aircraft shall only be taxied or towed in areas normally used for operation of Aircraft unless prior written approval has been provided by the City.

### **2.16. Rotorcraft Operations**

Rotorcraft shall park or operate only in Movement Areas, Aircraft parking areas, or areas designated for rotorcraft operations. Rotorcraft shall not be operated within 50 feet of any structure or Fuel storage facility or within 100 feet of any area where Light Aircraft are parked or operating.

### **2.17. Noise Abatement Procedures**

Consistent with the Aircraft Operator's responsibility for the safe operation of the Aircraft and compliance with ATC instructions, Aircraft Operators shall use procedures which minimize the noise impact on surrounding areas. Aircraft Operators should comply with the National Business Aviation Association's (NBAA) Noise Abatement Program and other noise abatement strategies as may be established by the City.

### **2.18. Restricted Activities**

Aircraft Operators shall provide advance notification to the City before engaging in any of the following activities and shall conduct these activities in accordance with the specific requirements stipulated by the City:

- Use of motorless Aircraft – the landing upon or towing of gliders and other certificated motorless Aircraft.
- Use of Ultralight Vehicles – the landing upon or taking off of Ultralight Vehicles.
- First flight or test flights after major airframe and/or powerplant modifications.
- Use of lighter-than-air Aircraft – the landing upon or taking off of airships, dirigibles, blimps, balloons, and other certificated lighter-than-air Aircraft which utilize gasses or hot air to provide lift.
- Banner or glider towing – the landing upon or taking off of Aircraft which tow banners, gliders, or other devices.
- Sky diving, parachuting, or powered parachute operations.
- Operation of Aircraft with a maximum certificated takeoff weight in excess of the published weight bearing capacity for the Runway(s) and/or Taxiway(s).
- Transportation of Hazardous Materials – the operation of Aircraft carrying flammable, explosive, or corrosive materials, except those which are necessary for the operation of the Aircraft or in use by crewmembers or passengers, shall comply with regulations established in 49 CFR Parts 100-199 and Regulatory Measures governing such shipments. Hazmat and ARFF equipment and trained personnel will be required for this type of operation as

a precautionary measure. Costs associated with trained hazmat personnel and related equipment shall be borne solely and completely by the Aircraft Operator.

### **2.19. Fees**

Aircraft shall not land or takeoff unless the Aircraft Owner/Operator has paid all fees/charges owed to the City unless exempt from payment in an Agreement or as provided by Regulatory Measures. The City shall have the authority to detain any Aircraft for non-payment of any fees/charges due to the City.



### **3. GENERAL AVIATION TERMINAL RULES AND REGULATIONS**

#### **3.1. Tenant Responsibilities**

Tenants shall comply with all provisions in their lease and with the Arlington Municipal Airport Terminal Building Rules and Regulations.

#### **3.2. Public Areas**

- Canvassing, peddling, soliciting, and distribution of handbills in the Building is prohibited.
- Nothing may be left in public areas of the Terminal Building without the approval of the Airport Manager.
- All printed material in the lobby and public areas must be related to City activities or aviation.
- Ads or other printed material for the bulletin board must be approved by the Airport Manager.

#### **3.3. Security**

- Tenants shall comply with all requirements necessary for the security of their leased premises and the Building.
- Tampering or interfering with door locks or closing mechanisms is prohibited, unless approved by the Airport Manager.
- The City will provide all initial door locks (and keys) for Leased Premises owned by the City. All subsequent lock changes or key replacements, if approved by the City, shall be at the Lessee's or Sublessee's sole cost and expense. Duplicate keys, security systems, or additional locks require prior written authorization by the City.

#### **3.4. Leased Premises**

- Leased Premises and adjacent areas shall be kept clean and free from rubbish.
- Food-related refuse shall not be allowed to remain in the Leased Premises overnight.
- In the event of an insect or animal infestation, Lessee shall notify Airport Administration immediately.
- No area of the General Aviation Terminal Building shall be used for storage of equipment, fixtures, or cargo without prior authorization of the City.
- Lessees and Sublessees shall not erect, install, or otherwise maintain any aerials, transmitters, or antenna without prior written authorization from the City.

**4. VEHICLE RULES AND REGULATIONS**

**4.1. Regulatory Measures**

All Vehicle Operators shall comply with the Texas Transportation Code, these Rules and Regulations, directives issued by the Airport Manager, and the orders of the Police Department.

**4.2. Licensing and Permit**

Except for Vehicles which are exclusively used on the AOA, all Vehicles shall meet the State of Texas licensing, inspection, and registration requirements. Vehicle Operators shall request an escort from Airport Operations if unfamiliar with the Airport.

**4.3. Equipment**

- Vehicles shall not be operated at the Airport unless the Vehicle is in sound mechanical order. Trailers and semi-trailers shall not be disengaged from towing Vehicles.
- Storage of trailers in hangars is prohibited.
- Vehicles constructed, equipped, loaded, or maintained so as to endanger or be likely to endanger persons or Property are prohibited.
- No tank Vehicle, truck, or semi-trailer used for the transportation of flammable liquids, Fueling, or defueling of Aircraft shall be operated on the AOA without prior written approval of the City.
- Vehicles hauling trash, dirt, or any loose material(s) shall secure and cover the Vehicle's load.
- Positive locking couplings are required for all towing Vehicles and related equipment.

**4.4. Vehicular Operations**

- Vehicles are not permitted to be operated in a careless, negligent, unsafe, or reckless manner. Vehicles shall not be operated at a speed greater than is reasonable and prudent under prevailing conditions. In areas where signs are not used or posted, the speed limit shall be:

<b>Maximum Speed (miles per hour)</b>	
Airside	15
Landside	20

- Vehicle Operators shall provide proper signals and obey all traffic lights, signs, mechanical or electrical signals, and pavement markings.
- Vehicle Operators shall immediately obey any visual or audible signals from City employees or Law Enforcement Officers.
- Vehicle Operators shall yield the right of way to Aircraft and not overtake or pass in front of a moving Aircraft.

- Vehicle Operators shall yield the right of way to Emergency Response Vehicles and shall not attempt to follow such vehicles.
- Vehicle Operators shall also yield the right of way to pedestrians, Airport vehicles and ramp equipment, such as aircraft tugs.
- Vehicles shall not impede or block the normal and reasonable movement of traffic.
- Tenants using bicycles or motorized carts for personal transportation shall follow the Vehicle Rules and Regulations.
- Use of any vehicle (or other similar devices) for purely recreational purposes on Airport property is not permitted.

### 4.5. Air Operations Area

The City may require completion of an Airport driver's safety class prior to allowing access to the AOA. The City may restrict Vehicle Operators to a certain area(s) of the AOA and prohibit Vehicle operations outside the designated area(s).

Vehicle Operators using the AOA on an irregular basis must obtain permission from the City or be escorted by an authorized Vehicle Operator and shall proceed directly to the destination without entering the Movement Area.

**Vehicles used exclusively on the AOA shall be equipped with an approved and fully operational amber (or red for Emergency Vehicles only) rotating, flashing, or steady beacon on the roof or uppermost point of the Vehicle providing 360 degree view and in compliance with AC 150/5210-5B. The beacon shall be activated prior to entering the AOA and shall remain in operation while the Vehicle is on the AOA.**

### 4.6. Movement Area

No person shall drive any Vehicle on the Movement Area unless permission has been granted in an Agreement or obtained in writing, in advance, from the City. Vehicles in the Movement Area shall be painted and/or properly marked in a manner approved by the City. Vehicles operating in the Movement Area on a regular basis shall be equipped with a functioning two-way radio capable of communicating on the proper aeronautical frequencies.

When construction-related Vehicles are required to enter or work within the Movement Area, such Vehicles will be marked with an approved orange and white checkered flag (for daytime operations) or an amber beacon (for nighttime operations). If the construction Vehicle is not equipped with an approved two-way radio, the Vehicle shall be escorted at all times (while in the Movement Area) by a City-authorized Vehicle, or have an authorized flagman designated by the City to give instructions to the Vehicle Operator.

Vehicle Operators authorized to operate a vehicle in the Movement Area shall understand and comply with the Letter of Agreement between the City and ATC regarding Airport Surface Traffic Procedures. Vehicle Operators shall obtain clearance from ATC and ensure that no Aircraft is approaching prior to entering the Movement Area. During the hours the Control Tower is closed, Vehicle Operators shall comply with

FAA AC 90-42F - Traffic Advisory Practices at Airports without Operating Control Towers.

Vehicle Operators shall:

- Carry a radio tuned to the airport's Common Traffic Advisory Frequency (CTAF) of 128.625 MHz.
- Stop, look both ways, and listen for aircraft that are landing, taking off, or taxiing.
- Alert others to your presence by stating your specific location and intentions, using the radio tuned to 128.625 MHz.
- Alert others when using a taxiway or runway by making announcements on the radio before you enter.
- Give way to aircraft whether landing, taking off or taxiing.

In the event a Vehicle in the Movement Area experiences radio failure, the Vehicle Operator must vacate the area when safely possible. If a safe exit is not possible due to conflicting Aircraft operations, the Vehicle Operator shall indicate radio failure by facing the Vehicle towards the control tower and flashing the Vehicle's headlights. Thereafter, the Vehicle Operator shall proceed in accordance with the standard colored light signal directions given by ATC.

Vehicle Operators operating in the Movement Area must be conversant with standard colored FAA light signals, regardless of whether or not the Vehicle is radio equipped.

### **4.7. Accidents**

A Vehicle Operator involved in an Accident resulting in any damage to Property, or injury or death to a person(s), shall stop at the scene (or as close as safely possible), immediately call "911" and notify Airport Operations. The Vehicle Operator (and the Vehicle) must remain at the scene until permission to leave is given by Police Department, Fire Department or Airport Operations.

### **4.8. Cleaning and Maintenance**

Vehicles shall not be cleaned and/or maintained on the Airport, except for minor repairs which are necessary to remove such Vehicles from the Airport. Equipment operated by Operators, Lessees, or Sublessees shall be cleaned and/or maintained only in areas fully compliant with the City's SWPPP.

### **4.9. Parking or Stopping**

Vehicles shall not be parked or stopped in such a manner so as to obstruct Aircraft, pedestrians or Vehicles. If a temporary closure is necessary, such as to load or unload Aircraft, or cargo, the Vehicle Operator shall contact Airport Operations for assistance.

Vehicles shall be parked only in designated parking areas unless otherwise approved in writing by the City. Parking on unpaved or grassed areas is prohibited unless approved by the Airport Manager. If such parking is allowed, Vehicle Operators are responsible for thoroughly cleaning the vehicle prior to proceeding on paved surfaces within the AOA. Any FOD created by Vehicles will be removed at the Vehicle Operator's expense.

Employees of Operators, Lessees, or Sublessees shall use employee parking areas on the Leased Premises, or in public parking areas, as designated by the City. All service Vehicles or equipment shall be parked in specially reserved and marked areas on the Leased Premises.

Aircraft Operators may park Vehicles inside the Hangar or outside the Hangar in designated parking areas while the Aircraft is gone. Aircraft Operators using Tie-downs for Aircraft storage may park Vehicles in designated public parking areas only while the Aircraft is gone.

Abandoning a Vehicle on the Airport, including on Leased Premises, is prohibited. Vehicles parked anywhere on the Airport for more than 30 calendar days without prior written notification to the City shall be considered abandoned. Such action shall be at the Vehicle Operator's risk, cost, and expense and without any liability to the City.

Displaying Vehicles, aircraft, and/or equipment for sale, lease, or rent is prohibited.

Boats, rafts, jet skis, snow mobiles, dune buggies, dirt bikes, all-terrain Vehicles, race cars, recreational Vehicles, trailers, and other similar Vehicles may not be parked or stored in a Hangar or anywhere else on the Airport.

The City may tow or otherwise remove any Vehicle which is disabled, abandoned, creates a safety or security hazard, or is parked in violation of these Rules and Regulations at the Vehicle Owner or Operator's risk, cost, and expense and without any liability to the City.

## **5. OPERATOR, LESSEE, AND SUBLESSEE RULES AND REGULATIONS**

### **5.1. Security**

Gates or doors which provide access to a Restricted Area through Leased Premises must remain closed, locked, and secured except when actually in use. All gates, chains, doors, locks and all other safeguards on the Leased Premises shall be maintained in good working order. Active logs of keys, access cards, and other media issued (and to whom issued) which allow access to the Leased Premises must be maintained. The log shall be made available to the City upon request. Any lost or stolen keys, access cards, or other media shall be disabled and reported to the City immediately if it allows continued access to a Restricted Area.

All applicable reporting requirements must be fully complied with as established by the City, FAA, and other Agencies having jurisdiction. Objects which could facilitate unauthorized access to a Restricted Area shall not be located in such a manner as to facilitate unauthorized access.

### **5.2. Construction or Alteration of Improvements**

Construction or alteration of any Improvement located at the Airport shall only be performed after obtaining prior written approval by City and in compliance with Agreements, FAA regulations, and with applicable Design Standards.

### **5.3. Maintenance of Premises**

Leased Premises and all associated facilities shall be:

- Kept free from all fire, safety, and security hazards;
- Maintained in a clean, neat, orderly, and fully operational condition consistent with best practices and equal or better in appearance and character to other similar Improvements at the Airport, normal wear and tear expected; and
- Maintained in a condition of repair and general maintenance in accordance with the Agreement.

Operators, Lessees, and Sublessees shall be fully responsible for and replace, or, at the City's sole discretion, reimburse the City for all damage to facilities, equipment, Property, related appurtenances, and all other Improvements at the Airport caused by Operator, Lessee, or Sublessee or its employees, agents, customers, visitors, suppliers or persons with whom they do business, and shall provide all necessary cleaning services for the Leased Premises, including janitorial and custodial services, trash removal services, removal of foreign objects/debris, removal of spent oils or other fluids, cleaning of oil/water separators, and any related services necessary to maintain the Improvements. Facilities (including Hangar floors) shall be kept clean and clear of the accumulation of Fuel, oil, grease, flammable liquids, rags, trash, or other waste materials. The use of volatile or flammable solvents for cleaning floors is prohibited.

Facades of all buildings and structures shall be kept in good repair, condition, and appearance at all times. Failure to properly maintain the Leased Premises may result in the City conducting or contracting the maintenance at Operator's, Lessee's, or Sublessee's sole cost and expense without liability to the City.

#### **5.4. Fire Prevention**

Operator, Lessees, and Sublessees shall be responsible for ensuring that fire prevention practices and/or procedures are followed. If available from the City, employees conducting Fuel Handling must receive fire prevention training and instruction by the Fire Department immediately upon employment, and annually thereafter. If available from the City, Fire prevention training and instruction shall be documented and kept on file.

Proper, appropriate, inspected, certified, and readily accessible fire extinguishers (which are approved by fire underwriters) for the particular hazard involved or associated with the activity shall be provided by Operators, Lessees, or Sublessees. At all times, fire extinguishers shall be maintained in accordance with the practices recommended by the NFPA. A tag showing the date of last inspection (and who performed the inspection) shall be attached to each unit.

A responsible person shall be designated and point-of-contact information shall be provided to the Airport Manager including the name of the primary and secondary contacts and day time and after-hours telephone numbers for both individuals.

#### **5.5. Heating Equipment**

All heating equipment and Fuel burning appliances installed or used at the Airport shall comply with all Regulatory Measures (as applicable) of the City, the State of Texas, the NFPA, and the Fire Department.

#### **5.6. Aircraft Hangars**

Aircraft Hangars shall only be used for the parking and storage of Aircraft and associated Aircraft equipment and supplies as approved by the City and the Fire Department or as otherwise stipulated in an Agreement. Use of Aircraft Hangars shall be subject to the following restrictions:

- Unless permission is granted by Agreement, no Aircraft Maintenance, alterations, or repairs shall be performed in a Hangar without the prior written permission of the City.
- Oily rags, waste oil, or other materials soiled with petroleum-based products shall be stored in containers with self-closing, tight-fitting lids, and be disposed of in accordance with applicable Regulatory Measures.

#### **5.7. Aircraft Tie-downs**

Preventative Aircraft Maintenance, as defined in 14 CFR Part 43, may be performed on the Aircraft listed in the Agreement for the Tie-down space.

#### **5.8. Storage of Materials and Equipment**

Materials and equipment shall be stored in such manner as to preclude creating FOD, litter, hazard or obstructing any operation. Unless approved in writing by the City, the storage of materials or equipment (excluding Refueling Vehicles) shall not be permitted outdoors. Intermodal containers, trucks, or flatbed trailers shall not be stored or used to store any type of materials, Vehicles, or equipment without the prior written permission of the City.

Temporary storage containers may be used during construction projects with the Airport Manager's approval.

Unless expressly permitted in an existing Agreement, the Leased Premises shall not be used to store non-aviation merchandise, supplies, or equipment.

#### **5.9. Compressed Gases**

Oxygen or any compressed gas in a cylinder or portable tank must be stored and maintained in accordance with the practices recommended by the NFPA. Compressed gas cylinders or tanks must have approved and fully operational pressure relief devices installed. The cylinders or portable tanks must be secured to a fixed location or secured to a portable cart designed and approved specifically for the cylinder(s) or tank(s) being secured. Cylinders or tanks not in use shall have an approved transportation safety cap installed.

#### **5.10. Lubricating Oils**

Lubricating oils having a flash point at or above 150 degrees may be stored in Hangars provided the product is stored in the original container and the capacity of the container is less than 55 gallons and the original manufacturer's labeling or marking is on the container (or the product is stored in other suitable containers approved by the City and the Fire Department). Storage of more than 55 gallons of lubricating oil or containers having a capacity of more than 55 gallons require a SPCC Plan be provided to the City. Such containers may only be stored in compliance with Regulatory Measures and consistent with the City's SWPPP.

#### **5.11. Right of Entry**

The City shall have the right of entry at reasonable times for repairs, maintenance, modification, or inspection of all facilities, buildings, and Improvements at the Airport.

The City and the Fire Department shall have the right of entry to facilities, buildings, and Improvements without advanced notification during emergencies. Emergencies may include, but shall not be limited to, fire, acts of nature, or Hazardous Materials spill or leak, or for the protection of persons or Property.

#### **5.12. Non-Commercial Flying Club**

A Non-Commercial Flying Club (Flying Club) is an entity that is legally formed as a non-profit entity with the State of Texas, operates on a non-profit basis, and restricts membership from the public. Flying Club members (Member) must have an equal ownership interest in the Flying Club. The Flying Club shall have a current copy of the following documents on file with the City:

- The articles of incorporation, copies of bylaws, operating rules, membership agreements, and the location and address of the club's registered office.
- A roster of all officers and directors including home and business addresses, email addresses, and telephone numbers.
- The designee responsible for compliance with applicable Regulatory Measures.



The Flying Club shall keep on file, and available for review by the City:

- A complete and current membership list and investment (ownership) share held by each member.
- A record of all members (past and present) with full names, addresses, and the date the membership began and ended.

Flying Clubs shall not engage in any Commercial Activity and its Aircraft shall not be used for any Commercial purposes.

- Flying Club Aircraft shall only be flown by Members.
- No Member shall use Flying Club Aircraft in exchange for Compensation. Members may only receive reimbursement for actual expenses associated with the use of Flying Club Aircraft.
- The Aircraft may only be used for flight instruction when provided by an approved Flight Training Operator on the Airport. Members may only conduct flight instruction relating to Aircraft checkout and/or currency (e.g., flight reviews, instrument proficiency checks, etc.) for other Members.
- If the Flying Club is performing Aircraft Maintenance on Aircraft owned by the Flying Club, Maintenance area and Hangar are required as follows:

<b>Maintenance area and Hangar (square feet)</b>	
Maintenance area (shall include adequate and dedicated space for employee work areas, shop areas, and storage for Aircraft parts, accessories, related components, and Equipment.)	360
Hangar (shall be at least equal to the square footage stipulated above or large enough to accommodate the largest Aircraft owned by the flying club, whichever is greater.)	3,600

**A. Insurance Requirements.**

Flying Club shall maintain, at a minimum, the coverage and limits of insurance set forth in the City’s Minimum Insurance Requirements.

## **6. AVIATION FUELING RULES AND REGULATIONS**

### **6.1. Regulatory Measures**

Fuel Handling, Refueling Vehicles, and Fuel storage facilities at the Airport shall conform to Regulatory Measures including without limitation, those prescribed by the State of Texas and City and provisions of 14 CFR; NFPA recommendations; ATA 103; Applicable ACs including AC 150/5230-4 "Aircraft Fuel Storage, Handling, and Dispensing on Airports", AC 00-34 "Aircraft Ground Handling and Servicing", and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used on an Airport"; the City's SWPPP and City's SPCC Plan; Regulatory Measures established by the Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Water Development Board, and any other Agency having jurisdiction.

### **6.2. Fuel Quality Control**

Fuel shall comply with the quality specifications outlined in American Society for Testing and Materials (ASTM) D1655 (Jet Fuel), ASTM D1910 (Avgas), or ASTM D4814 without ethanol. Ensuring the quality of the Fuel is the sole responsibility of entity engaged in Fuel Handling.

### **6.3. Fueling**

Persons engaged in Fuel Handling shall be properly trained, and exercise care and extreme caution. All Fuel Handling shall be performed with regard to the rights, safety, and security of others so as not to endanger, or be likely to endanger, persons or Property. If any malfunction or irregularity is detected on or within the Aircraft, Fuel Handling shall cease immediately and the malfunction or irregularity shall be brought to the attention of the Aircraft Owner or Aircraft Operator immediately.

Fuel Handling shall not occur if an electrical storm is in progress within 5 miles of the Airport. Fuel Handling may resume 15 minutes following any reported or observed lightning flash within 5 miles of the Airport.

All persons and entities engaged in Fuel Handling, including those using a self-serve fuel pump shall comply with the following:

- Fire extinguishers shall be immediately available during Fuel Handling to comply with practices recommended by the NFPA and all fire codes, regulations, or directives issued by the Fire Department and/or City.
- Smoking, matches, lighters, and open flames (e.g., candles, fixtures, or fires) are prohibited within 50 feet of any Aircraft, Refueling Vehicle, or Fuel storage facility, and no person shall use any material or equipment which is likely to cause a spark or ignition within 50 feet.
- No person shall operate Aircraft electrical systems, or switch Aircraft electrical appliances on or off during Fuel Handling. No person shall operate any radio transmitter, or receiver or switch the transmitter or receiver on or off during Fuel Handling, unless said radio transmitter or receiver is designed specifically for such environment. In the absence of suitable ground support equipment, a turbine-powered auxiliary power unit mounted at the rear of the Aircraft or on the wing on the side opposite from the fueling point may be

operated during Fuel Handling. A turbine-powered auxiliary power unit may be operated during Fuel Handling provided its design, installation, location, and combustion air source do not constitute a Fuel vapor ignition source. Fuel Handling shall be conducted in accordance with the procedures stipulated in the Aircraft Operator's Manual.

- Fuel Handling shall not occur while passengers are on board the Aircraft unless a passenger-loading ramp is in place at the Aircraft's cabin door, the door is in the open position, and a qualified attendant is present at the door.
- For single point Fueling, dead-man controls or mechanisms shall be utilized and shall remain in safe operating condition and good working order. No person shall deactivate or bypass a dead-man control or mechanism at any time.
- Fuel Handling shall be conducted outdoors and at least 25 feet from any Hangar or building and 50 feet from any combustion and ventilation air-intake to any boiler, heater, or incinerator room or as approved by the City and the Fire Department.
- Aircraft shall not be engaged in Fuel Handling in an area where Aircraft engines are operating, Aircraft or engines are being warmed by application of heat, or while the Aircraft is located in a congested area.
- Individuals may dispense only to their aircraft, or into a portable UL-approved safety container of less than five gallons. All fuel containers must be marked to indicate the type of fuel contained.
- Should a Fuel or oil spill occur at the Airport, the party responsible shall comply with Section 1.18 of these Rules and Regulations.

Persons engaged in Fuel Handling shall be solely, fully, and completely responsible for any violation, error, omission, or negligence incident. Entities engaged in Fuel Handling shall fully reimburse the City for any fines, legal or court costs, incurred by the City for any such violation, error, omission, or negligence.

#### **6.4. Commercial Operator Fueling and Fuel Storage**

Prior to engaging in Fuel Handling, entity shall provide the City with a written SPCC Plan that meets all applicable Regulatory Measures. An updated copy of the SPCC Plan shall be filed with the City at least 30 calendar days prior to any planned change in operations. Appropriate and proper absorbent material(s) and Fuel spill containment capable of damming/diking a Fuel spill shall be immediately available or as defined in the entity's approved SPCC Plan. Entities engaged in Fuel Handling shall be solely, fully, and completely responsible for any such violation, error, omission, or negligence incident to or in connection with the entities Fuel storage facilities, Refueling Vehicles, Fuel Handling, and training. The City assumes no liability or responsibility for any violation of any Aircraft, Refueling Vehicle, or refueling requirement or procedure, any error, omission, negligence, or any violation of any Regulatory Measure relating to Fuel Handling. Entities engaged in Fuel Handling shall fully reimburse the City for any fines, legal or court costs, incurred by the City for any such violation, error, omission, or negligence.

- A. Standard Operating Procedures.** Standard Operating Procedures (SOP) shall be developed and maintained for Fuel Handling to include compliance with standards set forth in AC 00-34A "Aircraft Ground Handling and Servicing." The SOP shall include a training plan, Fuel quality assurance procedures, record keeping, and emergency response procedures related to Fuel spills and fires. The SOP shall also address regular safety and security inspections, bonding and fire protection, public protection, marking and labeling of (and controlling access to) Refueling Vehicles and Fuel storage facilities. The SOP shall be made available to the City for review upon request no later than 30 calendar days before any Fuel Handling is scheduled to commence and it shall be made available for review upon request any time changes are planned.
- B. Training records.** Training records documenting the qualifications of (and the training provided to) each person shall be maintained and kept on file. Records shall indicate the initial and recurrent training provided (and the date such training was provided and by whom). Recurrent training shall be provided on a regularly scheduled basis, but not less than every year. Records shall be subject to review of and/or inspection by the City or other designated representative(s). Training shall be performed in accordance with 14 CFR Part 139.
- C. Fire Extinguishers.** All fire extinguishers shall be inspected and certified, as required by law, and all personnel involved with Fueling or defueling operations shall be qualified and properly trained to use all fire extinguishers.
- D. Transfer of Fuel.** Only those Refueling Vehicles which are approved by the City and the Fire Department shall be used for Fuel Handling. A properly trained person shall be present and responsive while Fuel is being transferred into or out of any Fuel storage facility (from or into Refueling Vehicle). The person shall remain within the immediate vicinity, in close proximity to, and in direct view of all operating controls and Refueling Vehicles. The person shall not leave the discharge end of any hose(s) unattended at any time while the transfer of Fuel is in progress. The person shall not block open, disengage, or deactivate the dead-man or any related controls while Fuel Handling.
- E. Rotorcraft Rapid Refueling.** In the event of Rotorcraft Fueling while an onboard engine is operating, entity must comply with all Regulatory Measures. Only turbine engine Rotorcraft fueled with Jet Fuel shall be permitted to be fueled while an onboard engine is operating. All sources of ignition must be located above the Fuel inlet port(s), vents or tank openings. An FAA licensed Rotorcraft pilot shall be at the Rotorcraft controls during the entire Fuel Handling process. Only designated personnel, properly trained in rapid refueling operations, shall operate the Refueling Vehicle. All doors, windows, and access points allowing entry to the interior of the Rotorcraft which are adjacent to, or in the immediate vicinity of, the Fuel inlet ports shall be closed and shall remain closed during Fuel Handling.

Fuel shall be dispensed into an open port from approved dead-man type nozzles, with a flow rate not to exceed 60 gallons per minute or it shall be dispensed through close-coupled pressure fueling ports. When Fuel is dispensed from fixed piping systems, the hose cabinet shall not extend into the rotor space. The Refueling Vehicle shall be pre-positioned in a designated area and the Rotorcraft will land after

the Refueling Vehicle has been parked and the wheels chocked (maintaining no less than 20 feet between any Rotorcraft rotating component and the Refueling Vehicle).

The Refueling Vehicle shall not be moved or relocated while the Rotorcraft is on the ground or hovering in the vicinity.

**F. Vehicle Fueling.** Vehicles shall be refueled only at refueling stations and from dispensing devices approved by the City and the Fire Department.

**G. Refueling Vehicles.** Refueling Vehicles shall be equipped and maintained to comply with all applicable Regulatory Measures including, without limitation, those prescribed by:

- NFPA Codes;
- 14 CFR Part 139, Airport Certification, Section 139.321 "Handling/Storing of Hazardous Substances and Materials"; and
- Applicable ACs including AC 00-34 "Aircraft Ground Handling and Servicing" and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used on an Airport".

Refueling Vehicles shall be equipped with metering devices that meet all applicable Regulatory Measures. All Refueling Vehicles shall be bottom loaded. All hoses, funnels, and appurtenances used in Fuel Handling shall be equipped with a bonding device to prevent ignition of volatile liquids.

Refueling Vehicles, pumps, meters, hoses, nozzles, funnels, fire extinguishers, and bonding devices used during Fuel Handling shall be maintained in a safe operating condition. If a Refueling Vehicle is found in a state of disrepair, malfunction, or its use constitutes an undue fire or safety hazard, or the operation of Refueling Vehicles would violate these Rules and Regulations, the entity shall immediately discontinue the use until repairs, replacements, or changes are made to render the same safe for continued use.

Refueling Vehicles shall be positioned so the Vehicle can be directly driven away from the loading or refueling position in the event of spill or fire. The Refueling Vehicle shall be bonded to the Aircraft or Fuel storage facility to equalize the voltage potential. All hoses, nozzles, spouts, funnels, and appurtenances used in Fuel Handling shall be FM or UL approved and shall be equipped with a bonding device to prevent ignition of volatile liquids.

Hoses or piping connections shall be secured and capable of holding under the pump's rated PSI discharge. Hoses or nozzles shall be FM or UL approved with self-closing valves and no hold-down or hold-open devices. All pumps shall be UL or FM approved. All storage tanks shall be rated in accordance with UFC Article 24, Division II and Article 79, Division XII.

Refueling Vehicles shall not be operated in reverse unless another person is present to safely monitor and direct the movement of the Refueling Vehicle. Refueling Vehicles and Fuel storage facilities shall be placarded, marked, or color coded in accordance with NFPA Publication 407 and applicable FAA Advisory Circulars. A

copy of all applicable permits, registrations, and certificates shall be maintained in each Refueling Vehicle.

Refueling Vehicles shall be stored outdoors at a distance of at least 50 feet from a building or at the distance approved by the Fire Department unless the building is designed, constructed, and used exclusively, and approved by the Fire Department specifically for this purpose. Refueling Vehicles shall be parked in a manner that provides a minimum of ten feet of separation between Vehicle and any other Vehicle or Aircraft and a minimum of 20 feet from a storm water inlet.

Maintenance of Refueling Vehicles shall be performed outdoors or in a building which is approved by the Fire Department specifically for this purpose. Entities engaged in Fuel Handling shall document, maintain, and keep on file Refueling Vehicle maintenance records. These records shall be made available to the City upon request.

**H. Fuel Storage Facilities.** Fuel storage facilities shall be operated and maintained in accordance with practices recommended by the NFPA (Pamphlet No. 30 and NFPA 407) and in full compliance with Regulatory Measures and shall be approved by all Agencies having jurisdiction. Fuel storage facilities shall be constructed and/or tanks shall be installed in accordance with the practices recommended by the NFPA (Pamphlet No. 30) and in full compliance with Regulatory Measures.

Plans for installation and operation of Fuel storage facilities shall be submitted to the City and the Fire Department and approval shall be received from the City and the Fire Department prior to installation and operation.

All security gates leading into Fuel storage facilities shall remain closed, locked, and secured except when actually in use.

Commercial Operators engaged in Fuel Storage shall be solely, fully, and completely responsible for any violation, error, omission, or negligence incident. Entities engaged in Fuel Storage shall fully reimburse the City for any fines, legal or court costs, incurred by the City for any such violation, error, omission, or negligence.

### 6.5. Non-Commercial Self-Fueling

Non-Commercial Self-Fueling is defined as fueling of an Aircraft by the Aircraft Owner or the Owner's Employee(s) using the Aircraft Owner's Vehicles, Equipment, and resources.

A Self-Fueling Permittee shall not sell and/or dispense Fuels to Aircraft that are not owned, leased, and/or operated by (and under the full and exclusive control of) Self-Fueling Permittee and identified to the City. Any such selling or dispensing shall be grounds for revocation of the Permit by the City as well as the collection of all applicable fines or other charges.

- Revocation upon first violation will be for a period of one year.
- Revocation upon a second violation shall be permanent.

**A. Permit Required.** No Aircraft Owner or Aircraft Operator shall engage in Self-Fueling unless a valid Self-Fueling Permit authorizing such activity has been

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issued by the City, and the Self-Fueling Permittee is in full compliance with these Non-Commercial Self-Fueling regulations. The Self-Fueling Permittee shall:

- Provide evidence of Aircraft ownership, lease, or operation (full and exclusive control). If the Aircraft is being leased or operated by (and under the full and exclusive control of) and Fueled by Self-Fueling Permittee, Self-Fueling Permittee shall provide the City with a copy of the lease or operating agreement. The City will determine if the lease or operating agreement demonstrates that the Self-Fueling Permittee has the full and exclusive control of the Aircraft.
- Comply with State of Texas Comptroller of Public Accounts regulations pertaining to aviation use fuel tax and Internal Revenue Service Publication 510 (Excise Taxes Including Fuel Tax Credits and Refunds) when remitting payment in compliance with Publication 510. Self-Fueling Permittee shall maintain written records of compliance with all Regulatory Measures (including tax or fee payments) for the use of Fuel utilized in Aircraft and provide records upon request by the City.
- On or before the 10th day of the subsequent month, provide a summary report to the City identifying the number of gallons of: (i) aviation Fuel purchased by Self-Fueling Permittee (by Fuel type), (ii) delivered to Self-Fueling Permittee's Fuel storage facility (by Fuel type), and (iii) dispensed to Self-Fueling Permittee's Aircraft at the Airport and pay the appropriate fees due to the City at the Airport administrative office.
- Records and meters shall be made available for review by the City or its designated representative. In the case of a discrepancy between the amount of Fuel purchased by and/or delivered to Self-Fueling Permittee and the amount of Fuel delivered to Self-Fueling Permittee's Aircraft and/or dispensed by Self-Fueling Permittee at the Airport, the greater amount shall prevail and the Self-Fueling Permittee shall promptly pay all additional fees due the City at the Airport administrative offices, plus annual interest on the unpaid balance at the maximum rate allowable by law from the date originally due.
- Conduct Self-Fueling Operations only in those areas designated by the City as identified in the Self-Fueling Permit. Self-Fueling at any other location at the Airport is prohibited. Pouring or gravity transfer of Fuel and Fueling from containers having a capacity of more than 5 gallons is prohibited.

**B. Fueling Equipment.** Self-Fueling Permittee shall utilize a Refueling Vehicle for dispensing Fuel. Refueling Vehicle shall be solely owned, leased, and/or operated by (and under the full and exclusive control of) the Self-Fueling Permittee. Self-Fueling Permittee shall utilize a single Refueling Vehicle for each type of Fuel to be dispensed as follows:

Refueling Vehicles
Jet Fuel

<b>Refueling Vehicles</b>	
• Minimum capacity (gallons)	1,000
Avgas	
• Minimum capacity (gallons)	500

Self-Fueling Permittees utilizing an FBO Fuel storage facility must park the Refueling Vehicle on the FBO's Leased Premises when not in use. Self-Fueling Permittees utilizing off Airport Fuel storage must park the Refueling Vehicle off Airport when not in use.

**C. Fuel Storage Facilities.** Self-Fueling Permittee shall demonstrate that satisfactory arrangements have been made for the storage of Fuel, as follows:

- Through an authorized FBO at the Airport;
- Off Airport; or
- Through Self-Fueling Permittee's Fuel storage facility at the Airport in a location consistent with the Master Plan, Airport Layout Plan, and/or Land Use Plan and approved by the City.

Self-Fueling Permittees shall lease land and own or lease an above ground Fuel storage facility in the designated Fuel storage area as follows:

<b>Fuel Storage Facility</b>	
Jet Fuel	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000
Avgas	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000

A Fuel storage facility in the designated Fuel storage area shall denote the Aircraft FAA N-Number(s) identified on the Self-fueling Permittee's Self-Fueling Permit with 12 inch characters on each side of the Fuel storage facility.

**D. Insurance Requirements.** Non-Commercial Self-Fueling Permittee shall maintain, at a minimum, the coverage and limits of insurance set forth in the City's Minimum Insurance Requirements.

Any entity engaged in Non-Commercial Self-Fueling shall be solely, fully, and completely responsible for any violation, error, omission, or negligence incident.



Entities engaged in Fuel Storage shall fully reimburse the City for any fines, legal or court costs, incurred by the City for any such violation, error, omission, or negligence and must also comply with Section 6.1, Section 6.2, Section 6.3, and Section 6.4 of these Rules and Regulations

### **6.6. Public Agency Self-Fueling**

Entities providing an Emergency Public Service are not required to meet the requirements identified in the Fueling Equipment or Fuel Storage Facilities sections unless Fuel is being delivered to Aircraft by Refueling Vehicles or through a Fixed Fueling Station.

Fuel storage facilities and delivery of Fuel for Aircraft operated by Public Service Agency must be approved in writing, in advance by the City.

Unless approved in writing, public entities must comply with insurance and indemnification requirements established by the City.