



RULES AND REGULATIONS

**ADOPTED BY THE TRI-STATE AIRPORT AUTHORITY
APRIL 2010**

TABLE OF CONTENTS

<u>ARTICLE</u>	<u>TITLE</u>	<u>PAGE(S)</u>
I	DEFINITIONS	3-5
II	GENERAL	5-7
III	REGULATION OF VEHICLES	7-11
IV	REGULATION OF AIRCRAFT	11-14
V	PERSONAL CONDUCT	15-18
VI	AIRCRAFT FUELING AND FIRE SAFETY	18-20
VII	ENFORCEMENT	20-21

ARTICLE I - DEFINITIONS

Section I - Definitions

The following terms, when used in these Rules and Regulations, shall have the meanings respectively ascribed to them by these Rules and Regulations:

AIR OPERATIONS AREA OR AOA - Shall mean any area of the airport, both public and leased, used or intended to be used for the landing, takeoff, taxiing, or parking of aircraft, or any other area designated so by the Airport Director.

AIR TRAFFIC CONTROL OR ATC - Shall mean personnel, equipment, air traffic services, and Federal Aviation Administration procedures provided or prescribed for use at the airport, including those procedures for operation of aircraft at an uncontrolled airport.

AIRCRAFT - Shall mean any and all contrivances used now or in the future for the navigation of or flight in air or space, including but not limited to airplanes, airships, sail planes, gliders, helicopters, amphibians, etc.

AIRCRAFT EMERGENCY OR EMERGENCY - Shall mean a problem or condition involving an aircraft whether in flight or on the ground, which could endanger lives or property. An aircraft emergency can be declared by the pilot, ATC, the Airport Director, or other personnel responsible for the safe operation of the aircraft or airport.

AIRPORT, AIRPORTS, OR AIRFIELD - Shall mean all of the land, improvements, facilities and development of the Tri-State Airport.

AIRPORT AUTHORITY - Shall mean the Tri-State Airport Authority.

AIRPORT AUTHORITY BOARD - Shall mean the board of elected officials which has policy and decision making authority for the operation of the airport.

AIRPORT CERTIFICATION MANUAL (ACM) - Shall mean the specifications containing the minimum operating standards of the airport approved by the Federal Aviation Administration.

AIRPORT DIRECTOR - Shall mean the person in charge of the airport for the Tri-State Airport Authority, his or her assistant or duly authorized representative.

AIRPORT OFFICIAL - Shall mean any member of the Airport Authority, or any other Airport employee designated by the Airport Director to be responsible for the safe operation of the airport, and specifically designated with the authority to do so by the Airport Director.

Tri-State Airport Authority Rules and Regulations

AIRPORT RESCUE AND FIREFIGHTING OR ARFF - Shall mean the primary firefighting personnel and equipment responding to emergencies on the airport.

AIRPORT ROADWAY - Shall mean those portions of the airport designated and made available temporarily or permanently by the Airport for vehicular traffic and not located on ground leased by others.

APRON OR APRON AREA - Shall mean those portions of the airport, both public and leased, designated for the movement, parking and/or storage of aircraft.

COMMERCIAL BUSINESS OR COMMERCIAL BUSINESS ACTIVITY - Shall mean the conduct of any activity on the airport for hire, whether conducted by a licensed business or individual.

COUNTY - Shall mean Wayne County, West Virginia.

FAA - Shall mean the Federal Aviation Administration.

FAR - Shall mean the Federal Aviation Regulations found in Title 14, Code of the Federal Regulations.

GROUND TRANSPORTATION BUSINESS - Shall mean the pursuance of the occupation of transporting passengers, material, or baggage for hire, either within the airport or from or to the airport from or to the points outside the airport.

GROUND VEHICLE OPERATION HANDBOOK - Shall mean the pedestrian and ground safety manual approved for Tri-State Airport.

MOVEMENT AREA - Shall mean the runways, taxiways, and other landing areas of the airport which are utilized for taxiing, hover taxiing, air taxiing, and landings and takeoffs of aircraft, exclusive of apron areas.

OPERATOR - Shall mean any person who pilots, controls, or maintains, whether directly or indirectly, an aircraft, airport or vehicle.

PERSON - Shall mean any individual, firm, partnership, corporation, association, company (including any assignee, receiver, trustee, or similar representative thereof), or the United States of America or any foreign government, state, or political subdivision thereof.

PUBLIC AREA - Shall mean those portions of the airport available for the use of the general public.

RESTRICTED AREA - Shall mean any portion of the airport to which no ingress is permitted except upon specific authorization by the Airport Director.

Tri-State Airport Authority Rules and Regulations

RUN-UP - Shall mean any operation of a stationary aircraft engine above idle power except to overcome inertia for taxiing for takeoff.

VEHICLE OR MOTOR VEHICLE - Shall mean all vehicles and motorized equipment moving on the ground propelled by power including muscular power, and including trailers and coaches but excepting aircraft while taxiing and construction equipment being used in actual construction in progress on the airport.

VEHICULAR PARKING AREA - Shall mean those portions of the airport designated and made available temporarily or permanently by the Airport Director for the parking of vehicles but not including parking areas under lease to others.

ARTICLE II - GENERAL

Section I - Title

The rules set out in these Articles are adopted for the regulation of any airport owned and/or operated by the Tri-State Airport Authority. These rules may be cited as Tri-State Airport Rules and Regulations, or the Rules and Regulations. If a conflict exists between these Rules and Regulations and any FAA or TSA Regulations, the FAA and TSA Regulations shall prevail.

Section II - Intent

It is the intent of the rules and regulations in these Articles to establish and promulgate the standards deemed necessary to the maintenance and promotion of the peace, health, good management and welfare of Airport Authority owned/operated airports; to provide for the best performance of functions thereof; to promote the security of persons using the airport and its facilities; and by such rules and regulations, to provide enforcement for violation thereof.

Section III - Scope

The rules and regulations in these Articles shall constitute a special enactment effective only within the boundaries of the airport and not otherwise.

Section IV – Access

Operators, Lessees, and contractors (including all employees) on or performing work at the Airport and who require vehicle access/entry into the AOA require an access card or key.

- a. Access card/key applications must be picked up and returned to the Tri-State Airport Police Department.
- b. Upon satisfactory completion of the application process, and payment of appropriate fees,

Tri-State Airport Authority Rules and Regulations

- applicants shall comply with applicable airport policies regarding drivers training programs before access is approved.
- c. It is the responsibility of Operators, Lessees, contractors and Authorizing Agents to notify the Police Department to remove individuals who do not need access and/or are no longer employees or affiliated with the Operator, Lessee, contractor or Authorizing Agent. If the individual does not return the access card/key to the Airport, the Operator, Lessee, contractor or Authorizing Agent has ten days to recover the missing access card/key from the individual. If the access badge is not returned within ten days, the Operator, Lessee, contractor or Authorizing Agent is subject to a \$25.00 loss fee.
 - d. Access card/key holder is responsible for ensuring that the gate/door is fully closed before proceeding. Failure to do so may result in disciplinary actions as authorized in these Rules and Regulations.
 - e. Initial and recurrent vehicle operations training are required for each movement area vehicle operator. Failure to complete the training may result in disciplinary actions as authorized in these Rules and Regulations.
 - f. Access card/key privileges are extended only to the person to whom it was issued. Unauthorized use of the access card/key may result in immediate revocation of the access privileges or other penalties as authorized by these Rules and Regulations.
 - g. Lost, Stolen, or Missing access cards/keys shall be reported to Airport Administration immediately. Access badges reported stolen require a police report to waive the loss fee.

Section V – FAA and Airport Rules, Regulations and Procedures

- a. All flight and ground aircraft operations and vehicle operations at the airport shall be conducted in accordance with FAA and Airport rules and regulations, policies, procedures, and recommendations for aircraft and airports, now in effect or hereafter promulgated, which rules, regulations, policies, procedures and recommendations are incorporated into these rules and regulations by reference.
- b. Any Airport Certification Manual, Operations Manual or Ground Vehicle Operation Handbook now in effect or hereafter adopted for the airport, upon adoption, is incorporated into these rules and regulations by reference.

Section V - Airport Policies and Procedures

- a. Any Storm Water Management Plan (SWMP), Spill Prevention Control and Countermeasure Plan (SPCC), or other environmental regulations now in effect or hereafter adopted or revised for the airport, upon adoption or revision, is incorporated in these rules and regulations by reference.
- b. Any policy of the Airport now in effect or hereafter adopted or revised, upon adoption or revision, is incorporated into these rules and regulations by reference.

Tri-State Airport Authority Rules and Regulations

- c. Any Minimum Standards, Business License Policy, Permitting Policy and Rates/Charges now in effect or hereafter adopted or revised, upon adoption or revision, is incorporated into these rules and regulations by reference.

Section VI - Exemptions

- a. Exemptions to these rules and regulations may be granted pursuant to the following requirements.
 - 1. Exemptions must be approved by the Airport Authority Board.
 - 2. Each exemption must be petitioned separately in writing and addressed to the Airport Authority Board, delivered to the Airport Director.
 - 3. A petition for exemption must state the regulation for which exemption is requested, the reason justifying the request for exemption, the duration or number of instances for which the exemption is requested, and any other pertinent information relevant to the request or as requested from the Airport Director or Airport Authority Board.
- b. Airport Authority Board has the right at its sole discretion to grant or deny a petition for exemption based upon the best interest of the airport.

ARTICLE III - REGULATION OF VEHICLES

Section I - Generally

- a. All of the traffic laws of the State of West Virginia, County of Wayne, are hereby declared to be in effect on the corresponding airport roadways, as defined, except insofar as these Articles prescribe different provisions.
- b. It shall be unlawful for any person to fail or refuse to comply with the orders of an Airport Official, a police officer, or member of the Fire Department, at the scene of a fire or accident.

Section II - Traffic Control Devices

- a. All persons shall comply with all traffic control devices, signs, signals, markings or insignia erected, installed or placed by authority of the Airport Director or County. This shall apply, when applicable, to both vehicular and pedestrian traffic. Insofar as possible, all such devices, signs, markings or insignia shall conform to the manual and specifications adopted by the State of West Virginia and/or County of Wayne as appropriate.

Tri-State Airport Authority Rules and Regulations

- b. Except for speed limit signs, all traffic control devices, signs, markings and insignia as presently located, erected, or installed on the premises of the airport are hereby adopted, affirmed and ratified. Hereafter, the Airport Director shall make changes deemed necessary in the interest of traffic safety. Any changes shall be reviewed appropriately by the airport staff prior to such changes being posted.
- c. The speed limits upon airport roadways are set, affirmed and ratified at twenty five (25) miles per hour and such lower speeds at certain locations as may be deemed necessary and/or posted.
- d. Vehicular speeds on public aircraft aprons and other AOA or Movement areas are set, affirmed and ratified at twenty five (25) miles per hour.

Section III - Parking

- a. No person shall park a vehicle or permit the same to remain standing within the boundaries of the airport except at such places and for such periods of time, and upon payment of such parking fees and charges, as may from time to time be prescribed by the Airport.
- b. An Airport Official, at such times as are necessary for the safety or security of the airport, may require that the owner or operator of a vehicle immediately relocate to an area designated by the Airport Official. This paragraph applies to vehicles properly parked on areas leased for the exclusive use of others and their guests or customers.
- c. It shall be unlawful for any person to park any vehicle in any manner that will obstruct fire gates on entrances to the airport.
- d. Any vehicle which is disabled or which is parked in violation of this section or which represents an operational hazard at the airport may be removed or towed and impounded at the operator's or owner's sole expense and without liability for any damage to the vehicle which may result from such removal or towing.
- e. Inoperable, abandoned or junked motor vehicles will not be permitted to be stored in public view on the airport. Such vehicles may be removed by the Airport Director at the owner's expense.
- f. Boats, trailers, motor homes, and other non-aviation related vehicles or equipment shall not be stored in public view on the airport, including leased areas.
- g. Unless prior arrangements have been made with the Airport Director, motor vehicles properly parked but which remain at the airport in excess of thirty (30) days may be removed by the Airport Director.

Tri-State Airport Authority Rules and Regulations

- h. For motor vehicles rendered inoperable due to collision or other causes:
 - 1. The owner or person in charge thereof shall have an opportunity to contact a wrecker or tow service and have the vehicle removed from the airport.
 - 2. If a motor vehicle rendered inoperable is not removed by the owner or operator within forty eight (48) hours, it shall be removed at the direction of the Airport Director and at the sole expense of the owner.
 - 3. Nothing in this section shall be construed to prevent the immediate removal of a damaged or inoperable motor vehicle from a traveled road, right of way or movement area in order to maintain traffic flow, safety, and security of the airport.

- h. For motor vehicles without an operator due to arrest or detention of the owner or person in charge thereof:
 - 1. Where a motor vehicle is without an operator due to the arrest or detention of the owner or person in charge thereof, the vehicle shall be removed by a private wrecker or tow service and impounded.
 - 2. Nothing in this section shall authorize the release of a motor vehicle which itself is to be used as evidence in a criminal proceeding or prosecution, which contains or contained any item of evidence to be introduced in a criminal proceeding or prosecution, or which is subject to forfeiture by federal, state or local law enforcement officials.

Section IV - Loading Zones - Passengers

The Airport Director may establish zones for the loading or unloading of passengers or customers from vehicles at the airport. Such zones shall be designated with appropriate traffic control devices, signs, markings or insignia, and no person shall park any vehicle in any such passenger loading zone except to load or unload passengers, and then only for the established time limit posted in such zone.

Section V – Loading Zones - Materials

The Airport Director may establish loading zones for the loading and unloading of material at the airport. Such zones shall be designated with appropriate traffic control devices, signs, markings or insignia, and no person shall stop, stand or park any vehicle in a loading zone other than for the expeditious unloading and delivery, pickup and loading of material. In no case shall the stop for loading and unloading of materials exceed the established time limit posted in such loading zone.

Section VI - Impeding Flow of Traffic

Tri-State Airport Authority Rules and Regulations

No person shall park, stop or stand a vehicle in any airport roadway, driveway, apron, runway, taxiway, parking area, passenger or material loading zone, or in front or near any entrance or exit to any building at the airport so as to block, obstruct or impede the free passage of any vehicles, pedestrians or aircraft, unless such parking, stopping or standing has been approved and coordinated in advance with the Airport Director, and is being done so due to operational requirements.

Section VII - Right of Way for Aircraft

Aircraft taxiing, taking off, landing, re-positioning, or otherwise moving shall have the right of way in preference over vehicles or pedestrians. No vehicle may drive on or across any portion of a runway or taxiway without first having received permission of the Airport Administration and without establishing radio contact with the FAA Air Traffic Control Tower.

Section VIII - Condition of Vehicles

- a. No person shall operate a vehicle on the airport unless such vehicle is in compliance with all licensing and registration requirements of state and federal law applicable to the type of vehicle.
- b. No person shall operate on the airport any vehicle in which any of the following are not operable:
 1. Headlights
 2. Tail lights
 3. Tires
 4. Mirrors
 5. Horn
 6. Any other device which bears on safe operation of the vehicle.
- c. Tugs or other motor vehicles used exclusively for towing aircraft are exempt from paragraph b. of this section, except that such tugs or motor vehicles must have the customary safety equipment operational at all times for such exclusively used vehicles.
- d. No vehicle maintenance shall be performed in any public area, either aeronautical or non-aeronautical, without prior consent from the Airport Director.

Section IX - Vehicle Access to Restricted Areas

No person shall operate a vehicle on the Restricted Areas of the airport unless that person has obtained prior permission from the Airport Administration. Movement Areas are specifically designated as Restricted Areas. Additionally, the Airport Director may designate other Restricted Areas as deemed necessary for the safety and security of the airport.

Section X - Access to Airport Property

Notwithstanding anything in this Article, an Airport Official may restrict the access of any vehicle or person to any part of the airport, both public and leased, to ensure the safety or security of the airport or an aircraft accident/incident scene.

Section XI - Accidents; Damage to Airport Property

Any damage to airport installations, equipment or property as a direct or indirect consequence of vehicle operations shall be the responsibility of the owner of the vehicle casually related to such damage. Repair of such damage shall be ordered and accomplished by the Airport Director by sending an invoice covering the cost thereof, payable upon receipt, to the responsible owner.

ARTICLE IV - REGULATION OF AIRCRAFT

Section I - Parking; Fees

- a. Aircraft shall be parked only in assigned, leased, otherwise properly designated and authorized areas. Parked and unattended aircraft shall be chocked or tied down if remaining overnight. No aircraft shall be parked in restricted areas without the permission of an Airport Official.
- b. The Airport Authority shall establish and maintain a schedule of fees to be charged for the parking of aircraft on the public use transient apron and on other designated public access parking areas. No person shall park an aircraft on any such public parking areas overnight unless the required overnight parking fees have been paid. Failure to pay the required parking fee may subject the owner or operator of the aircraft to lawsuits. If any aircraft is found parked in violation of this section, and the identity of the operator cannot be determined, the owner, or person in whose name such aircraft is registered, shall be held responsible for such violation and fees.

Section II - Illegally Parked Aircraft; Remedies

- a. Aircraft which are parked, stored or abandoned contrary to the provisions of Section I, may be impounded. Redemption of aircraft which have been impounded will necessitate the owner or operator paying all fees accrued against such aircraft to include towing and storage fees incident to impoundment. The airport may remove such aircraft from an illegal parking place. The customary charges resulting from such activities shall be charged against the registered owner of the aircraft.
- b. Inoperable, abandoned or junked aircraft will not be permitted at the airport unless storage or

Tri-State Airport Authority Rules and Regulations

parking of such aircraft is the primary business of the person storing or parking such aircraft, or unless the aircraft is scheduled to undergo repairs with the intent on placing the aircraft into airworthy condition. Aircraft scheduled to undergo repairs with the intent on placing the aircraft into airworthy condition must have such repairs begin within a reasonable period of time, as described in Section III.d of this Article.

- c. This section does not apply to aircraft owned by organizations, educational institutions or other parties, using such aircraft for the primary purpose of educational activities.

Section III - Accidents; Damaged Property; Repairs to Aircraft

- a. All accidents, incidents or damage of any nature involving aircraft or vehicles shall be reported to the Airport Police Department as soon as possible after the occurrence of same.
- b. Any damage to airport installations, equipment or property as a direct or indirect consequence of flight operations shall be the responsibility of the owner of the aircraft casually related to such damage. Repair of such damage shall be ordered and accomplished by the Airport Director by sending an invoice covering the cost thereof, payable upon receipt, to the responsible owner.
- c. The owner of a damaged or disabled aircraft shall promptly remove it from any portion of the movement area or airport, unless otherwise directed by the FAA, NTSB or an Airport Official. Failure of the owner or operator to so remove an aircraft may result in removal by the Airport Director, and all expenses of this removal will be the sole responsibility of the owner.
- d. Damaged or disabled aircraft parked or stored in an authorized, assigned, leased or otherwise properly designated area in excess of thirty (30) days without undertaking repair or restoration thereof to operable condition will, in the absence of special arrangements with and permission of the Airport Director, be deemed abandoned or junked aircraft subject to impoundment as illegally parked aircraft.
- e. Repairs to aircraft damaged while in motion or parked on the airport are the sole responsibility of the owner. The owner or operator accepts the premises as is and receives no assurances from the Airport Authority other than those required by the FAA and leases that may be in effect on the airport.
- f. No repairs to or maintenance of aircraft shall be performed on any public area of the airport, unless authorized by the Airport Director.
- g. Aircraft repairs and maintenance performed in airport owned T-hangars is limited to those provided for in FAR Part 43, Appendix A, Section C.

Section IV - Lien on Impounded Aircraft

Tri-State Airport Authority Rules and Regulations

The Airport Director shall have the authority to detain any aircraft for nonpayment of charges due the Airport Authority. The Airport Authority shall have a lien on impounded aircraft for the storage and care thereof. Notification to the owner of impounded aircraft shall be conclusively presumed given if, after accrual of sixty (60) days of unpaid storage charges or fees, the registered owner of such aircraft is advised by registered or certified letter, return receipt requested, of the fact of impoundment, delinquency in payment of charges, the airport's lien for the payment of same and contemplated public sale of such aircraft following the expiration of thirty (30) days from the mailing of such notice unless payment or suitable arrangements for payment have been made.

Section V - Airport Authority Free from Liability

No liability shall accrue to the airport, its officers, agents, or employees for the towing, removal, impoundment, storage or disposition of aircraft or their contents under the provisions of this article.

Section VI - Aircraft Operations; Generally

- a. All aircraft operations shall be conducted in accordance with current Federal Aviation Administration Rules and Regulations. All persons operating an aircraft shall have all licenses, registrations, certificates and other required documentation available on their person, or in the aircraft, in accordance with same.
- b. **Traffic Patterns.** All aircraft shall adhere to all traffic pattern requirements or standards as published and/or as specified in Federal Aviation Regulation Part 91 and/or as specifically instructed by local FAA ATCT.
- c. **Authority to Prohibit Operations.** Except for emergency landings, an Airport Official may prohibit aircraft landings and takeoffs at any time and under any circumstances which he/she deems likely to endanger persons or property.

Section VII - Aircraft Movement

- a. **Takeoffs and Landings.** Takeoffs and landings will be in accordance with all Federal Aviation Administration Regulations for operating aircraft at controlled airports. Pilots will also adhere to any established policies, procedures or special rules placed into effect by the Airport Director.
- b. **Taxiing.** Taxiing will be at the pilot's discretion in non-movement areas and in accordance with all Federal Aviation Administration Regulations for operating aircraft at controlled airports. Pilots will also adhere to any established policies, procedures or special rules placed into effect by the Airport Director.
- c. **Aircraft Lights.** All aircraft which are being taxied, towed or otherwise moved at the airport shall have running/navigation lights on during the hours of darkness and during periods of reduced visibility.

Tri-State Airport Authority Rules and Regulations

- d. **Paved Areas.** All aircraft operations, including the towing and parking of aircraft, shall take place only on paved areas of the airport designated for such purposes. Takeoffs, landings, taxiing, parking and towing of aircraft is prohibited on unpaved areas of the airport, except for designated unpaved runways or taxiways or with the permission of the Airport Director.

Section VIII - Aircraft Noise and Engine Run-Ups

- a. **Noise Abatement.** All persons operating an aircraft will at all times adhere to any and all noise abatement procedures and policies in effect at the airport, except in the case of an emergency. The Airport Director is authorized to place into effect temporary or permanent noise abatement procedures or policies if deemed necessary.
- b. **Engine Run-ups.** No person shall run up any aircraft engine at the airport except in a place designated for such purposes by the Airport Director. At no time shall any person run up any aircraft engine in such a position that hangars, shops, other buildings, parked vehicles or persons are in the path of propeller or jet blast. No aircraft engine may be run up within 50 feet of any building on the airport.

Section IX - Off Airport Access (Through the Fence)

It shall be unlawful for any person, aircraft or vehicle to enter upon the airport property for aeronautical purposes, or in support of aeronautical purposes, from an off airport parcel of land, unless such access has been approved by the Airport Director, and that such access is being conducted in compliance with any regulations or policies established by the Airport Authority and all associated fees have been paid.

Section XX - Miscellaneous Operational Regulations

- a. **Radar.** Surveillance radar equipment in aircraft shall not be operated within three hundred (300) feet of any fuel servicing or other operation in which flammable liquids or vapors may be present or created.
- b. Special Events such as air shows, air races, fly-ins, sky diving and all events requiring the general use of the airport, other than normal or routine airport traffic, shall be held only upon prior approval of the Airport Director, and on such dates, in such areas and upon terms and conditions as shall be specified by the Airport Director.

ARTICLE V - PERSONAL CONDUCT

Section I - Generally

Tri-State Airport Authority Rules and Regulations

The provisions of this article shall not be construed as limitations upon the civil or criminal laws of this state which are in full force and effect within the airport.

Section II - Restricted Areas

- a. The Airport Director shall have the authority to designate restricted areas at the airport.
- b. No person, without specific authorization from the Airport Director, shall enter or travel, in a vehicle or on foot, upon any area designated as a restricted area.
- c. No person who is upon any restricted area of the airport shall fail or refuse show proper identification (driver's license, social security card or some similar authoritative indicia of identity) upon the request of an airport official or employee or of a peace officer of the Airport Authority or the county or other state or federal law enforcement officer.

Section III - Animals

No person shall bring any animal on the airport or to permit or cause the same to be brought thereon without a specific permit, license or lease therefore from the airport, provided, however, that this section shall not apply to a guide dog accompanying a blind person, to a hearing ear dog accompanying a deaf person, to animals properly confined or restrained for shipment, or to animals confined in private motor vehicles. This section shall also not apply to animals otherwise being transported by aircraft when such animal is being loaded or unloaded, provided proper restraints or leashes are used during the period of time the animal is on the airport.

Section IV - Soliciting and Conduct of Commercial Activities

- a. No person shall solicit funds or anything of value for any purpose at the airport without specific written authority from the Airport. This paragraph does not apply to based tenants of the airport when posting advertisements for their businesses on the public bulletin board when the established policies and rules of the Airport are being followed in conjunction with such posting.
- b. No person shall sell or offer for sale any article or merchandise on the airport without a Business License, permit, or other written form of authorization from the Airport Director. This is not intended to prohibit business enterprises leasing premises on the airport from inviting salesman and similar activities to their leased premises for the convenience of customers and employees of such business enterprises only. The business enterprise leasing premises on the airport in such cases are responsible for advising the invitee of all of the pertinent airport Rules and Regulations, and his/her responsibility for compliance with same.
- c. No person shall solicit any business or trade, including transportation of persons or baggage for hire, on the airport without a Business License, permit, or other form of written authorization

Tri-State Airport Authority Rules and Regulations

issued by the Airport Director.

- d. No person or business enterprise shall conduct any form of commercial business activities on the airport, or solicit same, without first having an approved lease or permit to conduct such commercial business activities.

Section V - Advertisements

No person shall post, distribute or display signs, advertisements, handbills, circulars or printed or written matter of a commercial nature at the airports without specific authorization from the Airport Director, or within the guidelines and policies established by the Airport Authority for same.

Section VI - Throwing Objects

Without having first obtained authorization from the Airport Director, no person shall throw any object from:

1. Any terminal building, hangar, or from any other building or structure on the airport; or
2. From any vehicle on the airport; or
3. From any aircraft parked, taxiing, or in flight.

Section VII - Litter

No person shall place, discharge or deposit in any manner any liter, garbage, trash, debris, junk or any refuse on the airport, except at such places and under such conditions as the Airport Director from time to time prescribes. Under no circumstances shall any person dispose of furniture, appliances, or other similar items in any location on the airport, including trash containers, without the permission of the Airport Director.

Section VIII - Noxious or Corrosive Substances

No person shall bring any noxious or corrosive substance upon any area of the airport without the prior approval of the Airport Director.

Section IX - Kites, Model Aircraft, etc.

No person shall operate or release any kite, balloon, model aircraft, model rocket or parachute upon or above the airport without permission of the Airport Director. No person shall launch any projectile from the ground on the airport without the permission of the Airport Director.

Tri-State Airport Authority Rules and Regulations

Section X - Demonstrations

- a. No organizations, groups of individuals or individuals shall conduct or participate in parades, marches, patrols or demonstrations on the airport unless written permission has been granted by the Airport Director in response to a written request to engage in such activity.
- b. No person, while engaging in any such activity otherwise permitted as described above, shall prevent or interfere with access to or egress from any airport facility or premises or to hamper or curtail the conduct of business at the airport and no person while so engaged shall in any manner, by words or physical force, assault, coerce, threaten or intimidate any member of the public.

Section XI - Individual Behavior

No person shall engage in any profanity, abusive, belligerent or intimidating behavioral action, including assailing, shouting, blocking passage or movement, or otherwise creating a public disturbance or nuisance towards any other person or group of persons upon the airport.

Section XII - Camping, Games, Hunting, Picnicking

No person shall use airport premises for the purpose of camping, athletic games or contests, hunting or picnicking unless authorization is first received from the Airport Director.

Section XIII - Firearms

No person shall discharge a firearm on the airport in violation of State and local laws. This paragraph shall not apply when such firearms are being used in official capacity for the purpose of disbursing or hunting wildlife when their presence creates an operational/safety hazard to persons, property, or the safe operation of aircraft. All firearms being transported on the airport whether by aircraft or by vehicle, shall be properly stored or transported in a manner consistent with safe firearm practices, and as provided for by State and local laws.

This paragraph shall not apply to law enforcement officers required to carry firearms on or off duty, or private security officers when carrying out their official duties.

Section XIV - Photography; Movie Productions; Polls

- a. No person shall utilize photographic or moving picture equipment for the purpose of picture taking or moving picture photography in or near any area designated as a restricted area within the airport unless such person has obtained authorization from the Airport Director.
- b. No person shall use the airport premises for the purpose of any commercial photographic, theatrical or moving picture production without authorization from the Airport Director.

Tri-State Airport Authority Rules and Regulations

- c. No person shall conduct polls, opinion surveys, name listings, or solicit any other commercial data or information on airport premises without authorization from the Airport Director.

Section XV - Tampering with Private or Public Property

No person shall tamper with or obstruct the operation of private or public property at the airport in any manner which may result in damage to persons to property.

Section XVI - Smoking Prohibited

No person shall possess a burning tobacco product within 100 feet of any aircraft, fueling facility, or fueling vehicle.

Section XVII - Lost Articles

Any person finding lost articles shall deliver them to the office of the Police Department. Articles unclaimed after 60 days may be turned over to the finder or disposed of.

Section XVIII - Right of Entry

The Airport Director shall have the right of entry onto any area of the airport, including leased premises and privately owned structures on leased premises, upon reasonable notification to the tenant, to make inspections, repairs, maintenance or modifications as may be required, except in the event of an emergency, in which case immediate entry by an Airport Official without prior notification shall be exercised.

Section XIX - Gambling

Gambling in any form is not permitted on the airport.

ARTICLE VI - AIRCRAFT FUELING AND FIRE SAFETY

Section I - Fuel Servicing Operations; Location

All fuel servicing operations shall be performed outdoors at locations designated by the Airport Director. All fuel service operators shall be in compliance with all applicable federal, state, and local regulations, laws, and ordinances governing hazardous materials operations, including any Spill Prevention Control and Countermeasure Plans approved by the Airport.

Section II - Aircraft Engines

Tri-State Airport Authority Rules and Regulations

The engine of an aircraft may not be operated while the aircraft is being fueled, except when Aircraft Rescue and Firefighting (ARFF) equipment have been deployed.

Section III - Bonding and Grounding

During fuel servicing, all aircraft and fuel servicing vehicles, hydrants, pits, cabinets, pumps and nozzles shall be electrically bonded to each other and grounded before fuel flow starts.

Section IV - Fire Hazards

- a. **Open Flames.** No open flames or lighted open flame devices shall be permitted within 100 feet of any fuel servicing operation or fueling equipment.
- b. **Lightning Precautions.** All fuel servicing operations shall be suspended when lightning discharges occur in the immediate vicinity of the airport or when ordered by an Airport Official. Fuel servicing operations may commence if lightning is not observed in the immediate vicinity for 15 minutes or longer after the initial sighting.
- c. **Fuel Spills.** Spills or leaks of fuel which flow over an area in excess of ten (10) feet in any dimension shall be reported immediately to Airport Authority Aircraft Rescue Fire Fighting office.

Section V - Air Carriers

During fuel servicing operations of any air carrier or chartered air carrier aircraft, operating under FAR Part 121 or 135, a qualified flight attendant or crew member must be present in the cabin if passengers are on board.

Section VI - Smoking in Fuel Service Vehicles

- a. Smoking within a fuel servicing vehicle is prohibited.
- b. The cab of each fuel servicing vehicle shall be equipped with a sign bearing the words "No Smoking".
- c. Owners of fuel servicing vehicles which contain smoking equipment, such as ash trays and lighters, shall have such equipment removed or rendered inoperable.

Section VII - Fire Extinguishers

- a. Each fuel servicing vehicle shall have two 20 lb. extinguishers, mounted one on each side of the

Tri-State Airport Authority Rules and Regulations

vehicle.

- b. Each fuel farm or tank on the airport shall have one 20 lb. (minimum size) extinguisher present on site at all times.

Section VIII - Fueling in Hangars; Buildings

No transfer of fuel onto or off of any aircraft shall take place inside any hangar, building, or other enclosed structure on the airport. All fueling and/or de-fueling activities shall take place outdoors.

ARTICLE VII - ENFORCEMENT

Section I - Intent

This Article is designed to establish and define enforcement authority necessary to the maintenance and promotion of the peace, good government and welfare of the airport for the order and security of its inhabitants, users and visitors; and to protect the peace, lives, health and property of such inhabitants, users and visitors.

Section II - Authority

- a. **General.** The primary responsibility of the design, establishment, promulgation and coordination of any special police, fire and health instructions and procedures effective at and upon the airport shall rest with the Airport Director, advised and assisted by the Chief of Police, the Chief of Fire, and such other departments of government as special problems and circumstances may from time to time require.
- b. **Power of the Airport Director to Require Identification.** Any Airport Official and other regularly appointed employees of the Airport Authority specifically designated by the Airport Director shall have the right and power to request and require any person to give his/her true name and residence in matters connected with the airport, including the enforcement of these Articles. No person shall intentionally refuse to report or give a false report of his name or residence to the Airport Official or designated employee who has requested the information when acting in an official capacity in a matter connected with the airport including enforcement of these Articles.
- c. **Enforcement Authority.** Any peace officer of the Airport Authority as well as any Airport Official and other regularly appointed employees of the airport specifically designated by the Airport Director shall have the right and power to enforce any and all regulations contained in these Articles. Such persons shall have the power to recommend and/or issue citations for any violation of these Articles.

Tri-State Airport Authority Rules and Regulations

- d. **Penalties.** Persons found to be in non-compliance with the provisions of these Articles will be subject to corrective or disciplinary actions including requirements to attend additional training or the revocation of certain privileges upon the airport premises which may include, but not be limited to; removal or suspension from the airport premises, termination of lease or operating agreement, or civil penalties as may be provided for by State and local laws.