



Greater Asheville Regional Airport Authority

Airport Ordinance No. 201701

## **Airport Rules & Regulations**



## **FOREWORD**

Welcome to the Asheville Regional Airport (AVL). The Greater Asheville Regional Airport Authority, owner and operator of AVL, has established through ordinance, Airport Rules and Regulations necessary to ensure the safe and efficient operation of the airport facilities.

This Airport Rules and Regulations manual is provided to assist all tenants, employees, pilots, passengers, and other members of the general public with the information they need to understand the basic requirements, and safety procedures and practices in place at AVL for the benefit of safety and security of the airport facility and those using it.

Questions concerning any information contained in this manual should be directed to the Greater Asheville Regional Airport Authority administrative offices, 61 Terminal Drive, Suite 1, Fletcher, North Carolina 28732.

## TABLE OF CONTENTS

<b>Section 1. Citation</b>	<b>1</b>
<b>Section 2. Findings</b>	<b>1</b>
<b>Section 3. Purpose and Scope</b>	<b>2</b>
<b>Section 4. Effective Date</b>	<b>2</b>
<b>Section 5. Definitions</b>	<b>3</b>
<b>Section 6. General Regulations</b>	<b>7</b>
<b>Section 7. Personal Conduct</b>	<b>11</b>
<b>Section 8. Safety Regulations</b>	<b>17</b>
<b>Section 9. Aeronautical Regulations</b>	<b>28</b>
<b>Section 10. Airport Operational Restrictions</b>	<b>31</b>
<b>Section 11. Taxi and Ground Rules</b>	<b>32</b>
<b>Section 12. Rotorcraft Operations</b>	<b>34</b>
<b>Section 13. Use of T-Hangars and Storage Hangars</b>	<b>34</b>
<b>Section 14. Motor Vehicles</b>	<b>36</b>
<b>Section 15. Motor Vehicle Parking</b>	<b>38</b>
<b>Section 16. Ground Transportation Vehicles</b>	<b>40</b>
<b>Section 17. Penalties, Remedies And Enforcement</b>	<b>40</b>
<b>Section 18. Miscellaneous</b>	<b>43</b>

# **AIRPORT ORDINANCE NO: 201701**

## **AIRPORT RULES & REGULATIONS**

**ADOPTED: February 17<sup>th</sup>, 2017**

### **GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY ORDINANCE**

**ORDINANCE NO: 201701**

**AN ORDINANCE, IN ACCORDANCE WITH SECTION 1.6(A) OF THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY ACT, NORTH CAROLINA SESSION LAW 2012-121, TO ESTABLISH THE RULES AND REGULATIONS OF THE ASHEVILLE REGIONAL AIRPORT IN ORDER TO REGULATE THE CONDUCT OF PERSONS AND BUSINESSES AT THE ASHEVILLE REGIONAL AIRPORT; AND TO MAKE A VIOLATION OF THIS ORDINANCE OR ANY AIRPORT RULE OR REGULATION CONTAINED HEREIN A MISDEMEANOR, CIVIL INFRACTION, OR ADMINISTRATIVE VIOLATION, AND TO PRESCRIBE THE PENALTIES AND MEANS OF ENFORCEMENT OF SAID RULES AND REGULATIONS;**

#### **Section 1. Citation**

1.1 This Ordinance may be cited as “**Authority Ordinance No. 201701**” or as the “**Airport Rules & Regulations**”.

#### **Section 2. Findings**

2.1 The Greater Asheville Regional Airport Authority was created by Session Law 2012-121, which was ratified by the General Assembly of North Carolina on June 28, 2012, and operates the Asheville Regional Airport.

2.2 Section 1.6(a)(7) of Session Law 2012-121 gives the GARAA the ability to, among other things: “[m]ake all reasonable rules, regulations, and policies as it may from time to time deem to

*be necessary, beneficial or helpful for the proper maintenance, use, occupancy, operation, and/or control of any airport or airport facility owned, leased, subleased, or controlled by the Authority . . . “.*

2.3 Section 1.6(a)(21) of the Session Law gives the GARAA the ability to: “[e]xercise all powers conferred by Chapter 63 of the General Statutes [of the State of North Carolina] or any successor Chapter or law.”.

2.4 The powers conferred in North Carolina General Statute Section 63-53(2) specifically include the powers to: adopt and amend all needful rules, regulations and ordinances for the management, government and use of any properties under its control and to fix by ordinance, penalties for the violation of said ordinances and enforce said penalties.

2.5 North Carolina General Statute Section 63-53(2) also specifically requires that such ordinances be published as provided by general law or the charter of the municipality for the publication of similar ordinances, and that such ordinances conform to and be consistent with the laws of the State of North Carolina, and the then current federal legislation governing aeronautics and the regulations promulgated thereunder.

2.6 The Greater Asheville Regional Airport Authority, consistent with Resolution No. \_\_\_\_\_ (Greater Asheville Regional Airport Authority Policy and Procedure for the Adoption of Ordinance) may adopt these Airport Authority Rules & Regulations by ordinance.

### **Section 3. Purpose and Scope**

3.1 The purpose of these Airport Rules & Regulations is to establish by ordinance certain rules and regulations that will govern the use and activities that may take place on the Airport.

3.2 Permission to use the Airport, or any part thereof, is conditioned upon strict compliance with these Airport Rules & Regulations, including payment of any fees or charges established hereby.

3.3 These Airport Rules & Regulations shall be applicable to every Person utilizing the Airport, unless otherwise indicated, and shall replace and supersede all prior rules and regulations promulgated by the Authority.

3.4 These Airport Rules & Regulations shall be in addition to all other applicable lease terms, Minimum Standards, policies, plans and Directives of the Airport, including, but not limited to the: Storm Water Prevention Plan; Spill Prevention Control and Countermeasures Plan; and Wildlife Hazard Management Plan.

### **Section 4. Effective Date**

4.1 These Airport Rules & Regulations shall take effect as of the **17th** day of **February, 2017**.

## **Section 5. Definitions**

5.1 Unless specifically defined otherwise herein, or unless a different meaning is apparent from the context, the terms used in these Airport Rules & Regulations shall have the meanings set forth in this Section.

5.2 Abandon - shall mean to forsake, desert, give up and/or surrender one's claim or right, license, use or privilege.

5.3 Abandoned Property - shall mean any item, including but not limited to Motor Vehicles, equipment and personal belongings, that would appear to a reasonable person that it has been forsaken, deserted, given up, surrendered, or left without anticipation of the Owner or Operator returning to claim it within a reasonable period of time.

5.4 Airport Development Guidelines - shall mean the specific written documents detailing the design requirements of all new construction and development on the Airport, and for modifications to existing Airport facilities, regardless of ownership.

5.5 Airport Movement Area (AMA) - shall mean the Runways, Taxilanes or Taxiways and other areas of the Airport that are utilized for taxiing, air taxiing, takeoff and landing of Aircraft that are under the direct control of the air traffic control tower, including during periods when the tower is closed.

5.6 Air Operations Area (AOA) - shall mean the areas of the Airport used for Aircraft landing, takeoff, or surface maneuvering, including the areas around hangars, navigation equipment, and Aircraft parking areas.

5.7 Aircraft - shall mean any device used or designed for navigation or flight in the air including, but not limited to, an airplane, sailplane, glider, helicopter, gyrocopter, ultra-light, balloon or blimp.

5.8 Airport - shall mean the Asheville Regional Airport (AVL).

5.9 Alcoholic Beverage - shall mean any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including any Malt Beverage, Unfortified Wine, fortified wine, spirituous liquor, and mixed beverages, or as otherwise defined by the State of North Carolina.

5.10 Apron or Ramp - shall mean those areas of the Airport within the AOA designated for loading, unloading, servicing or parking of Aircraft.

5.11 Authority - shall mean the Greater Asheville Regional Airport Authority.

5.12 Authority Board - shall mean the collectively appointed members of the Authority that when acting in official capacity on behalf of the Authority, have the powers, authority and jurisdiction conferred upon it by the North Carolina General Assembly.

5.13 Authorized Area - shall mean a specified location or portion of the Airport, accessible only to specifically authorized Person(s).

5.14 Authorized Representative - shall mean such Person as designated by the Executive Director.

5.15 Car Share- shall mean a service, provided by an organization or individual, in which fleet or individually owned Motor Vehicle is parked at the Airport and made available to members or Persons for short term rental, other than traditional rental car companies.

5.16 City - shall mean the City of Asheville, North Carolina.

5.17 Commercial Activity - shall mean the exchange, trading, buying, hiring or selling of commodities, goods, services, or tangible or intangible property of any kind, and/or any revenue producing activity on the Airport, unless otherwise approved by the Executive Director.

5.18 County - shall mean Buncombe County, and/or Henderson County, North Carolina.

5.19 Courtesy Vehicle - shall mean any Motor Vehicle used in Commercial Activity as herein defined, other than a taxicab, limousine, TNC Vehicle etc. to transport Persons, baggage or goods, or any combination thereof, between the Airport and the business establishment owning or operating such Motor Vehicle, the operation of which is generally performed as a service without any direct or indirect costs to the passenger.

5.20 Designated Area - shall mean those areas of the Airport, marked by signage where possible, where certain activities are limited, or where certain activities must occur, as specified elsewhere in these Airport Rules & Regulations.

5.21 Directives - shall mean the specific written documents detailing the approved methods of operations as directed by the Executive Director or his/her Authorized Representative.

5.22 Executive Director - shall mean the chief executive officer of the Greater Asheville Regional Airport Authority who is appointed by the Authority Board, or his/her Authorized Representative.

5.23 Federal Aviation Regulation (FAR) - shall mean the rules prescribed by the Federal Aviation Administration (FAA) governing all aviation activities in the

United States, as contained in Title 14 of the Code of Federal Regulations.

5.24 Flammable Liquid - A liquid that is capable of self-sustained combustion.

5.25 Foreign Object Damage/Debris (FOD) - shall mean any object, live or not, located in an inappropriate location in the Airport environment that has the capacity to injure Airport or air carrier personnel and damage Aircraft.

5.26 Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device - shall mean any Motor Vehicle, tanker truck, trailer or other mobile or fixed device containing a tank of any size and/or pumping equipment, designed or used to deliver and supply fuel to Aircraft, Motor Vehicles, fuel farms, fuel tanks, or other equipment on the Airport.

5.27 Hazardous Material - shall mean any item or agent (biological, chemical, radiological, and/or physical) which has the potential to cause harm to humans, animals, or the environment, either by itself, or through interaction with other factors.

5.28 Helicopter - shall mean a rotorcraft that, for its horizontal motion, depends principally on its engine driven rotors.

5.29 Landing Fee - shall mean the airfield related charges as specified in Airline Rates, Fees and Charges Ordinance.

5.30 Malt Beverage - shall mean beer, lager, malt liquor, ale, porter, or fermented beverage.

5.31 Minimum Standards - shall mean the specific written documents detailing the minimum requirements to be met as a condition for the privilege to conduct aeronautical or non-aeronautical services on the Airport.

5.32 Motor Vehicle - shall mean a self-propelled device in, upon or by which a Person or property may be transported, carried or otherwise moved from point-to-point, including devices moved by human or animal power, except Aircraft or devices moved exclusively upon stationary rails or tracks.

5.33 NFPA - shall mean the National Fire Protection Association.

5.34 Non-Commercial Activity - shall mean activities undertaken not for profit, but solely for philanthropic, religious, charitable, benevolent, humane, public interest, or similar purpose and no consideration for same is received, pledged or promised for any part of the respective activity.

5.35 Non-Operating Aircraft - shall mean any Aircraft located on the Airport which does not possess a current certificate of air worthiness issued by the Federal Aviation Administration



and/or is not actively being repaired in good faith to become an operating Aircraft.

5.36 Open Container - shall mean a container whose seal has been broken or a container other than the manufacturers unopened original container.

5.37 Operator - shall mean the individual directly controlling or maneuvering equipment, Motor Vehicle or Aircraft.

5.38 Owner - shall mean Person(s) possessing a fee interest in real property or ownership interest in personal property.

5.39 Parade - shall mean any march, demonstration, ceremony or procession of any kind which moves from place to place completely or partially in or upon any Street, sidewalk or other public grounds or places owned or under the control of the Authority along a specified route.

5.40 Park - shall mean to put or leave or let a Motor Vehicle or Aircraft stand or stop in any location whether the Operator thereof leaves or remains in such Motor Vehicle or Aircraft when such standing or stopping is not required by traffic controls or by conditions beyond the control of the Operator.

5.41 Person - shall mean any individual, entity, firm, partnership, corporation, company, association, joint stock association or body politic, or other user of the Airport, and includes any trustee, receiver, committee, assignee or other representative or employee thereof. Person includes the singular and plural whenever the context permits.

5.42 Picketing - shall mean the stationing of any Person by standing, lying, walking, sitting, kneeling, bending, or in any other similar manner at a particular place so as to persuade, or otherwise influence another Person's actions or conduct, or to apprise the public of an opinion or message.

5.43 Public Areas - shall mean areas and portions of the Airport, including buildings, intended to be accessible and open to the general public, exclusive of Authorized Areas.

5.44 Public Parking Facilities - shall mean all parking facilities provided for the public at the Airport.

5.45 Public Safety - shall mean the Department of Public Safety of the Greater Asheville Regional Airport Authority, which provides law enforcement, Aircraft rescue and firefighting, and emergency medical services on the property of the Asheville Regional Airport.

5.46 Restricted Area - shall mean any designated area of the Airport to which access or entry is limited to authorized Persons only.

5.47 Runway - shall mean a Restricted Area used solely for take-off and landing of Aircraft.

5.48 Solicitation or To Solicit - shall mean to repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, ask orally, in writing, or otherwise, (or endeavor to obtain by asking), request, implore, plead for, importune, seek or try to obtain.

5.49 Street - shall mean any highway, road, street, avenue, boulevard, alley, bridge, or other way within and/or under the control of the Authority and open to public use.

5.50 Taxilane or Taxiway - shall mean those portions of the AOA authorized or designated by the Authority for the surface maneuvering of Aircraft, which are used in common, and which may or may not be under the control of an Air Traffic Control Tower.

5.51 Taxicab, Taxi or Cab - shall mean any automobile that carries Person(s) for a fare, determined by a meter and that is appropriately licensed as a taxicab by the proper governmental authority.

5.52 Through-the-Fence Operations - shall mean a Commercial Activity or a Non-Commercial Activity that is directly related to the use of the Airport, but is developed or located off Airport property, and that has access to the Airport for Aircraft across the property line.

5.53 Transportation Network Company (TNC) - shall mean citizens utilizing a privately owned Motor Vehicle for commercial ground transportation purposes that are dispatched through electronic means.

5.54 Ultra Light Vehicle - shall mean an Aircraft that meets and operates under the requirements of 14 C.F.R. Part 103.

5.55 Unfortified Wine - shall mean wine that has an alcoholic content produced only by natural fermentation or by the addition of pure cane, beet, or dextrose sugar.

5.56 Weapon - shall mean a dirk, billy club, gun, knife, blackjack, slingshot, metal knuckles, tear gas, chemical weapon, any explosive device, electric weapon or any other substantiating instrument that can be utilized to coerce, intimidate or injure a Person, and all other such instruments as defined by local, state or federal law.

## **Section 6. General Regulations**

6.1 Commercial Activity. It shall be unlawful for any Person to occupy or rent space or conduct any business, commercial enterprise or Commercial Activity, or other form of revenue or non-revenue producing Non-Commercial Activity on the Airport without first obtaining a written lease, contract, permit or other form of

written authorization from the Executive Director or Authorized Representative.

6.2 Advertising and Display. It shall be unlawful for any Person to post, distribute, or display signs, advertisements, literature, circulars, pictures, sketches, drawings, or other forms of written material on the Airport without the written permission of the Executive Director or Authorized Representative.

6.3 Commercial Speech. It shall be unlawful for any Person, for a commercial purpose, to post, distribute, or display signs, advertisements, circulars, pictures, sketches, drawings, or engage in other forms of commercial speech without a written contract, permit or other form of written authorization from the Executive Director or Authorized Representative.

6.4 Commercial Photography. Except as provided for in Section 6.4.1, it shall be unlawful for any Person to take still, motion or sound motion pictures or make sound records or recordings of voices or otherwise on the Airport for commercial purposes without written permission from and in a manner authorized by the Executive Director or Authorized Representative.

6.4.1 Section 6.4 does not apply to bona fide coverage by the news media conducting their business in an Authorized Area.

6.5 Through the Fence Activities. Except as described in Section 6.5.1 and 6.5.2 below, it shall be unlawful for any Person to access the public landing area, including the Runway, Taxilane or Taxiway, Aprons, hangar and Aircraft servicing areas from any off Airport property.

6.5.1 Exceptions to Section 6.5 may be sought from the Authority on a case-by-case basis.

6.5.2 Access by exception to Section 6.5 shall only be allowed upon satisfaction of each of the following conditions:

6.5.2.1 The issuance of a permit, license or written agreement by the Authority;

6.5.2.2 When lease terms and operating restrictions can ensure security, safety, equitable compensation to the Authority; and

6.5.2.3 When a fair competitive environment can be established for other comparable Airport tenants.

6.5.3 All Through-The-Fence Operations are subject to, and shall take place in, compliance with all FAR or Federal Aviation Administration (FAA) requirements.

6.6 Storage of Equipment. It shall be unlawful for any Person, unless otherwise provided

for by lease, other agreement, or permit, to use any area on the Airport, including buildings, either privately owned or publicly owned, for any storage of cargo or any other property or equipment, including Aircraft, without permission from the Executive Director or Authorized Representative.

6.6.1 The Executive Director or Authorized Representative shall, upon a violation of Section 6.6, have the authority to order the cargo, Aircraft or any other property removed, or to cause the same to be removed and stored at the expense of the Owner or consignee, without the Authority having any responsibility or liability therefor.

6.7 Construction and Repair Activities on Airport Property. It shall be unlawful for any Person, firm, corporation, utility company, tenant, or other entity, to undertake any form of construction or repair activities on the Airport, including but not limited to digging, changing, pouring concrete, erecting structures, repairing public utilities, installing or repairing pavement, or any other form of construction or repair work without a valid easement and/ or first obtaining permission from the Executive Director or Authorized Representative.

#### 6.8 Animals.

6.8.1 It shall be unlawful to bring upon Airport property any animal that is not properly restrained and controlled by the Owner either on a leash or inside a suitable container if being transported by air.

6.8.2 It shall be unlawful to hunt, pursue, trap, catch, injure or kill any animal on the Airport without first obtaining permission from the Executive Director or Authorized Representative.

6.8.2.1 Section 6.8.2 shall not apply to the conduct and official acts of governmental officials, including wildlife management of the United States Department of Agriculture or of the Authority or when such activities are conducted by the Authority for Aircraft operational safety.

6.8.3 It shall be unlawful for any Person to feed or to do any other act to encourage the congregation of birds or other animals on the Airport.

6.8.4 It shall be unlawful for any Person to fish or boat from the Airport on or in any lakes, ponds or other bodies of water located on the Airport.

6.8.5 Nothing contained in Section 6.8 shall preclude animals on the Airport, to the extent mandated by applicable law, including “service animals” pursuant to the Americans with Disabilities Act.

#### 6.9 Preservation of Property.

6.9.1 It shall be unlawful for any Person to destroy, injure, deface or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, and/or other tangible property on the Airport.

6.9.2 It shall be unlawful for any Person to travel on the Airport other than on roads, walks or other marked rights-of-way provided for such specific purpose.

6.9.3 It shall be unlawful for any Person to alter, add to or erect any buildings or sign on the Airport or make any excavation on the Airport without prior expressed written approval from the Executive Director or Authorized Representative.

6.9.4 Any Person, tenant, company, or organization causing injury, destruction, damage, or disturbance to Airport property of any kind, including buildings, fixtures, or appurtenances, whether through any incident, accident, act or omission, shall immediately report such damage or destruction to the Executive Director.

6.9.5 Any Person involved in any incident or accident, whether personal, with an Aircraft, automobile, ground support equipment, or otherwise occurring anywhere on the Airport, shall make a full report to Public Safety as soon as possible after the incident or accident.

6.9.5.1 All accident reports shall include, but not be limited to, the names and addresses of all principals and witnesses, if known, and a detailed statement of the facts and circumstances.

6.9.6 Any Person, tenant, company or organization causing damage to or destroying Airport property of any kind, including buildings, fixtures or appurtenances, whether through violation of these ordinance or through any incident, accident, act or omission, shall be fully liable to the Authority for all damages, losses and costs of repair associated therewith.

#### 6.10 Lost, Found and Abandoned Property.

6.10.1 Any Person finding any lost article(s) in the Public Areas on the Airport shall immediately deposit them with the Lost and Found located in Guest Services.

6.10.2 Articles unclaimed by their proper Owner within ninety (90) days, shall, thereafter, upon request, be turned over to the finder in accordance with then provisions of any applicable North Carolina General Statutes.

6.10.3 Articles to which the Owner or finder is not entitled to lawful possession shall be forfeited to the Authority for disposal in accordance

with provisions of any applicable North Carolina General Statutes.

6.10.4 Nothing in Section 6.10 shall be construed to deny the right of Airport tenants to maintain “lost and found” services for property of their patrons, invitees or employees.

6.10.5 It shall be unlawful for any Person to Abandon any property on the Airport.

6.10.6 Any property, which has been determined by the Authority to be Abandoned will be removed, stored, and/or disposed of at the Owner’s expense, without the Authority having any responsibility or liability therefor.

6.11 Violations of Section 6. A violation of Section 6 General Regulations shall not be a misdemeanor or infraction under N.C. Gen. Stat. § 14-4; however, civil penalties shall be assessed and civil citations issued for the violation of any provision of Section 6 General Regulations, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 7. Personal Conduct**

7.1 Solicitation. It shall be unlawful for any Person To Solicit for any purpose on the Airport without prior authorization from the Executive Director or Authorized Representative.

7.2 Obstruction of Airport Use and Operations. No Person shall obstruct, impair or interfere with the safe and orderly use of the Airport by any other Person, Motor Vehicle or Aircraft.

7.3 Restricted Areas and Air Operations Area.

7.3.1 Except as otherwise provided in Section 7.3.2, it shall be unlawful for any Person to, without the prior written authorization of the Executive Director or Authorized Representative, enter the AOA or any Restricted Area on the Airport.

7.3.2 The following Persons may enter the AOA or any Restricted Area on the Airport without the prior written authorization of the Executive Director:

7.3.2.1 Persons assigned to duty thereon with proper training and identification media issued by, or acceptable to, the Authority.

7.3.2.2 Passengers who, under appropriate supervision by qualified and Airport badged airline personnel, enter upon the Apron for the purposes of enplaning or deplaning an Aircraft.

7.3.2.3 Persons engaged, or having been engaged, in the operation of Aircraft with proper identification, if located in a restricted are requiring such identification.

7.3.3 It shall be unlawful for any Person or Motor Vehicle to enter the movement areas or cross the Runway or the Taxiway or Taxiway unless the Person or Motor Vehicle Operator has received and satisfactorily completed required training and authorization from the Authority to operate on the movement area.

7.3.3.1 Each Motor Vehicle authorized by the Authority to access the AMA shall be marked and lighted with company names, logos, strobe or rotating lights of appropriate colors, or have a permit issued and displayed by the Authority.

7.3.3.2 Each Person or Motor Vehicle Operator with authorized access to the AOA or AMA shall be directly responsible for the activities of each additional Person or passenger they bring into the AOA or AMA, as each such Person shall be considered under their escort.

7.3.4 The security of Motor Vehicle and pedestrian gates, doors, fences, walls, and barricades leading from a tenant or lessee, or contractor's use area, to or from the AOA, or any other Restricted Area, shall be the responsibility of the tenant, lessee or contractor abutting the AOA or the tenant presently using such gate, door, fence, wall or barricades.

7.3.5 Each Person or Motor Vehicle Operator using an Airport perimeter security gate at the Airport shall ensure that the gate closes fully and is secure prior to leaving the vicinity of the gate, and that no unauthorized Persons gain access to the AOA through the gate while the gate is open.

7.3.6 Any authorized Person utilizing any gate, door, fence, wall or barricade shall be individually responsible for ensuring the security of the same while utilizing such in the course of their business or activities at the Airport, while present in any Restricted Area of the Airport, and while utilizing or operating any such devices.

7.3.7 No Person shall walk or drive across the AMA of the Airport without specific permission from the Executive Director or Authorized Representative and, where applicable, the Federal Aviation Administration (FAA) air traffic control tower on the Airport, and without having first completed all Airport required training and background checks.

7.4 Compliance with Signs. It shall be unlawful for any Person to fail to observe and obey all posted signs, fences, permanent and temporary traffic control and barricades governing activities and/or demeanor of the respective Person while on the Airport, and while operating an Aircraft or other equipment.

7.5 Use and Enjoyment of Airport Premises.

7.5.1 It shall be unlawful for any Person, singularly or in association with others, by his, her, or their conduct or by congregating with others, to prevent any other Person lawfully entitled thereto from the use and enjoyment of the Airport and its facilities or any part thereof, or prevent any other Person lawfully entitled thereto from free and unobstructed passage from place-to-place, or through entrances, exits or passageways on the Airport.

7.5.1.1 Nothing in Section 7.5 is intended to prevent any Person from preventing another person, without authorization, from entering Authorized Areas or Restricted Areas.

7.5.2 It shall be unlawful for any Person to remain in or on any Public Areas, place or facility on the Airport, in such a manner as to hinder or impede the orderly passage in or through or the normal or customary use of such area, place, or facility by any Person or Motor Vehicle entitled to such passage or use.

7.5.3 It shall be unlawful for any Person to commit any disorderly, obscene, or indecent act, or use profane or abusive language, or commit any nuisance within the boundaries of the Airport.

7.5.4 It shall be unlawful for any Person to throw, shoot, aim lasers at, or propel any object in such a manner as to interfere with or endanger the safe operation of any Aircraft taking off from, landing at, or operating on the Airport, or any Motor Vehicle on the Airport.

7.5.5 It shall be unlawful for any Person to knowingly or willfully make any false statement or report to the Authority or to any Authorized Representative of the Authority.

## 7.6 Environmental Pollution & Sanitation.

7.6.1 To the maximum extent possible, each Person or entity while on the Airport shall limit activities thereon in such a manner as not to cause littering or any other form of environmental pollution, and shall abide by the provisions of the Section 7.6.

7.6.2 It shall be unlawful for any Person to dispose of garbage, papers, refuse, or other form of trash including cigarettes, cigars, and matches, except in receptacles provided for such purpose.

7.6.3 It shall be unlawful for any Person or entity to dispose of any fill or building materials or any other discarded or waste materials on Airport property except as approved in writing by the Executive Director.

7.6.4 It shall be unlawful for any Person or entity to place any liquids in storm drains or the sanitary sewer system on the Airport, which will damage such drains or



system or will result in environmental pollution passing through such drain or system.

7.6.5 It shall be unlawful for any Person to use a comfort station or restroom toilet or lavatory facility on the Airport other than in a clean and sanitary manner.

7.6.6 It shall be unlawful for any Person to burn any refuse on the Airport, except with the written authorization of the Executive Director.

7.6.7 It shall be unlawful for any Person to unnecessarily, or unreasonably, or in violation of law, cause any smoke dust, fumes, gaseous matter or particular to be emitted into the atmosphere or be carried by the atmosphere on the Airport.

7.6.8 Any Person discarding chemicals, paints, oils or any products on the Airport, with authorization and in accordance with Section 7.6, must discard such materials in accordance with all other applicable state, local, or federal laws and regulations.

#### 7.7 Firearms and Weapons.

7.7.1 For the purpose of Section 7.7, a firearm means: (i) any Weapon, including a starter gun, which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive other than flare guns, (ii) any firearm muffler or firearm silencer, or (iii) any destructive device.

7.7.2 It shall be unlawful for any person, except those persons to the extent authorized by federal law and/or state law, to carry or transport any firearm or Weapon on the Airport property except when such firearm or Weapon is properly encased for shipment.

7.7.3 The Authority reserves the right to restrict the carrying of firearms and Weapons by watchman and guards on the Airport.

7.7.4 It shall be unlawful for any person to discharge any firearm or Weapon on the Airport except in the performance of official duties requiring discharge thereof.

#### 7.8 Alcoholic Beverages and Controlled Substances.

7.8.1 Except as provided in Sections 7.8.1.1 and 7.8.1.2 below, it shall be unlawful for any Person to consume Alcoholic Beverages on the Airport.

7.8.1.1 It shall be lawful to consume Alcoholic Beverages in areas designated by the Executive Director for the sale and/or consumption of an Alcoholic Beverage, both permanent and temporary in nature, so long as all appropriate permits, licenses and permissions have been obtained; and

7.8.1.2 It shall be lawful to consume an Alcoholic Beverage in areas designated under written agreement by the Authority, so long as all appropriate permits, licenses and permission have been obtained.

7.8.2 Except as provided in Sections 7.8.1.1 and 7.8.1.2 above, it shall be unlawful for any Person to possess any Open Container of an Alcoholic Beverage, on the Airport.

7.8.3 It shall be unlawful to drive any Vehicle on any Airport property while under the influence of an impairing substance; or after having consumed sufficient alcohol that the individual has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; or with any amount of a Schedule I controlled substance, as listed in N.C. Gen. Stat. Section 90-89, or its metabolites in the individual's blood or urine.

7.8.3.1 The relevant definitions contained in N.C. Gen. Stat. § 20-4.01 shall apply to Section 7.8.3

7.8.3.2 The fact that a person charged with violating Section 7.8.3 is or has been legally entitled to use alcohol or a drug is not a defense to a charge under Section 7.8.3.

7.8.3.3 In any prosecution for operating a Vehicle while impaired on any Airport property, the pleading is sufficient if it states the time and place of the alleged offense in the usual form and charges that the defendant operated the Vehicle within the State and on the Airport while subject to an impairing substance.

7.8.3.4 Any person who operates a Vehicle on any Airport property gives consent to chemical analysis if he is charged with the offense of operating a Vehicle while impaired. The charging officer must designate the type of chemical analysis to be administered, and it may be administered when he has reasonable grounds to believe that the person charged has committed the specific crime. The chemical analysis shall be performed pursuant to the procedures established under Chapter 20 of the North Carolina General Statutes applying to other motor vehicle violations. The results of any chemical analysis will be admissible into evidence at the trial on the offense charged and shall be deemed sufficient evidence to prove a person's alcohol concentration.

## 7.9 Picketing, Marching and Demonstration.

7.9.1 It shall be unlawful for any Person to walk in a picket line as a picketer, or take part in any form of demonstration including, but not limited to a Parade, on the Airport, except in or at the place specifically assigned by means of

prior arrangements in writing by the Executive Director for such Picketing or other permitted demonstration and in accordance with the provisions of Section 7.9.2.

7.9.2 Any permitted Picketing or demonstration shall be conducted in accordance with the provisions of Section 7.9.2.1 and Section 7.9.2.2

7.9.2.1 Picketing or demonstration shall be in the peaceful and orderly manner contemplated by law, without physical harm, molestation, threat or harassment of any Person, without obscenities, any violence, any breach of the peace, or other unlawful conduct whatsoever.

7.9.2.2 Picketing or demonstration shall be without obstructing the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly and efficient operation of the Airport and activities conducted thereupon.

7.10 Interfering with Passenger Screening Process. It shall be unlawful for any Person to intentionally interfere with, disrupt, or delay the process of passenger screening conducted in accordance with any federal, state, or local regulation or procedure, which is being carried out by any federal, state or local agency or contractor.

7.11 Smoking.

7.11.1 It shall be unlawful to smoke or carry lighted smoking materials or to strike matches or other incendiary devices on Airport Apron areas, within 100 feet of parked Aircraft, during fueling or de-fueling, during the loading or unloading of fuel transport Vehicle, within 100 feet of a Flammable Liquid spill, in any area on the AOA, and in a hangar, shop, or other building in which flammable liquids are stored.

7.11.2 It shall be unlawful to smoke, including the use of e-cigarette, in all enclosed areas of the Airport, including all restrooms, break rooms, offices, any Authority owned Motor Vehicle, and inside any portion of the passenger terminal building.

7.11.3 This Section 7.11 applies to all Persons utilizing the Airport including all employees, tenants, vendors, independent contractors, passengers and visitors.

7.11.4 Smoking outside of the passenger terminal building by Authority and tenant employees is only permitted in a Designated Area.

7.11.5 Smoking outside of the passenger terminal building by the general public shall only be permitted in Designated Area.

7.11.6 It shall be unlawful to smoke within the cab of a Fuel

Transporting Vehicle, Fuel Truck or Fuel Delivery Device.

#### 7.12 Fire Extinguishers.

7.12.1 It shall be unlawful to tamper with, at any time, fire extinguishing equipment on the Airport.

7.12.2 It shall be unlawful to use, at any time, fire extinguishing equipment on the Airport for any purpose other than firefighting or fire prevention.

7.12.3 All tenants or lessees or any other occupants of hangars, Aircraft maintenance buildings, or shop facilities shall supply and maintain readily accessible fire extinguishers in numbers, and at locations, that meet the requirements of applicable local codes or ordinances.

7.12.4 All fire extinguishing equipment shall conform to and be maintained in accordance with current NFPA Standards.

7.12.5 Tags showing the date of the last inspection shall be attached to each unit or immediately available records acceptable to Fire Underwriters shall be kept nearby showing the current status of such piece of equipment.

7.13 Violations of Section 7. A Violation of Section 7 Personal Conduct shall be a misdemeanor punishable in accordance with N.C. Gen. Stat. § 14-4 and subject to the penalties and provisions of Section 17 Penalties, Remedies and Enforcement below.

### **Section 8. Safety Regulations**

#### 8.1 General.

8.1.1 All persons using the Airport or any facilities on the Airport shall exercise the utmost care to guard against fire and injury to persons and/or property.

8.1.2 All persons using the Airport or any facilities on the Airport shall comply with all local, state or federal laws and any rules and regulations of the Federal Aviation Administration.

#### 8.2 Fueling Operations.

##### 8.2.1 Aircraft Engines.

8.2.1.1 It shall be unlawful for any Person to fuel an Aircraft with any fuel

while one or more of its engines are running or the Aircraft is then being warmed by external heat (Hot Fueling), without advanced approval and standby of Public Safety.

8.2.1.2 It shall be unlawful for Person to de-fuel an Aircraft with one or more of its engines running or the Aircraft is then being warmed by external heat.

8.2.1.3 It shall be unlawful for any Person to start the engine of an Aircraft if there is any gasoline or other volatile fluid on the ground or otherwise within the vicinity of the Aircraft.

8.2.1.4 It shall be unlawful for any Person to fuel an Aircraft inside of any hangar or building on the Airport regardless of whether the Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device is parked outside of the hangar or building. All fueling operations shall take place outdoors.

#### 8.2.2 Distance From Buildings.

8.2.2.1 Aircraft being fueled shall be positioned so that Aircraft fuel system vents or fuel tank openings are not closer than ten (10) feet from any terminal building, hangar, service building or enclosed passenger concourse other than a passenger boarding bridge.

8.2.2.2 Each Fuel Transporting Vehicle, Fuel Truck and Fuel Delivery Device whether loaded or empty, shall never be in hangars nor be parked unattended within a distance of less than fifty (50) feet from hangars, paint and dope shops, fuel storage systems, or any other building or structure where any Person may be present therein.

#### 8.2.3 Spillage of Fuel and Other Liquids.

8.2.3.1 No fuel, grease, oil, dopes, paints, solvents, acid, Flammable Liquid or contaminants of any kind shall be suffered or allowed to flow into or be placed in any Airport sanitary or storm drain system.

8.2.3.2 Any Persons, including the Owner or Operator of Aircraft, causing overflowing or spilling of fuel, oil, grease, or other contaminants anywhere on the Airport, shall be responsible for expeditious notification to Public Safety of said spillage and will be held responsible for immediate cleanup of the affected area.

8.2.3.3 When fuel spills occur, fueling shall stop immediately.

8.2.3.4 In the event of spillage, each Fuel Transporting Vehicle, Fuel Truck and Fuel Delivery Device , and all other Motor Vehicles

shall not be moved or operated in the vicinity of the spill until the spillage is removed, and a fireguard shall be promptly posted.

8.2.3.5 Each Person, tenant or company authorized to store, handle and dispense fuel on the Airport shall follow and remain compliant with all applicable environmental and fire safety measures of the U.S. Environmental Protection Agency, North Carolina Department of Environmental Quality, NFPA, local laws and requirements.

8.2.3.6 Each Person, tenant or company authorized to store, handle and dispense fuel on the Airport shall have an approved Spill Prevention Control and Countermeasures Plan, and have emergency spill control materials and supplies stored on each mobile Fuel Transporting Vehicle, Fuel Truck and Fuel Delivery Device ready for rapid deployment in the event of a spill.

8.2.3.7 All Persons authorized to operate a Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device and other fueling equipment, shall be properly trained and familiar with their company's Spill Prevention Control and Countermeasures Plan (SPCC) and shall deploy such means, materials and measures in the event of a spill if safe to do so.

8.2.3.8 Each tenant or company that stores and/or handles fuel on the Airport shall be responsible for ensuring that all employees who directly handle fuel are properly trained to all company and fuel branding requirements, as well as all Authority requirements, and have satisfactorily completed all Authority required training.

8.2.4 Passengers. It shall be unlawful for any Person to fuel or de-fuel an Aircraft while any passenger is on board unless all of the conditions of Section 8.2.4.1 through 8.2.4.3 are met.

8.2.4.1 A passenger-boarding device is in place at the cabin door of the Aircraft and the canopy is extended, if present.

8.2.4.2 The cabin door is open.

8.2.4.3 A flight crewmember is on-board the Aircraft.

8.2.5 Static Bonding / Aircraft Grounding.

8.2.5.1 Prior to the fueling of an Aircraft, the Aircraft and the transfer fuel apparatus shall be adequately bonded and/or grounded as specified in this Section 8.2.5.

8.2.5.2 Prior to making any fueling connection to the Aircraft, the fueling equipment shall be physically bonded or grounded to the Aircraft being fueled by use of a cable, thus providing a conductive path to equalize the potential between the fueling equipment and the Aircraft.

8.2.5.3 The bond or ground shall be maintained until fueling connections have been removed.

8.2.5.4 When fueling over a wing, the nozzle shall be bonded or grounded with a nozzle bond or ground cable having a clip or plug to a metallic component of the Aircraft that is metallically connected to the tank filler port.

8.2.5.4.1 When fueling over a wing, the bond or ground connection shall be made before the filler cap is removed.

8.2.5.4.2 When fueling over a wing, if there is no plug receptacle or means for attaching a clip, the Operator shall touch the filler cap with the nozzle spout before removing the cap so as to equalize the potential between the nozzle and the filter port.

8.2.5.4.3 When fueling over a wing, the spout shall be kept in contact with the filler neck until the fueling is completed.

8.2.5.5 When a funnel is used in Aircraft fueling, it shall be kept in contact with the filler neck and the fueling nozzle spout or the supply container to avoid the possibility of a spark at the fill opening.

8.2.5.6 Only metal funnels shall be used to fuel an Aircraft.

8.2.5.7 Each hose, funnel, or apparatus used in fueling or de-fueling Aircraft shall be maintained in good condition and must be properly bonded to prevent ignition of volatile liquids.

## 8.2.6 Positioning of Equipment For Fueling.

8.2.6.1 Positioning of Aircraft Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be in accordance with this Section 8.2.6.

8.2.6.2 Each Aircraft Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be positioned so that they can be moved promptly after all Aircraft fuel hoses have been disconnected and stowed.

8.2.6.3 The drive engine of the fuel pump of the Aircraft Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall not be positioned under the wing of Aircraft during over wing fueling or where Aircraft fuel system vents are located on the upper wing surface.

8.2.6.4 Each Aircraft Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall not be positioned within a 10 feet (3 meters) radius of Aircraft fuel system vent opening.

8.2.6.5 Hand brakes shall be set, and wheel chocks shall be placed on each fuel servicing Vehicles before the Operators leave the Vehicle.

8.2.6.6 No Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be backed within twenty (20) feet of an Aircraft without the Operator having taken those precautions necessary to ensure an appropriate level of safety, which may include ground walkers to assist and guide the Vehicle or fueling object.

8.2.7 Fire While Fueling. When a fire occurs in a fuel delivery device while servicing an Aircraft, fueling shall be discontinued immediately and all emergency valves and dome covers shall be shut down at once and Public Safety shall be notified immediately.

8.2.8 Operation of Fuel Trucks On Runways & Taxilane and Taxiway. No Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device designed for and/or employed in the transportation of fuel shall be operated on a Taxilane or Taxiway or Runway at any time without expressed prior permission from the Executive Director or Authorized Representative to operate that Motor Vehicle in that place at that time and without being under escort by the Authority.

8.2.9 Fire Extinguishers.

8.2.9.1 No Person shall engage in Aircraft fueling or de-fueling operations without adequate and fully functioning fire extinguishing equipment being there and being readily accessible at the points of fueling.

8.2.9.2 All fire extinguishing equipment shall be recertified annually and all Persons shall be trained in the use of the equipment annually.

8.2.9.3 Each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device operating on the Airport shall be equipped with a minimum of two fully charged BC fire extinguishers, with one (1) located on each side of the Motor Vehicle, and with current annual certifications that



conform to NFPA guidelines and FAR as may be appropriate.

8.2.10 Parking Areas For Fuel Trucks. Parking areas for a Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be arranged in accordance with the provisions of this Section 8.2.10.

8.2.10.1 To facilitate dispersal of the Motor Vehicle in the event of emergency;

8.2.10.2 To provide at least ten (10) feet of clear space between each parked Motor Vehicle for accessibility for fire control purposes;

8.2.10.3 To prevent any leakage from draining on the ground or to any building or structure;

8.2.10.4 To minimize exposure to damage from any and all out-of-control Aircraft;

8.2.10.5 To provide at least fifty (50) feet from any Airport terminal building, Aircraft cargo building, Aircraft hangar or other Airport structure housing any Person or any member of the public, and which has windows or doors in the exposed walls; and

8.2.10.6 Each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device when not in use, shall be stored in a designated area that provides secondary containment protection from a leak or spill from the Motor Vehicle within the parking area.

8.2.11 Use of Radio, Radar, And Electrical Systems. It shall be unlawful for any Person to operate a radio transmitter or receiver or switch electrical appliances on or off in an Aircraft while the Aircraft is being fueled or being de-fueled.

8.2.12 Thunderstorm Activity. It shall be unlawful for any Person to conduct fueling or de-fueling operations during periods of thunderstorm and/or lightning activity on or in the vicinity of the Airport.

8.2.13 Authority to Dispense Fuel.

8.2.13.1 Only those Persons who have then been authorized by the Executive Director or Authorized Representative, via a current self-fueling permit, or those Persons, tenants or companies who have authority through the issuance of a permit or lease by the Authority, may dispense fuel into any Aircraft, Vehicle or ground support equipment on the Airport.

8.2.13.2 It shall be unlawful for any Person to dispense or sell aviation fuel for automotive purposes.

1.1.14 Fuel Farms and Bulk Fuel Installments.

8.2.14.1 All fuel farms and bulk fuel installations shall conform to the appropriate NFPA Standards, City/County Fire Codes, federal, state, or local laws.

8.2.14.2 There shall be NO SMOKING within one hundred (100) feet of a fuel farm or a bulk fuel installation.

8.2.14.3 Person(s) using fuel farms and bulk fuel installations shall ensure that such areas are free of weeds, grass, shrubs, trash and other debris at all times.

8.2.14.4 Fire extinguishers shall always be maintained in an accessible position, and in an operable condition with a then un-expired certification date.

8.2.14.5 No fuel or Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be left unattended during loading or unloading of fuel at a fuel farm or bulk installation.

8.2.14.6 All fuel farms and bulk fuel installations shall be operated under a quality control, maintenance, and inspection program of a licensed and bonded fuel supplier, or the State of North Carolina.

1.1.15 Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device

8.2.15.1 Each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be conspicuously marked on both sides and rear of the cargo tank with the word "FLAMMABLE", "NO SMOKING" and with an appropriate placard identifying the type of fuel contained within the tank.

8.2.15.2 Emergency shut-off devices shall be required on each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device and shall be conspicuously marked "EMERGENCY SHUT OFF".

8.2.15.3 The propulsion and pumping engine on each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall have safeguards to reduce ignition sources to a minimum.

8.2.15.4 The carburetor on each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be fitted with an approved back-flash arrester.

8.2.15.5 The wiring on each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device shall be adequately insulated and fastened to eliminate chafing, and affixed to terminal connections by tight-fitting snap or screw connections with rubber or similar insulating and shielding covers and molded boots.

8.2.15.6 Two fire extinguishers shall be conspicuously apparent on each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device, as specified in Section 8.2.9.3.

8.2.15.7 Each hose, funnel, or apparatus on a Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device used in fueling or de-fueling Aircraft shall be maintained in good condition.

8.2.15.8 Maintenance and testing of Aircraft fueling systems shall be conducted under controlled conditions and in accordance with NFPA Guidelines.

8.2.15.9 Each Fuel Transporting Vehicle, Fuel Truck and Fuel Delivery Device shall be stored and maintained outdoors in areas authorized by the Executive Director, and when not in use, within an area that is protected by secondary containment measures.

8.2.15.10 Each Fuel Transporting Vehicle, Fuel Truck or Fuel Delivery Device based on the Airport and utilized for the delivery of fuel into Aircraft or authorized Vehicle shall carry an emergency spill response kit upon it containing materials and supplies to be used by the Operator in the event of a fuel spill.

8.2.15.10.1 Any emergency fuel spill kit materials and supplies that are used shall be immediately replaced.

### 8.3 Open Flame Operation.

8.3.1 Except as provide in Section 8.3.1.1 through 8.3.1.3, it shall be unlawful to engage in any lead and carbon burning, fusion gas and electric welding, blow-torch work, reservoir repairs, engine testing, battery charging and all operations involving open flames on the Airport.

8.3.1.1 Such operations shall be allowed in the repair shop sections of any hangar.

8.3.1.2 During such operations, the shop shall be separated from the storage section by closing all doors and openings to the storage section.

8.3.1.3 Any such operations upon any other portions of the Airport shall

only be performed after notification and coordination with Public Safety and after receiving permission from the Executive Director or Authorized Representative.

#### 8.4 Storage of Materials.

8.4.1 It shall be unlawful to keep or store material or equipment in such manner as to constitute a fire hazard or be in violation of applicable, local codes or ordinances or operational Directives of the Authority.

8.4.2 Gasoline, kerosene, ethyl, jet fuel, either, lubricating oil or other Flammable Liquid or gas including those used in connection with the process of “doping” shall be stored in accordance with the local codes or ordinances.

8.4.3 It shall be unlawful to keep, transport, or store lubricating oils on the Airport except in containers and receptacles designed for such purposes and in areas specifically approved for such storage in compliance with applicable local codes or ordinances and FAR.

#### 8.5 Hazardous Materials.

8.5.1 It shall be unlawful for any Person, without prior permission from the Executive Director, to transport, handle, or store on the Airport any cargo of explosives or other hazardous articles which is barred from loading in, or for transportation by Civil Aircraft in the United States under the current provisions of Regulations promulgated by the Department of Transportation (DOT), the Federal Aviation Administration (FAA), Transportation Security Administration (TSA), or by any other governing authority.

8.5.2 Compliance with said regulations shall not constitute or be construed to constitute a waiver of the notice required in Section 8.5.1 or as an implied permission to keep, transport, handle or store such explosives or other dangerous articles on the Airport.

8.5.3 Twenty-four hours advance notice shall be given to the Executive Director or Authorized Representative in order to investigate and clear any operation requiring a waiver of this Section 8.5.1.

8.5.4 It shall be unlawful to offer, or to knowingly accept, any hazardous article for shipment on the Airport unless the shipment is handled and stored in full compliance with the current provisions of any local, state or federal law regulating the handling and storage of hazardous materials.

8.5.5 Any Person engaged in transportation of hazardous articles shall have designated personnel on the Airport authorized and responsible for receiving

and handling such shipments in compliance with the prescribed regulations.

8.5.6 Any Person engaged in the transportation of hazardous articles shall provide storage facilities which reasonably insure against unauthorized access, or exposure to persons and against damage to shipments while on the Airport.

8.5.7 Any Person transporting or storing hazardous materials on the Airport shall, a minimum of 24 hours in advance of such transportation or storage, provide current Safety Data Sheets (SDS) documentation on the hazardous material to the Executive Director or Authorized Representative.

8.5.8 Safety Data Sheets (SDS) documentation shall be maintained by the Person responsible for the hazardous material and readily available at all times while the hazardous material is present on the Airport.

8.5.9 The spill of any hazardous material on the Airport shall immediately be cleaned up by the Person responsible for such spillage, in accordance with all local, state or federal regulations governing the handling and storage of such hazardous materials, and shall be immediately reported to the Executive Director.

8.6 Motorized Ground Equipment Around Aircraft. It shall be unlawful for any Person to Park motorized ground equipment near any Aircraft in such manner so as to prevent it or the other ground equipment from being readily driven or towed away from the Aircraft in case of an emergency.

8.7 Aircraft Electrical and Electronic Systems.

8.7.1 It shall be unlawful to test or operate radio transmitters and similar equipment in Aircraft within a hangar with dynamotors running unless all parts of the antenna system are at least one (1) foot removed from any other object.

8.7.2 It shall be unlawful to place an Aircraft, at any time, such that any fabric-covered surface is within one (1) foot of an antenna system.

8.7.3 It shall be unlawful to operate or ground test, in any area on the Airport, airborne radar equipment that will interfere with any high intensity radar site.

8.8 Electrical Equipment and Lighting Systems.

8.8.1 It shall be unlawful to use a portable lamp assembly, without a proper protective guard or shield over the lamp to prevent breakage.

8.8.2 It shall be unlawful to leave any power operated equipment or electrical devices on when not in actual use.

8.8.3 It shall be unlawful to do any work on any Aircraft in a hangar or structure without de-energizing or disconnecting the battery or power source.

#### 8.9 Aprons, Building & Equipment.

8.9.1 All Persons on the Airport shall keep all areas of the premises leased or used by them clean and free of oil, grease and other flammable material.

8.9.2 The floors of hangars and other buildings shall be kept clean and continuously kept free of rags, waste materials or other trash or rubbish, unless such rags and other water materials are kept in proper and approved containers.

8.9.3 Approved metal receptacles with a self-extinguishing cover shall be used for the storage of oily waste rags and similar materials.

8.9.3.1 The contents of these receptacles shall be removed daily by Persons occupying the space and kept clean at all times.

8.9.4 Clothes lockers shall be constructed of metal or fire-resistant material.

8.9.5 Only approved containers shall be stored in or about a hangar or other buildings on the Airport.

8.9.6 It shall be unlawful to use Flammable Liquids or other substances for cleaning hangars or other buildings on the Airport.

#### 8.10 Containers.

8.10.1 No Person, tenant, licensee, lessee, concessionaire, or other occupant or user of an Airport facility on the Airport or agent thereof doing business on the Airport, may keep uncovered trash containers adjacent to sidewalks or roads in any Public Areas on the Airport.

8.10.2 It shall be unlawful for any Person to spill dirt or any other material from a Motor Vehicle operated on the Airport or to produce or create FOD in aircraft operational areas without promptly reporting and cleaning up the same.

8.10.3 In the event a spill occurs, the Owner of the Motor Vehicle will be responsible for cleaning up the spill at his/her expense.

8.10.4 The Owner or Operator of any trash dumpster or large scale container shall ensure that the container remains covered at all times in a manner so that trash and debris from the container do not leave the container.

#### 8.11 Repairing Aircraft.

8.11.1 Aircraft repairs in storage areas of hangars shall be limited to replacements of parts and repairs incidental thereto, provided such repairs do not involve appliances using any open flame or any heated parts.

8.11.2 It shall be unlawful to start or operate an Aircraft engine inside any hangar.

8.11.2.1 Section 8.11.2 shall not prohibit use of tractors with NFPA approved exhaust systems when moving planes within any hangar.

8.11.3 It shall be unlawful to undertake repairs to any Aircraft or other equipment for commercial purposes on the Airport unless first obtaining any and all required leases or permits from the Authority,.

8.11.4 It shall be unlawful to solicit the services of, or to accept the services of any Person, who undertakes repairs to any Aircraft or other equipment for commercial purposes on the Airport, knowing that the Person has not first obtained all required leases or permits from the Authority to operate on the Airport.

8.12 Violations of Section 8. A violation of Section 8 Safety Regulations shall not be a misdemeanor or infraction under N.C. Gen. Stat. § 14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 8 Safety Regulations, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 9. Aeronautical Regulations**

9.1 Compliance With Orders. It shall be unlawful to conduct aeronautical activities on the Airport that are not in compliance with the then current and applicable FAR, and with these Airport Rules & Regulations.

9.2 Negligent Operations. It shall be unlawful for any Person to operate Aircraft on the Airport in a careless manner or in disregard of the right and safety of others.

9.2.1 All Persons using the Airport shall be held liable for any property damage caused intentionally or by carelessness or negligence on the Airport.

### 9.3 Denial of Use of Airport.

9.3.1 The Executive Director or Authorized Representative shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, and/or to delay or restrict any flight or other Aircraft operation, to direct refusal of takeoff permission to Aircraft, and to deny the use of the Airport or any portion thereof to any specified class of Aircraft, or to any Person(s) or group(s), when he (or she) considers any such action(s) to be necessary or desirable to avoid endangering any Persons or any property, and to be consistent with the safe and proper operation(s) of the Airport.

9.3.2 In the event the Executive Director or Authorized Representative believes the condition on the Airport to then be unsafe for landings or takeoffs, it shall be within his or her authority to issue, or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any portion thereof until such time that such restrictions are terminated.

### 9.4 Aircraft Accidents or Incidents.

9.4.1 Upon the occurrence of an Aircraft accident or incident the Executive Director shall be notified immediately.

9.4.2 The pilot or Operator of any Aircraft involved in an incident or accident on the Airport causing personal injury and/or any property damage, in addition to all other reports required by other agencies, shall make a prompt and complete written report concerning said accident or incident to the office of the Executive Director.

9.4.2.1 When a written report of any accident or incident is required by FAR, a copy of such report may be submitted to the Executive Director in lieu of the report required in Section 9.4.2.

9.4.3 Each written report to be submitted in accordance with Section 9.4.2 shall be submitted to the Executive Director within forty-eight (48) hours from the time the accident or incident first occurred.

### 9.5 Disabled Aircraft.

9.5.1 The Owner of an Aircraft which is disabled on the Airport and causing the closure of the airfield or any part thereof, or otherwise impacting safe and/or efficient Airport operations, shall be responsible for the prompt and immediate removal of the disabled Aircraft and its parts when directed by the Executive Director or Authorized Representative.

9.5.2 If the Owner is not present on site, or in the event of the Owner's inability,



failure or refusal to comply with removal orders, all disabled Aircraft or any and all the parts thereof may be removed by employees of the Authority or by Persons contracted to do so, all at the Owner's expense, and without the Authority having any responsibility or liability for damage to the Aircraft that may occur as a result of such removal.

#### 9.6 Tampering With Aircraft.

9.6.1 It shall be unlawful for any Person to interfere or tamper with any Aircraft or put in motion such Aircraft.

9.6.2 It shall be unlawful for any Person to use or remove any Aircraft, Aircraft parts, instruments, or tools without positive evidence of permission of the Owner thereof to do so.

9.7 Cleaning, Maintenance and Repair of Aircraft. It shall be unlawful for any Person to clean, paint, wash, polish, or otherwise maintain an Aircraft, other than in areas approved (and in the manner designated) by the Authority, and designated for such purpose, whether on or off any tenant leasehold area.

#### 9.8 Hand Propping of Aircraft.

9.8.1 Hand propping shall be unlawful, unless there is then no other means of starting the Aircraft.

9.8.2 The pilot of the Aircraft remains responsible for any and all liability resulting from hand propping.

#### 9.9 Certification of Aircraft and Licensing of Pilots.

9.9.1 It shall be unlawful for any Person to operate an Aircraft on the Airport without displaying on board the Aircraft a valid Airworthiness Certificate issued by the Federal Aviation Administration (FAA) or appropriate foreign government

9.9.2 It shall be unlawful for any Person to operate an Aircraft on the Airport without displaying on the exterior of the Aircraft a valid registration number issued by the FAA or appropriate foreign government.

9.9.3 It shall be unlawful for any Person to operate an Aircraft on the Airport without possessing an appropriate certificate or license, issued by the FAA or appropriate foreign government.

9.9.4 All Persons shall, upon request of the Executive Director or Authorized Representative, produce a valid operator's license, Airworthiness certificate, and

provide other valid photo proof of identification issued by a government agency.

9.10 Violations of Section 9. A violation of Section 9 Aeronautical Operations shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 9 Aeronautical Operations above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 10. Airport Operational Restrictions**

10.1 Except to the extent prohibited by applicable FAR, the Authority shall have the ability to designate or restrict the use of a Runway, Taxilane or Taxiway, and/or other operational areas of the Airport, in connection with construction and maintenance activities on the Airport, or for the benefit of efficient Airport operations and safety, or when the Executive Director determines in it is in the best interest of the Airport ,with respect to, but not limited to, the following types of operations: Touch and Go Flights, Training Flights, Experimental Flights, Equipment Demonstration, Air Shows, Maintenance Flight Checks, Compliance with FAR's Part 36, Noise Standards, Aircraft Type and Airworthiness Certification, Skydiving, Banner Towing, and Hot Air Balloons.

10.2 It shall be unlawful to engage in an Aircraft engine run up in any location except those specifically Designated Areas.

10.3 No equipment or Motor Vehicle supporting the operation of hot air balloons shall be permitted on the Airport without the proper escort or other permission of the Executive Director or Authorized Representative.

### 10.4 Gliders.

10.4.1 It shall be unlawful to conduct glider operations not in accordance with current FAR's Part 91 and current Directives, and approved in advance by the Executive Director.

10.4.2 It shall be unlawful to bring equipment or Motor Vehicle supporting the operation of gliders on the Airport without the proper escort and permission of the Executive Director or Authorized Representative.

10.5 Ultra-Light Vehicle It shall be unlawful to operate and ultra-light vehicle on the Airport without meeting or exceeding all requirements contained in FAR's Part 103.

### 10.6 Take Offs and Landings

10.6.1 Except as provided for in 10.6.1.1 below, it shall be unlawful for any person to cause an Aircraft to takeoff or land, except on a Runway.

10.6.1.1 Helicopters are an exception to Section 10.6.1, as they

may operate from an approved location other than a Runway.

10.6.2 It shall be unlawful for any Person to cause an Aircraft to take off or land from a closed Runway, or on or from any Apron or Ramp area or Taxilane or Taxiway.

10.6.3 Persons landing an Aircraft on the Airport shall make the landing runway available to other Aircraft by leaving said Runway as promptly as possible, consistent with safety.

10.6.4 Any Person operating or controlling an Aircraft landing at or taking off from the Airport shall maintain engine noise within applicable Aircraft engine noise limits as promulgated by the FAR, the federal government, or the Authority, whichever is the most restrictive.

10.7 Banner Towing. It shall be unlawful to undertake tow banner pickups and drop-offs from or on the Airport, without prior written authorization of the Executive Director.

10.8 Kites, Models, Drones, Balloons. It shall be unlawful for any Person to operate on or within the vicinity of the Airport, a kite, model airplane, drone, tethered balloon or other objects constituting a hazard to Aircraft operations, without the prior written authorization of the Executive Director and full compliance with North Carolina state laws and FAR's Part 107.

10.9 Parachute Jumping.

10.9.1 It shall be unlawful for any Person to initiate a parachute jump from the Airport without the prior written approval of the Executive Director.

10.9.2 All parachute operations are prohibited at the Airport without written approval of the Executive Director, and full compliance with FAR's Part 105.

10.10 Violations of Section 10. A violation of Section 10 Airport Operational Restrictions shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 10 Airport Operational Restrictions above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 11. Taxi and Ground Rules**

11.1 Aircraft Parking.

11.1.1. It shall be unlawful for any Person to Park an Aircraft in any area on the Airport except those designated, and in the manner prescribed, by the Executive Director.

11.1.2 If any Person uses unauthorized areas for Aircraft parking, the Aircraft so parked may be removed by or at the direction of the Executive Director. The Authority shall not be liable to the Owner for any damage to the Aircraft, and the removal shall be at the expense of the Owner thereof.

11.1.3 No Aircraft shall be left unattended on the Airport unless it is in a hangar or adequately locked, and tied down.

11.1.4 Articles left in Aircraft are the sole responsibility of the Aircraft Owner and pilot.

## 11.2 Derelict Aircraft.

11.2.1 It shall be unlawful for any Person to Park or store any Aircraft in non-flyable condition on the Airport, including leased premises, for a period in excess of ninety (90) days, without written permission from the Executive Director.

11.2.2. It shall be unlawful for any Person to store or retain Aircraft parts or components, being held as inventory, anywhere on the Airport, other than in an enclosed, authorized facility, or in a manner approved by the Executive Director, in advance and in writing.

11.2.3 In the event of violations of Section 11.2.1 and 11.2.2, the Executive Director shall notify the Owner or Operator thereof by certified or registered mail, requiring removal of said Aircraft within fifteen (15) days of receipt of notice.

11.2.3.1 In the event the Owner or Operator is unknown or cannot be found for purposes of notice, the Executive Director shall conspicuously post and affix the notice to said Aircraft, requiring removal of said Aircraft within fifteen (15) days from date of posting.

11.2.3.2 In the event the Owner or Operator fails to remove the Aircraft within fifteen days from the date of posting, the Executive Director or Authorized Representative may, in addition to all other penalties and enforcement methods allowed for herein or by law, elect to remove the Aircraft from the Airport and store the Aircraft elsewhere, and invoice the Owner or Operator for the expense associated with such removal or storage.

11.3 Violations of Section 11. A violation of Section 11 Taxi and Ground Rules shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 11 Taxi and Ground Rules above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 12. Rotorcraft Operations**

12.1 It shall be unlawful to taxi, tow, or otherwise move a Rotorcraft, with rotors turning, unless there is a clear area of at least thirty (30) feet in all directions from the outer tips of the rotors.

12.2 It shall be unlawful to operate a Rotorcraft in any manner that creates any safety hazard or impacts personnel, unsecured Aircraft closed areas of the Airport, or other equipment or materials.

12.3 Violations of Section 12. A violation of Section 12 Rotorcraft Operations shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 12 Rotorcraft Operations above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 13. Use of T-Hangars and Storage Hangars**

13.1 It shall be unlawful to utilize T-hangars and storage unit hangars for any purpose that would constitute a nuisance or interferes in any way with the use and occupancy of other buildings and structures in the neighborhood of the leased premises.

13.2 T-hangars and unit storage hangars, whether owned by the Authority or by a commercial entity, shall be used for storage of Aircraft only, without the express, written permission of the Executive Director.

13.3 It shall be unlawful to attach items of any nature to the building, either interior or exterior, without the permission of the Executive Director an in full compliance with Airport Development Guidelines.

13.4 It shall be unlawful to suspend or lift Aircraft or Aircraft component utilizing the building or any component of the building.

13.5 It shall be unlawful to make any alterations to the hangar structure without written approval by the Executive Director.

13.5.1 Any approved alterations to the hangar are subject to removal by the Authority at the occupant's expense, upon thirty (30) days written notice, for the purpose of repair, construction or other purposes deemed necessary by the Authority.

13.6 Except as provided in Section 13.6.1 below, it shall be unlawful to store or to allow to accumulate in any hangar any flammable material or refuse.

13.6.1 Storage of no more than ten (10) gallons of flammable fluids inclusive of

Aircraft lubricants, within the premises, shall not be considered a violation of Section 13.6, so long as all such storage is in NFPA approved containers, or unopened original containers.

13.7 It shall be unlawful to wash Aircraft with running water in hangars when such washing will cause drainage into its hangar or through or to any other hangar.

13.8 It shall be unlawful to spray paint of any kind in any hangar, unless inside an approved paint booth.

13.9 It shall be unlawful to use any tools, equipment, or materials in any hangar that could constitute a fire hazard.

1.10 It shall be unlawful to smoke in any hangar.

13.11 All occupants shall exercise care to keep oil, grease, etc. off the floor(s).

13.12 Occupants of each hangar shall see that electric current and water, if available, is not used excessively.

13.13 It shall be unlawful to erect, paint, or otherwise display any sign on the exterior or interior of any hangar.

13.14 It shall be unlawful for any Aircraft or Motor Vehicle to be parked by a hangar, in such a manner as to block access to adjoining hangar space(s), or to cause inconvenience(s) to other occupants.

13.15 A Motor Vehicle parked for more than a 24 hour period must be parked inside the T-hangar.

13.16 It shall be unlawful for any Person to use any hangar for Commercial Activity whatsoever, including, but not by way of limitation, the sale of products or services of any kind, and whether or not such actions are transacted for profit, without written approval of the Executive Director, and after having satisfied all of the necessary requirements of the Authority for conducting a Commercial Activity on the Airport.

13.17 It shall be unlawful to permit or to perform repair service on automobiles or automotive equipment of any kind other than an authorized motorized towing Motor Vehicle or Aircraft ground support equipment in any hangar.

13.8 Violations of Section 13. A violation of Section 13 Use of T-Hangars and Storage Hangars shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, Civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 13 Use of T-Hangars and Storage Hangars above,

in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 14. Motor Vehicles**

14.1 Traffic Signs and Signal Devices. It shall be unlawful for any Person to fail to comply with the directions and instructions indicated on all parking and traffic signs, markers or devices erected or placed on the Airport.

14.2 Pedestrian Right-Of-Way. Except as specified in Section 14.2.1 below, it shall be unlawful for any Person operating a Motor Vehicle to fail to yield the right-of-way to a pedestrian who crosses within a marked pedestrian crosswalk.

14.2.1 Section 14.2 shall not apply when the movement of traffic is being actively regulated by on site law enforcement officers, traffic specialists, or traffic control devices.

14.3 Motor Vehicle Condition. It shall be unlawful for any Person to operate anywhere on the Airport any Motor Vehicle which: (1) is so constructed, equipped or loaded, or which is in such unsafe condition as to endanger any Persons or any property; (2) which has attached thereto any object or equipment (including that which is being towed) which drags, swings, or projects so as to be hazardous to any Person(s) or any tangible property; or (3) does not meet all current North Carolina state required safety and emission standards or does not have a current North Carolina state inspection certification, if applicable to the Motor Vehicle

14.4 Closing or Restricting Use of Airport Roadways. The Executive Director or Authorized Representative is authorized to close or restrict the use of any or all Airport roadways to Motor Vehicle traffic in the interest of safety.

14.5 Storing, Parking or Repairing Motor Vehicles.

14.5.1 Except as specified in Section 14.5.1.1 and 14.5.1.2 below, it shall be unlawful for a Motor Vehicle to be stored or repaired on the Airport.

14.5.1.1 The Executive Director may designate specific areas where a Motor Vehicle may be stored or repaired on the Airport.

14.5.1.2 Minor repairs necessary with respect to a temporarily disabled Motor Vehicle shall not be in violation of Section 14.5.1; however, the Authority can immediately tow or otherwise removal any Motor Vehicle that is causing a safety hazard or creating a traffic flow problem

14.5.2 A Motor Vehicle Abandoned on the Airport, including any Motor Vehicle located within a paid parking lot, shall be towed at the Owner's expense.

14.6 Off Road Motor Vehicles. It shall be unlawful to operate any off road Motor Vehicle, including, but not limited to, dirt bikes and 3 and 4 wheelers, on the Airport, except for Airport operational purposes.

14.7 License. It shall be unlawful for any Person to operate a Motor Vehicle or motorized equipment on the Airport without valid authorization for use of the Motor Vehicle or equipment, and without holding a license or permit for said use, if required. Such license or permit must be issued by a state-licensing agency, or by the employer through a company training/certification program.

14.8 Procedure In Case of Accident.

14.8.1 The Operator of any Motor Vehicle involved in an accident on the Airport which results in injury to or death of any Persons or property damage shall immediately stop such Motor Vehicle at the scene of the accident and shall render reasonable assistance.

14.8.2 The Operator shall immediately, by the quickest means of communications, give notice of the accident to Public Safety and to the Executive Director.

14.8.3 The Operator of each Motor Vehicle involved shall furnish the name and address of Owner and the driver of the Motor Vehicle, the Operator's license and the Motor Vehicle registration and the name of the liability insurance carrier for the Motor Vehicle, to any Person injured, the driver or occupant of the Motor Vehicle damage, and to any police officer.

1.9 Safe Speed

14.9.1 It shall be unlawful to drive or operate a Motor Vehicle on the Airport at a speed greater than is reasonable and prudent under the existing conditions and having due regard to actual and potential hazards.

14.9.2 The speed limit on AOA Apron areas shall be 10 MPH.

14.9.3 Except as provided for in Section 14.9.3.1, it shall be unlawful to drive a Motor Vehicle at such a slow speed as to impede or block the normal and reasonable movements of traffic.

14.9.3.1 It shall not be a violation of Section 14.9.3, if the reduced speed is necessary for safe operation or in compliance with the law.

14.9.4 It shall be unlawful to drive a Motor Vehicle on the streets and other vehicular traffic areas on the Airport, including parking areas, in excess of the speed



limits indicated on signs posted by the Authority or on behalf of the Authority.

#### 14.10 Motor Vehicle Operations On Airport Operations Area.

14.10.1 Unless express permission has been granted by the Executive Director, it shall be unlawful for any Person to operate a Motor Vehicle on the AOA.

14.10.2 Except for an Authority Vehicles, and trucks and any other Vehicle necessary for the servicing and maintenance of Aircraft and transportation of passengers on the Airport, it shall be unlawful to Park a Motor Vehicle on any portion of the AOA.

14.10.3 It shall be unlawful for any Person to Park a Vehicle in any manner so as to block or obstruct: (1) fire hydrants and the approaches thereto, (2) the gates or emergency exits, and/or (3) building entrances or exits.

1.1.4 It shall be unlawful to Park a Motor Vehicle under loading bridges.

14.10.5 Aircraft taxiing on any Runway, Taxilane or Taxiway, or Apron area shall always have the right-of-way over any and all Motor Vehicle traffic.

14.10.16 Two-way radio communications with the air traffic control tower is required of each authorized Motor Vehicles or escort Motor Vehicles traversing or operating on the AMA during periods of tower operation or on the common traffic advisory frequency when the tower is closed.

14.11 Violations of Section 14. A violation of any provision of Section 14 Motor Vehicles shall be an infraction subject to the enforcement and penalties as specified in Section 17 Penalties, Remedies and Enforcement below.

### **Section 15. Motor Vehicle Parking**

15.1 Operators of a Motor Vehicle using the Public Parking Facilities at the Airport shall observe and comply with all signs and markings, and a Motor Vehicle shall never be permitted to block, obstruct or interfere with Aircraft operations.

15.2 It shall be unlawful for any Motor Vehicle to remain in any of the Public Parking Facilities on the Airport for more than thirty (30) consecutive days, and each Motor Vehicle remaining in excess of 30 consecutive days may be considered Abandoned.

15.2.1 A Motor Vehicle that is Abandoned shall be towed from the Airport at the Owner's expense.

15.3 It shall be unlawful for any Person utilizing those Public Parking Facilities that require hourly or daily fees to exit or otherwise remove their Motor Vehicle from said parking areas without first paying the fees that are rightfully due.

15.4 The owners or Operator of a Motor Vehicle who is granted permission to Park in employee parking lots or other designated areas on the Airport shall display the Authority issued permit on the Motor Vehicle at all times.

15.5 It shall be unlawful for any Person, at any time, to park a Motor Vehicle in any area not specifically designated for the parking of a Motor Vehicle whether on or off any tenant leasehold on the Airport.

15.6 Except for an authorized service Motor Vehicle while the Operator is performing official functions on behalf of the Airport, a utility company, contractor, or other authorized agent, it shall be unlawful for any Person to Park a Motor Vehicle on any public roadway on the Airport at any time.

15.7 Except for an authorized service Motor Vehicles while the Operator is performing official functions on behalf of the Airport, a utility company, contractor or other authorized agent, it shall be unlawful for any Person to Park a Motor Vehicle on sidewalks, greenways, or other landscaped areas.

15.8 It shall be unlawful for any Person to leave a Motor Vehicle unattended in front of the passenger terminal building along the curbside, or any portion of the terminal roadway for any period of time whatsoever.

15.9 It shall be unlawful for any Person to Park any Motor Vehicle in any reserved parking area without a valid permit issued by the Authority permitting such parking in the respective reserved area.

15.10 It shall be unlawful for any Person or Operator of a Motor Vehicle to block, obstruct or interfere with Aircraft operations.

15.11 Public Safety personnel may remove or cause to be removed from any restricted or reserved areas, any roadway or right-of-way, or any other unauthorized area or structure at the Airport, any property which is disabled, Abandoned or which interferes with aircraft operations, creates another operational problem, nuisance security or safety hazard or which otherwise is placed in an illegal, improper, or unauthorized manner.

15.11.1 Any property removed under Section 15.11 shall be relocated to an official impound area or such other area designated by the Authority.

15.11.2 Any property impounded by the Authority shall be released to the Owner or Operator thereof, upon proper identification of the property, after all towing, removal, or storage charges and any other fees have been paid.

## 15.12 Violations of Section 15.

15.12.1 A violation of any provision of Section 15 Motor Vehicle Parking, except Section 15.8, shall be an infraction subject to the enforcement and penalties as specified in Section 17 Penalties, Remedies and Enforcement below.

15.12.2 A violation of Section 15.8 shall not be a misdemeanor or an infraction under N.C. Gen. Stat. § 14-4; however, civil penalties shall be assessed and civil citations issued for the violation of Section 15.8 above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 16. Ground Transportation Vehicles**

16.1 It shall be unlawful for any Person to operate a Motor Vehicle on the Airport for the purposes of providing commercial ground transportation, including but not limited to a Taxicab, Taxi or Cab, Limousine, Car Share, Transportation Network Company, Courtesy Vehicle or Shuttle Van/Bus, for pickup of passengers, without first obtaining a ground transportation permit from the Authority.

16.2 Violations of Section 16. A violation of Section 16 Ground Transportation Vehicles shall not be a misdemeanor or infraction under N.C. Gen. Stat. §14-4; however, civil penalties shall be assessed and civil citations issued for the administrative violation of any provision of Section 16 Ground Transportation Vehicles above, in accordance with Section 17 Penalties, Remedies and Enforcement below.

## **Section 17. Penalties, Remedies And Enforcement**

17.1 Unless otherwise specified herein, violation of any provision of these Airport Rules & Regulations shall be enforced in accordance with, and subject to the penalties specified in, Section 17 Penalties, Remedies and Enforcement.

17.2 In addition to any civil or criminal penalties set out in Section 17 Penalties, Remedies and Enforcement, or in any other Section or subsection herein, these Rules & Regulations may be enforced by an injunction, order of abatement, or other appropriate equitable remedy issuing from a court of competent jurisdiction.

17.3 The Airport Rules & Regulations may be enforced by one, all or a combination of the penalties and remedies authorized and prescribed in this Section 17 Penalties, Remedies and Enforcement, or elsewhere herein, except that any provision, the violation of which incurs a civil penalty, shall not be enforced by criminal penalties.

17.4 Except as otherwise specified herein, each day's continuing violation of any provision of the Airport Rules & Regulations is a separate and distinct offense.

17.5 Removal or Denial of Access. The Executive Director or his/her Authorized Representative may order any Person to cease and desist any activities or conduct in violation of or in noncompliance with these Airport Rules & Regulations.

17.5.1 The Executive Director or his/her Authorized Representative may order any Person who knowingly fails to comply with a cease and desist order removed from or denied access to the Airport.

17.5.1.1 An order of removal from or denial of access to the Airport shall be issued by the Executive Director or Authorized Representative in writing, and shall be hand delivered or sent by certified mail to the Person's last known address.

17.5.1.2 An order of removal from or denial of access to the Airport shall set forth the reasons for and dates on which removal or denial of access shall begin and end.

17.5.2 The Executive Director or Authorized Representative has the authority to take such action as may be necessary to enforce all Airport Rules and Regulations, Directives or Ordinances, and to safeguard the public in attendance at the Airport, and its facilities. All Persons upon the Airport shall cooperate with the Executive Director or Authorized Representative responsible for enforcing these Airport Rules & Regulations.

17.6 Enforcement of Administrative Violations By Civil Citation.

17.6.1 The Executive Director shall authorize specific Authority personnel to enforce all administrative violations of these Airport Rules & Regulations by civil citation.

17.6.2 Upon any administrative violation of these Airport Rules & Regulations, personnel designated in accordance with Section 17.6.1 shall cause a civil citation to be issued to the violator.

17.6.3 All civil citations shall be hand-delivered to the violator or shall be mailed by first class mail addressed to the last known address of the violator. The violator shall be deemed to have been served upon hand-delivery or the mailing of the civil citation.

17.6.4 Unless otherwise expressly specified herein the civil penalty associated with each civil citation issued for an administrative violation of these Airport Rules & Regulations shall be as follows:

1.1.1 Violation of any provision in Section 6 General Regulations: **\$150.00.**

1.1.2 Violation of any provision in Section 8 Safety Regulations: **\$250.00.**

- 1.1.1.3 Violation of any provision in Section 9 Aeronautical Regulations: **\$400.00.**
- 1.1.1.4 Violation of any provision in Section 10 Airport Operational Restrictions: **\$400.00**
- 1.1.1.5 Violation of any provision in Section 11 Taxi and Ground Rules: **\$400.00**
- 1.1.1.6 Violation of any provision in Section 12 Rotorcraft Operations: **\$400.00**
- 1.1.1.7 Violation of any provision in Section 13 Use of T-Hangars and Storage Hangars: **\$400.00**
- 1.1.1.8 Violation of Section 15.8: **\$25.00**
- 1.1.1.9 Violation of any provision in Section 16 Ground Transportation Vehicles: **\$50.00**

17.6.5 Any Person may submit, within ten (10) days of receipt of a civil violation, a written request that the Executive Director review the civil citation, in accordance with Sections 17.6.5.1 through 17.6.5.3 below.

17.6.5.1 A request to the Executive Director shall be in writing and shall be hand delivered to the Office of the Executive Director and must be signed for by an employee of the Authority, or shall be mailed to the Executive Director by certified mail, return receipt requested.

17.6.5.2 A request to the Executive Director must specify in detail all of the reasons why the civil citation should be modified or withdrawn and must provide a mailing address for the Executive Director to submit a response to the request.

17.6.5.3 Within ten (10) days of receipt of a request in accordance with Section 17.6.5.1, the Executive Director shall mail a written decision to the requesting party at the address provided.

17.6.6 Unless a written request for review in accordance with Section 17.6.5 above, civil penalties issued via civil citation for an administrative violation of any Section of these Airport Rules & Regulations shall be due and payable to the Authority within 30 days of receipt of the civil citation.

17.6.7 If a written request for review is appealed and the civil citation is not

withdrawn, payment of the civil penalty shall be due and payable to the Authority within 30 days of issuance of the Executive Director's written decision to the violator.

17.6.8 Unless other provided, if the violator fails to respond to a citation within 30 days of issuance and pay the fine prescribed therein, the Authority may institute a civil action in the nature of a debt in the appropriate division of the state general court of justice to collect the fine owed.

#### 17.7 Enforcement of Misdemeanors.

17.7.1 Public Safety Officers are authorized to enforce violations of these Airport Rules & Regulations under N.C. Gen. Stat. § 14-4.

17.7.2 Unless otherwise expressly specified herein, a Person found to have violated any provision of Section 7 Personal Conduct shall be guilty of a Class 3 misdemeanor in accordance with N.C. Gen. Stat. § 14-4, and shall be subject to a fine, as specified in Section 17.3.2.1 below.

17.7.2.1 Violation of any provision in Section 7 Personal Conduct: **\$250.00.**

#### 17.8 Enforcement of Infractions.

17.8.1 Public Safety Officers are authorized to enforce violations of these Airport Rules & Regulations under N.C. Gen. Stat. § 14-4 that constitute infractions.

17.8.2 Unless otherwise expressly specified herein, any violation of Section 14 Motor Vehicles or Section 15 Motor Vehicle Parking, except Section 15.8, shall constitute an infraction, and shall subject the violator to a fine not to exceed **\$50.00**, in accordance with N.C. Gen. Stat § 14-4, and as specified in Section 17.8.2.1 and 17.8.2.4 below.

1.1.1 Violations of any provision in Section 14 Motor Vehicles: **\$50.00.**

1.1.2 Violations of any provision in Section 15 Motor Vehicle Parking, except Section 15.8: **\$50.00.**

### **Section 18. Miscellaneous**

18.1 Conflict. These Airport Rules & Regulations supersede and control all the Minimum Standards and all of the Authority's Leasing Policies to the extent of any conflicts, unless the Minimum Standard is required by the FAR. If the Minimum Standard is required by the FAR, the Minimum Standard will have the force and effect as required by the FAR.

18.2 Severability. If any provision of these Airport Rules & Regulations is held by any court of competent jurisdiction to be invalid, then the invalid provision shall be considered a separate and distinct and independent part of the ordinance, and such invalidity shall not affect the validity or enforcement of the ordinance as a whole or of any other part contained therein.

18.3 Amendment. The Greater Asheville Regional Airport Authority reserves the right to adopt such amendments to these Airport Rules & Regulations from time to time as it determines are necessary or desirable for the benefit of the general public or the operation of the Airport.



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