ARTICLE V. – AIRPORT RULES AND REGULATIONS

Sec. 5-901. Definitions.

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

Abandon, as applied to property left at the Airport, means that it has been left on City property or the property of another without consent of the City for forty-eight (48) hours without the owner moving or claiming it. Such property may be impounded by the City Police Department. As applied to vehicles parked upon Airport property, abandoned shall have the same meaning as that set forth in Scottsdale Revised Code, section 17-108.

Accident means a collision or other contact between any part of an aircraft or a vehicle, person, stationary object, or other thing which results in property damage, personal injury, or death; or an entry into or emerging from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person or which results in property damage.

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

Aeronautical Business Permit means administrative approval issued by the Aviation Director to a person to conduct commercial aeronautical activity and provide such services to based and transient aircraft on the Airport only in facilities on the Airport at which such services are authorized.

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

Air Traffic Control Tower means the control tower located at the Airport.

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

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

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

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

Airpark means (1) the taxilanes located outside the Airport and intended for airport/airpark access, (2) all real property adjacent to any airpark taxilane, and (3) all real property adjacent to the Airport.

Airport means all of the City-owned or leased real or personal property comprising Scottsdale Airport as now exists or as may hereafter be expanded and developed. “Airport” includes all of its facilities as shown on the most current Airport Layout Plan.

Airport Advisory Commission means the duly appointed Airport Advisory Commission of the City.

Airport/airpark access means the ability of movement of an aircraft from the Airport to the Airpark and vice versa.

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

Aviation Director means the duly appointed director of the City’s Aviation Department or the director’s designee.

Based means an aircraft: (1) which the owner physically locates at the Airport with the intent and purpose to remain for an undetermined period; (2) which, whenever absent from the Airport or Airpark, its owner intends to return to the Airport for permanent storage; and (3) whose presence on the Airport is not transitory in nature. Any aircraft that is parked at the Airport in a yellow painted tiedown for more than 21 days in two (2) consecutive calendar months is presumed to be based at the Airport, including aircraft that are located at the Airport or Airpark for a limited or seasonal duration. Aircraft temporarily parked at the Airport to have maintenance performed on it by an authorized Aeronautical Business Permit holder with the intention to leave when the maintenance is complete are not considered based. Once an aircraft is based at the Airport, it shall continue to be considered a based aircraft for six (6) months or as long as the aircraft is parked at the Airport, whichever is longer.

Based location means the location on the Airport or in the Airpark, which is listed as an aircraft’s hangar or tie down location as registered with the Aviation Director.

Commercial activity means the conduct of any aspect of a business, concession, or service in order to provide goods or services to any person for compensation. An activity is a commercial activity even if it is bartered or the business is nonprofit, charitable, or tax-exempt.

Direct employee means an employee working in the usual and regular course of the employer's business under the employer's control. The employer: (1) has the right to hire and fire, (2) controls the duration, details, and method of work, (3) controls the payment of wages and makes all required deductions from the wages.

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

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

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

Hazardous area means:

(a) The entire floor space of an aircraft hangar up to a level of eighteen (18) inches above the floor, plus

(b) The space surrounding an aircraft in an aircraft hangar within five (5) feet around the aircraft power plants, fuel tanks and wings.

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

(a) The presence of which requires investigation, removal and/or remediation under any federal, state or local statute, regulation, ordinance, order, action, policy or common law;

(b) Which is or becomes subject to regulation under any federal, state or local statute, regulation, rule or ordinance or amendments thereto including, without limitation, the Arizona Hazardous Waste Management Act, A.R.S. § 49-901, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, et seq., the Toxic Substances Control Act, 15 U.S.C. § 2601, et seq., and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq.);

(c) Which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, teratogenic, or otherwise hazardous, and is or becomes regulated by any governmental authority, agency, department, commission, board, agency or instrumentality of the United States, the State of Arizona or any political subdivision thereof; or

(d) Which, without limitation, contains trichloroethene ("TCE"), 1,1,1 - trichloroethane ("TCA"), 1,1 - dichloroethane ("DCE"), tetrachloroethene ("PCE"), 1,2-dichloroethene, chloroform, gasoline, diesel fuel, propane or other petroleum hydrocarbons, polychlorinated biphenyls ("PCBs"), asbestos, urea formaldehyde foam insulation or radon gas.

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

Major aircraft alterations and repair means major alterations and/or repairs of the parts or of the types listed in FAR Part 43, Appendix A, (a) and (b).

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

Object Free Area means an area centered on the ground on a runway, taxiway, or taxilane centerline provided to enhance the safety of aircraft operations by remaining clear of objects, except for objects that need to be location in the object free area for air navigation or aircraft ground maneuvering purposes.

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

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

Pedestrian means any person traveling on foot or in a wheelchair.

Permission or permit means permission granted by the City.

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

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

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

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

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

Special event an organized, temporary activity on public or private property that is inconsistent with the routine use of the property and open to the public or invited guests by advertisement or invitation, with or without charge.

Staging Area means a paved, aircraft weight bearing ground surface for temporary aircraft storage, intended to allow aircraft to be removed from a hangar/shade or tie down and temporarily parked outside of the runway object free area or the taxilane safety area. A staging area shall be greater than or equal to the size of the largest hangar on the site.

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

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

Technical specialist means the following persons only when they are conducting warranty work: a technical representative of an aircraft manufacturer, aircraft engine manufacturer, aircraft appliance manufacturer, or a non-destructive inspection specialist.

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

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

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

Sec. 5-902. Purpose of rules and regulations.

Rules and regulations provided in this Article and any amendments thereto (hereinafter referred to as "regulations") are intended for the safe, orderly and efficient operation of the Airport, and apply to all persons using the Airport for any reason.

Sec. 5-903. Conflicting laws, ordinances, regulations and contracts.

a. In any case where a provision of these regulations is found to be in conflict with any other provision of these regulations adopted hereunder or in conflict with a provision of any zoning, building, fire, safety, health or other ordinance, code, rule, or regulation of the City, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

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

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

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

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

Sec. 5-904. Responsible party.

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

Sec. 5-905. Minimum Operating Standards.

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

Sec. 5-906. Closing of airport.

In the event the Aviation Director believes the conditions of the Airport are unsafe for landing or takeoffs, it shall be within the director's authority to close the entire Airport or any part thereof.

Sec. 5-907. Aircraft parking.

(a) No person shall park, leave parked, or allow to remain stationary any aircraft at the Airport except within an aircraft parking and storage area.

All aircraft shall be parked in a manner so as to be completely within the aircraft parking and storage area. Aircraft shall not obstruct adjacent aircraft parking and storage areas, staging areas, runway object free areas, taxiways, or taxilanes unless for the short-term purposes of immediate and continuous loading, unloading or staging of aircraft.

Sec. 5-908. Aircraft hangars.

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

1. Storage and parking of aircraft and associated aircraft equipment and supplies as approved by the City's Fire Department or Aviation Director.

2. Aircraft parked in hangars shall be parked in a manner so as to be completely contained in the aircraft parking space and not obstruct adjacent aircraft parking and storage areas or taxilanes, except for purposes of immediate and temporary staging and fueling of such aircraft.

3. Aircraft maintenance and painting may be performed in aircraft hangars on the based aircraft at the based location, in accordance with Sec. 5-922.

4. Storage and use of two (2) tables or workbenches, one (1) sofa, and four (4) utility chairs. Fire resistant materials are encouraged.

5. Storage of a maximum of three (3) spare aircraft tires and two (2) spare aircraft batteries.

6. Storage and use of a refrigerator, without an extension cord, outside the hazardous area.

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

1. Major aircraft alterations and repairs may be performed in aircraft hangars on the based aircraft at the based location with prior written approval of the Aviation Director and the City's Fire Department, unless otherwise approved by a lease with the City.

2. Use of electrical equipment is prohibited in the hazardous area, except electrical equipment labeled or marked by the manufacturer with, "suitable for use in a class I division II location."

3. Use of spark producing tools, sanders, and buffers, is prohibited in the hazardous area.

4. Use of electrical extension cords is limited to portable equipment only. All extension cords must be listed and approved either Underwriters Laboratory (U/L) or Factory Mutual (FM). All extension cords and power strips shall be of the heavy-duty type, three (3) wire and must be disconnected when person is not in the hangar.

5. Oily rags, oil wastes, rags and other rubbish and trash may only be stored in containers, no larger than fifty-five (55) gallons, with secondary containment and self-closing, tight-fitting lids as approved by the Aviation Director or City's Fire Department.

6. Oxygen or any combustible compressed gas in a cylinder or portable tank must be secured to a fixed location or secured to a portable cart designed for the cylinder(s) or tank(s). Compressed gas cylinders and tanks must have pressure relief devices installed and maintained. Cylinders and tanks not in use shall have a transportation safety cap.

7. The owner, operator or tenant must be present while batteries are charged unless it is a trickle-type charger subject to the Aviation Director's approval.

8. Fuel service or handling, use of flammable liquids, doping, cutting, grinding, or welding operations is prohibited.

9. Storage of non-aviation items, motor homes, boats, clothing, files, appliances, propane canisters, non-functioning refrigerators or evaporative coolers, and furniture, except in accordance with Section 5-908(a), is prohibited.

10. "No Smoking" signs posted in the hangar shall be visible and not blocked or obliterated.

(c) Aircraft hangars shall be subject to annual and periodic inspections by the Aviation Director, City Fire Department, and the City Building Inspectors to ensure compliance with all laws, ordinances and these regulations.

Sec. 5-909. Non-operational aircraft

(a) Aircraft tie-downs and hangars shall be used solely for the storage of operational aircraft. To be considered operational, the aircraft shall be airworthy and:

1. Conform to its type design, and;

2. Be in a condition for safe operation, and;

3. Maintain a current registration with the Federal Aviation Administration, and;

4. Maintain a current registration with the Arizona Department of Transportation.

Any aircraft not meeting those criteria shall be considered non-operational. In addition, an aircraft shall be considered non-operational if it has an outward appearance of being non-operational such as an aircraft that has flat tires or missing critical components such as moveable surface (rudders, ailerons) engine or propeller. An aircraft that has not flown for a period of one year shall also be considered non-operational.

(b) The storage of an aircraft that is non-operational in a hangar shall not exceed 90 days after written notification from the Aviation Director. If the aircraft owner does not correct such condition, the Aviation Director may direct that the aircraft be moved to another location at the

owner's/operator's expense by a representative of a Fixed Base Operator. The City shall not be liable for any damages which may result from the relocation of the aircraft.

(c) If after the 90-day period following Notice from the Aviation Director, the aircraft is not returned to an operational condition within an additional 90-day period, the aircraft will be impounded and will be subject abandonment proceedings in accordance with A.R.S. § 28-8243.

(d) All costs for selling, auctioning, relocating or dismantling shall be paid by the aircraft owner. Any proceeds resulting from the sale/auction of the aircraft shall go to the aircraft owner after all fees and charges have been paid to the City.

Sec. 5-910. Aircraft tiedowns.

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

1. Storage and parking of the based aircraft listed on the Aircraft Storage Permit/Agreement for that tiedown and parked in a manner so as to be completely contained within the aircraft parking space and not obstruct adjacent aircraft parking and storage areas or taxilanes, except for purposes of immediate and temporary staging and fueling of such aircraft.

2. Conducting preventive aircraft maintenance on the based aircraft at the based location is in accordance with applicable regulations.

3. Parking of vehicles in accordance with Sec. 5-959.

4. Aircraft equipment and supplies contained in a storage device with prior written approval from the Aviation Director.

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

1. Tiedowns painted white are reserved tiedowns and shall not be used without the user first receiving an Aircraft Storage Permit.

2. Tiedowns painted yellow are transient tiedowns for the purposes of short-term or overnight parking. No person shall park an aircraft in a transient tiedown for more than 14 consecutive days or more than an aggregate total of 14 days within any 30 day period of time. No person shall park a based aircraft in a transient tiedown. If any aircraft is parked in violation of this section, or, in the determination of the Aviation Director, presents an operational or safety concern in any area of the Airport, the Aviation Director may cause said aircraft, at the owner's/operator's expense and without liability for damage which may result in the course of such moving, to be delivered into the care of a representative of a Fixed Base Operator or specialty service shop authorized to do business on the Airport.

Sec. 5-911. Use of apron areas.

Airport owned apron areas are primarily intended to facilitate movement and operations of hangars, terminals, buildings or other structures associated with the apron space. All Users shall conduct their operations in a manner that promotes the efficient use of Apron space near their facilities and avoids unnecessary use of apron space near others. For any apron space not allocated exclusively to a Lessee through an authorized City Lease, the Aviation Director or designee may institute policies or other directives limiting or restricting the time, place or manner through which any Airport User may utilize such apron space in order to promote the safe, equitable and efficient operation of the Airport for all authorized users.

Sec. 5-912. Aircraft washing.

(a) All aircraft washing shall be conducted in accordance with posted rules, only:

1. At approved wash racks/pads, or

2. In accordance with an Approved Wash Plan (AWP).

(b) City-owned wash racks/pads shall only be used for the purposes of aircraft washing and polishing, or preventive aircraft maintenance.

(c) Runoff shall be collected and properly disposed of in a manner acceptable to the Aviation Director, in accordance with all federal, state, county, and local law.

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

Sec. 5-913. (Reserved).

Sec. 5-914. Airport perimeter road.

The Airport perimeter road shall only be used by authorized vehicles with appropriate signage as determined by the Aviation Director, which include Airport administration vehicles, fixed base operator fuel trucks, aeronautical business permittees, governmental vehicles, official emergency response vehicles, and other vehicles with prior written approval from the Aviation Director.

Sec. 5-915. Scheduled passenger service.

Scheduled passenger service conducted in accordance with FAR Part 121 is prohibited.

Sec. 5-916. Aviation Business Center.

Commercial activity at the Aviation Business Center (“ABC”) is limited to City personnel and the tenants of the ABC. The ABC is not available for use as a passenger boarding lounge or any other commercial activity by persons other than ABC tenants and their invited guests unless a specific permit for that purpose has been issued by the City.

Sec. 5-917. (Reserved).

Sec. 5-918. Smoking areas.

No smoking shall be permitted:

(a) Within fifty (50) feet of an aircraft, fuel truck and/or fuel storage area; or

(b) Where specifically prohibited by the City.

Sec. 5-919. Restricted areas.

(a) No person shall enter the airside area, except as necessary for the lawful use of an aircraft thereon, or to conduct a permitted business activity and with the consent of the Aviation Director.

(b) No person shall enter the airside area, unless escorted at all times by a person authorized to have access by the Aviation Director.

(c) No person shall enter any area posted as being closed to the public, except with the consent of the Aviation Director.

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

Sec. 5-920. Access codes / gate access devices / access cards.

(a) Persons who have been provided a code, gate access device, or access card to obtain access to the Airport shall only use Airport-issued codes/devices/cards and shall not divulge, duplicate, or otherwise distribute the same to any other person, unless otherwise approved in writing by the Aviation Director.

(b) If a gate access device or access card is found in the possession of an unauthorized person, the device/card shall be confiscated or deactivated by the Aviation Director and the person shall be escorted off the airside area.

(c) A gate access device or access card that has not been used in one-hundred and eighty (180) consecutive days shall be deactivated.

(d) Violation of this Section may result in the loss of access privileges pursuant to Chapter 5 of the Scottsdale Revised Code. In addition, the gate access device or access card may be deactivated immediately. A deactivated gate access device or access card will be re-activated after the person has completed the Airport driving video and passed the Airport driving test.

Sec. 5-921. Self-services.

(a) Persons are permitted to fuel, wash, repair, paint, or otherwise service their own based aircraft, provided there is no attempt to perform such services for others and further provided that such right is conditioned upon compliance with these regulations and all applicable laws.

(b) An aircraft owner may hire an individual to provide, under the direction and supervision of the aircraft owner, services only on the owner's based aircraft. Such services may only be provided by the aircraft owner's direct employee or a technical specialist. The technical specialist must have a Temporary Activity Permit.

(c) Aircraft owners shall notify the Aviation Director at least one (1) hour in advance of the technical specialist performing maintenance services on any aircraft.

Sec. 5-922. Aircraft maintenance and painting.

(a) Preventative aircraft maintenance and painting is permitted only at aircraft parking and storage areas, and the wash rack, in accordance with applicable regulations. Hazardous fluids such as used motor oil, hydraulic fluid, etc., are not allowed on the floor or apron area in accordance with

Sec. 5-924 and shall be disposed of in accordance with Sec. 5-925. No aircraft parts, tools or any other items shall be left unsecured, allowed to blow away or become a hazard to aircraft operations.

(b) Preventative aircraft maintenance and painting may only be conducted by:

1. A person holding a valid Aeronautical Business Permit for such activity; or

2. The aircraft owner or the owner's direct employee.

(c) Major aircraft alterations and repairs are permitted only:

1. In a hangar with an operational fire suppression system that has been classified by the City's Fire Department as being acceptable for such work;

a. In a hangar without an operational fire suppression system, but only if conducted by a person holding an Aircraft Maintenance Permit; or

b. At the wash rack in accordance with the posted rules.

(d) Major aircraft alterations and repairs may only be conducted by:

1. A person holding a valid Aeronautical Business Permit for such activity; or

2. The aircraft owner or the owner's direct employee qualified to conduct such alterations and repairs in accordance with FAA regulations.

Sec. 5-923. Maintenance of premises.

All persons using the Airport shall maintain their premises in a condition of repair, cleanliness, and general maintenance equal to that maintained by the City in comparable areas. All persons having possession, control or use of any portions of the Airport shall at all times maintain such premises in clean, serviceable, safe and operable condition and repair.

Sec. 5-924. Floor and apron care.

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

Sec. 5-925. Waste containers and disposal.

All Airport tenants, users, or visitors shall dispose of all waste in the appropriate waste containers. Types of waste containers and the location of waste accumulation areas shall be designated by the Aviation Director and no other containers or areas shall be used. Containers for recyclable materials shall be used in strict accordance with the rules posted for such use. Wastewater shall not be disposed of in storm water drainage or dirt/grass areas under any circumstances. Wastewater may be disposed of in sanitary sewer or sink drains, unless the wastewater contains petroleum or hazardous materials or hazardous waste. No petroleum products, industrial waste matter, batteries, or other hazardous materials shall be dumped or otherwise disposed of except in accordance with local, county, state and federal law, including, but not limited to, the Arizona Hazardous Waste Management Act, A.R.S. § 49-901 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq., the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq., and the Comprehensive Environmental Response, Compensation and Liability Act, 42

U.S.C. § 9601 et seq. Any hazardous waste shall be the responsibility of the originator under all applicable law.

Sec. 5-926. Storage.

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

Sec. 5-927. Storage, transfer and cleanup charges.

Pursuant to Chapter 5 of the Scottsdale Revised Code the City may remove and impose storage, removal, and transfer charges upon any property unlawfully located at the Airport. The City may clean up any material unlawfully spilled, placed or otherwise deposited at the Airport and may charge the responsible person(s) for the cost of the cleanup, any required environmental remediation, and any expenses incurred by, or fines or damages imposed on, the City as a result thereof.

Sec. 5-928. Model aircraft, unmanned aircraft systems, kites, fireworks, etc.

No person shall fly or release a model aircraft, unmanned aircraft systems, rocket, kite, fireworks, balloon, parachute, etc., within two (2) miles of the Airport if such activity would create a hazard to aircraft operations without authorization from the FAA, or as otherwise determined by the Air Traffic Control Tower or the Aviation Director.

Sec. 5-929. Commercial photography.

No person shall take still, motion or sound pictures of, or at, the Airport for commercial purposes (other than bona fide news reporting) without first receiving a Temporary Activity Permit from the Aviation Director and paying the appropriate fee(s).

Sec. 5-930. Advertisements.

No person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airport without permission from the Aviation Director.

Sec. 5-931. Animals.

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

Sec. 5-932. Explosives and radioactive substances.

(a) No person, except a sworn law enforcement officer, a security officer contracted by a government agency, or member of the Armed Forces of the United States on official duty, shall possess any explosives on the Airport.

(b) Without the Aviation Director’s prior written approval, no person (other than those in the above-excepted classes) shall store, keep, handle, use, dispense or transport at, in, or upon the airport any:

1. Explosives, other than those approved by the Aviation Director as necessary for aircraft operation and maintenance, or

2. Radioactive substance or material (except for minimum amounts of radioactive substances, such as radioactive paint illuminating instrument dials).

Sec. 5-933. Disorderly conduct, intoxicating liquors, etc.

(a) No person shall:

1. Commit any disorderly, obscene or unlawful act or commit any nuisance on the Airport.

2. Drink any intoxicating liquor upon any portion of the Airport open to the public, except in such restaurant facilities as may be lawfully established or other place as shall be properly designated and licensed for on-sale liquor dispensing by the City or for the purpose of a special event that has received a Special Event Permit where alcohol is not for sale.

3. Become intoxicated on any portion of the Airport.

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

Sec. 5-934. Property damage, injurious or detrimental activities.

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

Sec. 5-935. Alteration of Airport property.

No person shall make any alterations to any signs, buildings, aircraft parking and storage areas, leased areas or other Airport property, nor erect any signs, buildings or other structures without prior written permission of the Aviation Director. Any construction on is subject to the Aviation Director’s approval. Such persons shall comply with all building codes and permit procedures of the City and shall deliver to the Aviation Director as-built plans upon completion.

Sec. 5-936. Lost articles.

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

Sec. 5-937. Abandoned property.

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

Sec. 5-938. Flying clubs.

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

(a) At the time of applying for a lease, license, permit or agreement with or from the City to operate at the Airport, the club shall furnish the Aviation Director with a copy of its articles of incorporation, if the club is a corporation; a copy of its articles of organization, if the club is a limited liability company; a copy of its certificate of limited partnership, if the club is a limited partnership; a copy of its partnership agreement, if the club is a general partnership; the club's roster or list of members, including names of officers and directors; evidence of required insurance; a description of all aircraft used; evidence that such aircraft are properly certificated; evidence of ownership of such aircraft; and any operating rules of the club.

(b) The club's books and records shall be available for inspection and copying by the Aviation Director at any reasonable time. The club shall update its roster or list of members twice annually and provide the Aviation Director with such updated roster or list no later then June 30 and December 31 of each year.

(c) All aircraft used by the club shall be owned by the club or leased exclusively by written agreement to the club, and all ownership or lease rights to such aircraft must be vested on a pro-rata basis in all of the club's members. The property rights of the club members shall be equal, and no part of any revenues received by the club shall inure to the direct benefit of any member (e.g., by salary or bonus). The club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of its aircraft and facilities.

(d) The club's aircraft shall not be used by anyone other than the club's members and shall not be used by anyone for hire, charter or air taxi, except as needed for an FAA Practical Test. Flight instruction may be given in club aircraft, but only by one (1) club member to another member. The member providing flight instruction may be compensated by credit against payment of club dues or flight time.

(e) The club and its members are prohibited from leasing, selling, trading or bartering any goods or services to or with any non-members of the club, except that a club may sell or exchange its aircraft and equipment for replacement or liquidation purposes.

(f) The flying club shall pay fees as prescribed by lease, license, permit or agreement, and any applicable fees identified on the Airport/Airpark Rates and Fees Schedule.

Sec. 5-939. Temporary permits/Special event permits.

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

(b) No person shall host a special event on airport property without first receiving a Temporary Activity Permit from the Aviation Director and paying the appropriate fees.

Sec. 5-940. Storm Water Pollution Prevention Program.

Co-permittees who are listed on the Airport's Storm Water Pollution Prevention Plan (SWPPP) shall comply with all applicable requirements related to any activities set forth in the SWPPP.

Sec. 5-941. Landing and takeoff of aircraft.

(a) Except in an emergency, all fixed wing aircraft landings and takeoffs shall be made on the runway.

(b) No aircraft shall make a one-hundred eighty (180) degree turn after landing on a runway unless instructed to do so by the Air Traffic Control Tower.

(c) Landing aircraft shall clear the runway as soon as practical, consistent with safety, taxiing ahead to the nearest turn-off.

(d) Except in an emergency, no rotorcraft equipped with skid-type landing gear shall perform run-on landings or any other maneuver that would cause the skids to slide upon the runway surface.

Sec. 5-942. Aircraft wingspan restrictions.

Aircraft shall not occupy a hangar or tiedown, nor shall aircraft be operated in areas of the Airport, where the aircraft's wingspan exceeds the maximum approved wingspan designation for that area as specified by the Aviation Director or as published in the Scottsdale Airport Pilot Guide. In the case of a conflict between the Aviation Director's wingspan designation and the Scottsdale Airport Pilot's Guide, the decision of the Aviation Director prevails.

Sec. 5-943. Traffic patterns and noise abatement procedures.

(a) Arrivals and departures to and from the Airport shall avoid flight overpopulated, residential, or noise sensitive areas whenever possible, consistent with safety.

(b) When departing under visual flight rules (VFR) on Runway 03, aircraft shall make a left turn after reaching a safe minimum altitude, or a right turn may be permitted if authorized by air traffic control. When departing VFR on Runway 21, aircraft shall make a right turn as directed by air traffic control after reaching a safe minimum altitude.

(c) Operators are requested to use NBAA standard noise abatement departure procedures.

(d) The following operations are prohibited, except with permission of the Aviation Director for special events:

1. Stop and go;

2. Intersection takeoffs;

3. Simulated single engine takeoff and go-arounds by all multi-engine aircraft; and

4. Formation takeoffs and landings.

(f) Straight out departures and left turns are highly discouraged for Runway 21.

(g) Right downwind, right base pattern entry and right turn out prior to Airport boundary are discouraged on Runway 03.

(h) Touch and go operations are prohibited between 9:30 p.m. and 6:00 a.m.

(i) Runway 03 is the preferred calm-wind runway when winds are less than five (5) knots.

(j) Practice instrument approaches below two-thousand five hundred (2,500) feet mean sea level are discouraged.

(k) Propeller aircraft are encouraged to use AOPA Noise Awareness Steps.

Sec. 5-944. Traffic pattern altitudes.

Traffic pattern altitudes above ground level (AGL) for aircraft operations at the Airport are as follows:

(a) Helicopters, five hundred (500) feet (AGL).

(b) Propeller (piston), one thousand (1,000) feet (AGL).

(c) Turbine-powered, one thousand five hundred (1,500) feet (AGL).

Sec. 5-945. Qualifications to operate aircraft.

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

Sec. 5-946. Disabled aircraft.

Aircraft owners and pilots shall be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or directed by the Aviation Director or the Federal Aviation Administration to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the Aviation Director may cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The City and any Fixed Base Operator that provides assistance shall not be responsible for damage to disabled aircraft removed by the owner, the pilot, the City or other persons.

Sec. 5-947. Negligent operation of aircraft.

No aircraft shall be operated within the City in a careless, negligent or reckless manner, or in disregard of the rights and safety of others, or in an unmaintained or otherwise hazardous condition, or without due caution and circumspection, or while any person controlling the aircraft would be prohibited by law from operating an automobile on the public streets with the City due to alcohol or drug influence or impairment, or at a speed or in a manner which endangers, or is likely to endanger, persons or property.

Sec. 5-948. Required aircraft equipment.

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

Sec. 5-949. Ultralight aircraft.

No ultralight aircraft may land or take off at the Airport without prior written permission of the Aviation Director and having complied with all sections of FAR Part 103.

Sec. 5-950. Running of aircraft engines.

Aircraft engines shall only be run at idle except as may be necessary for safe taxiing operations, taking off, landing, preflight testing, and maintenance testing. All engine run-ups for maintenance testing purposes shall be performed in accordance with Sec. 5-951 of these regulations. At no time shall an aircraft's engine(s) be operated while the aircraft is in a hangar.

Sec. 5-951. Aircraft engine run-ups.

All aircraft preflight engine run-ups shall be conducted in the appropriate run-up areas located at each end of the runway. Except in an emergency, all aircraft engine run-ups for maintenance testing purposes shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. at the blast fence located at the Northwest end of the Airport adjacent to taxiway intersection Alpha 18, and in accordance with the posted rules.

Sec. 5-952. Exhaust and propeller blast.

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

Sec. 5-953. Taxiing of aircraft.

No person shall taxi an aircraft without first taking all necessary precautions to prevent a collision with other aircraft, persons, or objects. Aircraft shall not be taxied into or out of any hangar. No person shall taxi an aircraft except on areas designated for taxiing. If it is impossible to taxi aircraft in compliance with this section, then the engine must be shut off and the aircraft towed to the new location.

Sec. 5-954. Common air traffic advisory frequency.

During hours when the Air Traffic Control Tower is not in operation, aircraft operators shall utilize the common air traffic advisory frequency, 119.9 MHz, to broadcast their intentions and operate the pilot controlled lighting system as provided in the Aeronautical Information Manual (AIM) Official Guide to Basic Flight Information and ATC Procedures.

Sec. 5-955. Aircraft accident reports.

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

Sec. 5-956. Refusal of clearance or use.

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

Sec. 5-957. Interfering or tampering with aircraft.

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

Sec. 5-958. General requirements.

(a) No person shall operate a vehicle on the Airport except in accordance with the rules prescribed by the Aviation Director and all federal, state and local law.

(b) No person shall operate airside without having in possession an Airport Driver/Vehicle Permit issued to the operator, except as provided below.

1. A person without an Airport Driver/Vehicle Permit may operate a vehicle airside only if monitored by a business or facility with an approved Vehicle Control Plan. A representative of the business or facility with the Vehicle Control Plan must monitor the operator at all times and exercise all controls and constraints necessary to ensure that the operator is in compliance with all Rules and Regulations. The Vehicle Control Plan shall include, but is not limited to, procedures for physical presence, physical barriers, visual examination, and verbal or written instructions.

2. A person without an Airport Driver/Vehicle Permit may operate a vehicle airside only if accompanied at all times by a person with an Airport Driver/Vehicle Permit who exercises all controls and constraints necessary to ensure that the operator is in compliance with all Rules and Regulations.

(c) Vehicles shall access all Airport facilities and businesses from the landside public parking areas for said facility or business.

(d) Vehicles shall obtain access to, and depart from, aircraft parking and storage areas via the gate located nearest to the person's aircraft parking and storage area.

(e) When a gate is out-of-service, vehicles shall access a secondary gate as specified by the out-of-service notification.

(f) Vehicles shall yield right of way to aircraft in motion and emergency vehicles.

(g) No vehicles shall operate in a careless, negligent, or reckless manner nor pass closer than fifty (50) feet to the rear of taxiing aircraft.

(h) No vehicles shall operate in a careless, negligent, or reckless manner nor approach closer than fifty (50) feet to any aircraft whose engines are running, excluding ground service and emergency vehicles.

(i) All vehicles, upon entering or exiting an Airport access gate, shall wait for the gate to completely close behind them before proceeding to their destination so as to not allow the entry of an unauthorized vehicle.

Sec. 5-959. Licensing, registration and insurance.

(a) No person shall operate a vehicle of any kind on the Airport without a current motor vehicle operator's license.

(b) No person shall operate any vehicle in the airside area without having first registered the vehicle and its operator with the Aviation Director, obtaining an Airport Driver/Vehicle Permit, and obtaining, if applicable, an access card and vehicle tag which must be displayed at all times in the vehicle approved by the Aviation Director. No Airport Driver/Vehicle Permit will be issued unless the applicant first views the Airport driving video and passes the Airport driving test.

(c) A person with an Airport Driver/Vehicle Permit may operate a non-permitted vehicle airside if: (i) the person with an Airport Driver/Vehicle Permit is within the non-permitted vehicle or provides escort from another vehicle and remains with the non-permitted vehicle when it is being driven airside, or (ii) the non-permitted vehicle is being monitored by a business or facility with an approved Vehicle Control Plan.

(d) Two (2) types of Airport Driver/Vehicle Permits are available, subject to the Aviation Director's approval.

1. A Tenant Driver/Vehicle Permit is issued to a person who has a lease, license, Aeronautical Business Permit, or Aircraft Storage Permit/Agreement with the City.

2. An Affiliate Driver/Vehicle Permit is issued to a person who has a relationship with a person holding a lease, license, Aeronautical Business Permit, or Aircraft Storage Permit/Agreement with the City.

(e) To authorize an Affiliate Driver/Vehicle Permit, the person with the Tenant Driver/Vehicle Permit must sign the Affiliate Driver/Vehicle Permit application.

(f) One (1) access card may be issued to each person with a Tenant or Affiliate Driver/Vehicle Permit.

(g) Upon any termination of a lease, license, Aeronautical Business Permit, or Aircraft Storage Permit/Agreement with the City:

1. All Tenant and Affiliate Driver/Vehicle Permits are also terminated, and access cards are deactivated, and

2. All persons holding Tenant and Affiliate Driver/Vehicles Permits shall return their access cards to the Aviation Director.

(h) All vehicles shall maintain the appropriate type and amount of vehicle liability insurance required by state law.

Sec. 5-960. Control of vehicles.

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

Sec. 5-961. Speed limits.

All vehicles shall be operated in strict compliance with all posted speed limits at the Airport. The maximum speed limit for all vehicles in the airside area, with the exception of authorized municipal vehicles in the performance their official duties, is twenty-five (25) miles per hour or less on the

Airport perimeter road or fifteen (15) miles per hour or less elsewhere airside if conditions warrant in order to ensure safe operation.

Sec. 5-962. Vehicles operating on runway and taxiways.

(a) No vehicle shall be operated on the runway and taxiways unless so authorized in writing by the Aviation Director.

(b) Any vehicle authorized to operate on the Airport runway or taxiways comply with FAA Advisory Circular 150/5210-20, as amended. Exceptions to this rule are subject to the Aviation Director's prior written approval.

(c) All vehicles that are authorized to operate on Taxiway Alpha, Taxiway Bravo, or the runway must be equipped with a two-way aviation radio and a rotating beacon or equivalent as outlined in the FAA Advisory Circular 150/5210-5, as amended, receive a clearance from, and remain in continuous communications with, the Air Traffic Control Tower. The installation of a two-way radio alone does not permit the operation of vehicles on runway or taxiways without prior written permission of the Aviation Director. The rotating beacon or equivalent must be activated while operating in the movement area. If vehicles are not equipped with radios, exceptions must be made in advance with the Aviation Director for good cause shown. Additionally, all vehicle operators shall be conversant with the standard Airport light gun signals. Exceptions to this rule during emergency situations are subject to the Aviation Director's approval.

Sec. 5-963. Authority to remove vehicles.

The Aviation Director may direct the removal from any area of the Airport any vehicle, at the operator's expense and without liability for damage that may result, which:

(a) Presents an immediate health, safety, or environmental hazard; or

(b) Is abandoned;

Sec. 5-964. Bicycles.

The use of bicycles shall only be permitted during daylight hours and in accordance with all applicable regulations set forth herein for vehicles, except as to regulations that by their nature have no application.

Sec. 5-965. Scooters, rideshare scooters and miscellaneous vehicles.

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

Sec. 5-966. Motor homes, boats and recreational vehicles.

Motor homes, boats, and recreational vehicles shall not be stored anywhere on the Airport.

Sec. 5-967. Vehicle accidents.

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

Sec. 5-968. Careless operation, driving while intoxicated, etc.

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

(a) In a careless, negligent or reckless manner;

(b) In disregard of the rights and safety of others;

(c) Without due caution or circumspection;

(d) At a speed or in a manner which endangers or is likely to endanger persons or property;

(e) While the driver would be prohibited by law from operating an automobile upon the public streets of the City due to drug or alcohol impairment or influence;

(f) If the vehicle is so constructed, equipped or loaded as to endanger or be likely to endanger persons or property, or to result in the load or other materials becoming separated from the vehicle;

(a) Without operating headlights, tail lights, turn signals, and brake lights during hours of darkness or during inclement weather; or

(b) In a manner that does not allow the vehicle to be immediately driven or towed away from any nearby aircraft.

Sec. 5-969. (Reserved).

Sec. 5-970. Parking restrictions.

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

(b) Aircraft owners and operators shall only park their vehicle in the aircraft storage and parking space designated for their aircraft or in a designated vehicle parking area.

(c) Vehicles parked in an aircraft parking and storage area shall be parked in a manner so as to be completely contained in the aircraft parking or storage space and not obstruct adjacent aircraft parking and storage areas, or taxilanes unless for the purposes of immediate and temporary loading, unloading, or staging of an aircraft.

Sec. 5-971. Volunteer assistance.

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

Sec. 5-972. Pedestrians in the airside area.

(a) No person shall walk, stand, or loiter in the airside area if such activity is determined to be an operational, security, or safety concern as determined by the Aviation Director.

(b) Pedestrian access to the movement area is strictly prohibited, unless approved by the Aviation Director.

Sec. 5-973. Pedestrians soliciting rides.

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

Sec. 5-974. Vehicle repair and washing.

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

Sec. 5-975. Airport security.

The owner/operator or any facility located on the Airport perimeter shall at all times maintain and comply with an Airport Facility Security Plan that has been approved by the Aviation Director.

Sec. 5-976. Fuel safety.

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

Sec. 5-977. Unauthorized fuel possession and storage.

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

Sec. 5-978. Storage of aircraft fuel trucks, trailers and other aircraft refueling devices.

(a) Aircraft refueling vehicles, other moveable aircraft fuel containers and refueling devices shall be stored outside and not less than fifty (50) feet from a building or such other distance as shall be approved by Aviation Director and City's Fire Department.

(b) Aircraft refueling vehicles shall be parked in a manner that provides a minimum of ten (10) feet of separation between said vehicle and any other vehicle or aircraft refueling device.

(c) No aircraft refueling vehicle, aircraft fuel container, or other aircraft refueling device, empty or otherwise, shall be brought into, kept, or stored within any building at the Airport unless the

building is used exclusively for that purpose. This section does not apply to vehicle fuel cans with a capacity of not more than five (5) gallons that have self-closing lids, provided no more than one (1) such can may be located within a single vehicle, and not more than two (2) such cans in any hangar.

Sec. 5-979. Aircraft fueling locations.

All aircraft fueling/defueling shall be performed outdoors. Aircraft being fueled/defueled shall be positioned so that aircraft fuel system vents or fuel tank openings are not closer than twenty-five (25) feet from any building or hangar unless otherwise approved by the Aviation Director and City's Fire Department.

Sec. 5-980. (Reserved).

Sec. 5-981. Maintenance of fuel servicing vehicles.

Maintenance and servicing of aircraft fuel servicing vehicles shall be performed outdoors or in a building approved for that purpose by the City's Fire Department.

Sec. 5-982. Open flame.

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

(a) Exposed flame heaters, liquid, solid or gaseous devices, including portable and wheeled gasoline or kerosene heaters and gas or charcoal grills;

(b) Heat-producing, welding, or cutting devices and blowtorches;

(c) Flare pots or other open-flame lights.

Sec. 5-983. Environmental spills and removal.

(a) Persons shall not fuel an aircraft or transfer fuel within an aircraft in a manner that overfills the tank(s) or causes the tank(s) to leak fuel through its vent, and/or dump fuel.

(b) If there is a spill of gasoline, oil, grease or any material that may be unsightly or detrimental to the Airport, the person that caused the spill, the operator, and owner of the equipment causing the spill shall immediately remove the spill and report it to the Aviation Director. In addition, the tenant and concessionaire are responsible for the spill.

(c) In the event of a fuel spill longer than ten (10) feet in any direction or fifty (50) or more square feet total, the operator of the equipment causing the same shall immediately call the City's Fire Department at 911.

(d) In the event of any spillage, and the failure of the person causing the spill to act, the operator or owner may be required to restore the area to its original safe and environmentally sound status. The City may clean up any material unlawfully spilled, placed or otherwise deposited at the Airport and may charge the responsible person(s) for the cost of the cleanup, any required environmental remediation, and any expenses incurred by, or fines or damages imposed on, the City as a result thereof.

Sec. 5-984. Lubricating oils.

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

Sec. 5-985. Use of waste oil stations.

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

Sec. 5-986. Fire extinguishers.

(a) All tenants, lessees, licensees and permittees shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by the City's Fire Department. Each fire extinguisher shall carry a suitable tag showing the date of most recent inspection.

(b) At least one (1) fire extinguisher, having a rating of at least 20-BC, shall be available for use in connection with aircraft fuel handling operations.

Sec. 5-987. Underground tanks.

Subject to the other requirements of these regulations, a person may possess fuel within an underground fuel storage tank constructed, operated and maintained in all respects as required by federal, state, county, and local law. Fuel so stored may be dispensed only into aircraft owned by the person who owns, operates and maintains the tank, unless the tank is located at the Airport and operated and maintained by a Fixed Base Operator. Notwithstanding the preceding sentence, fuel within an underground fuel storage tank at the SA Private Hangar Facility may be dispensed into a based aircraft that leases hangar space at the SA Private Hangar Facility and have an Aircraft Storage Agreement, if the aircraft can physically and operationally fit into the hangar when all based aircraft are present at the specific hangar space.

Sec. 5-988. Moveable fuel storage tanks.

Unless otherwise approved by the Aviation Director moveable fuel storage tanks are prohibited at the Airport except for:

(a) Fuel trucks constructed, operated and maintained in all respects as required by law.

(b) Permanent fuel tanks in an operable aircraft.

(c) Tanks not exceeding one (1) gallon capacity used solely for sampling and testing fuel, engines and fuel handling apparatus.

(d) No more than one (1) tank with a capacity of not more than fifty-five (55) gallons used by a person to fuel his own aircraft pursuant to an Airport/Airpark Self-Fueling permit.

(e) Tanks lawfully transporting fuel for immediate dispensing into a fuel storage tank permitted by the City. Such vehicles shall access the Airport at a point approved by the Aviation Director and remain under escort by a representative of the company receiving the fuel.

Sec. 5-989. Self-fueling.

Except as may be prohibited by other provisions of these regulations and any other applicable law, owners of a based aircraft that desires to self-fuel their aircraft, shall apply for and receive an Airport/Airpark Self-Fueling Permit from the Aviation Director. The preceding sentence does not apply to the use of a self-service fuel facility provided by a Fixed Base Operator.

Sec. 5-990. Vehicle fuel.

No person shall possess vehicle fuel on the Airport except:

(a) Within the permanently installed fuel tank of a vehicle for use only by that vehicle;

(b) City emergency response vehicles with external fuel tanks to re-fuel other City vehicles;

(c) Within a moveable container designed for storage of vehicle fuel and having a capacity of not more than five (5) gallons. No more than one (1) moveable container containing vehicle fuel shall be located in a single vehicle. No more than two (2) such containers shall be located in any hangar.

(d) Within underground or above ground storage tanks with a capacity of not more than two-thousand (2,000) gallons, lawfully installed and maintained in accordance with Sec. 5-976.

Sec. 5-991. Fueling of non-aviation vehicles.

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

Sec. 5-992. Aircraft parking and storage area fee.

Any person basing an aircraft on the Airport, and having been granted an Aircraft Storage Permit, shall pay a tiedown fee as listed in the Airport/Airpark Rates and Fees Schedule on file with the City Clerk, and shall pay any and all accrued fees.

Sec. 5-993. Airport/Airpark fuel flowage fee.

A person owning, operating or otherwise responsible for an Airport/airpark fuel storage area shall report fuel flowage by aircraft and pay a monthly Airport/Airpark Fuel Flowage Fee for the total amount of fuel flowage at the fuel storage area, in addition to any other fee, as listed in the Airport/Airpark Rates and Fees Schedule on the website or on file with the City Clerk.

Sec. 5-994. Access card fee

A person shall be issued an access card upon payment as listed in the Airport/Airpark Rates and Fees Schedule on file with the City clerk, satisfying all applicable Airport Rules and Regulations, and having been granted an Airport Driver/Vehicle Permit.

Sec. 5-995. Transient parking fee.

Before departure, any person parking an aircraft on the Airport without an Aircraft Storage Permit/Agreement shall pay all applicable transient parking and landing fees as listed in the Airport/Airpark Rates and Fees Schedule on the website or on file with the City Clerk and shall pay all accrued fees.

Sec. 5-996—5-1000. - Reserved.