

**RESOLUTION NO. 19, SERIES OF 2012**

**RESOLUTION ADOPTING AND APPROVING RULES AND REGULATIONS  
WHICH PROVIDE FOR THE SAFE, ORDERLY AND EFFICIENT OPERATION  
OF THE FREMONT COUNTY AIRPORT**

WHEREAS, §30-11-107, C.R.S., empowers the Board of County Commissioners to lay out, construct, maintain and repair airports and to enter into leases, and to fix and collect charges or fees for the use of such airports; and

WHEREAS, the Fremont County Airport is owned by Fremont County and is governed by the Board of County Commissioners, on behalf of Fremont County; and

WHEREAS, the Board of Commissioners has determined that regulations governing the services, activities, and uses conducted and performed at the Fremont County Airport are necessary to ensure full compliance with federal grant requirements and assurances, federal regulations and to ensure that the requirements imposed upon airport operations are conducted in a nondiscriminatory, uniform manner, in full compliance with all applicable laws and regulations; and

WHEREAS, a proposed draft of Rules and Regulations for the Fremont County Airport (attached hereto, dated May 1, 2012 and titled "Rules and Regulations, Fremont County Airport - IV6"), has been prepared and has been presented to the Board of Commissioners for consideration and, if acceptable, adoption; and

WHEREAS, the Fremont County Airport Advisory Board and the Fremont County Airport Manager have reviewed the proposed Rules and Regulations and have recommended approval of the same; and

WHEREAS, on April 10, 2012, the Board of Commissioners held a public hearing to receive input and comment regarding the proposed regulations, which has been reviewed and considered by the Board of Commissioners; and

WHEREAS, the Board of Commissioners has determined that the Rules and Regulations are appropriate and serve the needs and concerns of the citizens of Fremont County as it concerns the operations at the Fremont County Airport.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF FREMONT:

1. That the Board of County Commissioners hereby adopts and approves the Rules and Regulations for the Fremont County Airport (attached hereto), which shall be effective on May 1, 2012.
2. All users and operators shall be required to comply with such Rules and Regulations, as of the effective date of May 1, 2012.
3. All existing tenants shall bring their activities and operations into compliance with these Rules and Regulations within 90 days from the effective date.
4. The Board of County Commissioners shall provide a copy of this Resolution, together with a complete version of the Rules and Regulations within 10 days following the date of adoption.

Commissioner Stiehl moved for adoption of this Resolution, with a second by Commissioner Norden. The roll call vote of the Board was as follows:

Debbie Bell	(Aye)	Nay	Absent	Abstain
Edward H. Norden	(Aye)	Nay	Absent	Abstain
Michael J. Stiehl	(Aye)	Nay	Absent	Abstain

Date: 4-24-12

ATTEST:

Debbie Bell  
Chairman

Katie E. Barr  
Clerk to the Board

# RULES AND REGULATIONS

## FREMONT COUNTY AIRPORT - IV6

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### I. INTRODUCTION

These Rules and Regulations provide for the safe, orderly, and efficient operation of the Fremont County Airport. Any person who enters upon or uses the Airport, its facilities, or any part thereof agrees that a condition of use is compliance with the airport rules and regulations contained herein.

In any case where a provision of these rules and regulations are 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 of the County the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. It is not intended by these regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by these regulations or to excuse any person from performing obligations to the Airport under any lease or other contractual agreement. No present or future Airport contract, lease agreement, or other contractual arrangement, nor any payment or performance, shall be interpreted in a manner which excuses full and complete compliance with these rules and regulations. Compliance with these rules and regulations does not excuse failure to comply with any other local, state, or federal laws or ordinances.

### II. DEFINITIONS

- A. **Accident.** Shall mean an occurrence during the operation of an aircraft in which any person suffers death or serious injury or in which the aircraft receives substantial damage.
- B. **Aircraft.** Shall mean a device that is used or intended to be used for flight in the air.
- C. **Aircraft Operating Area.** Shall mean any area of the Airport used for landing, takeoff or surface maneuvering of aircraft (runways, taxiways and ramp parking areas).
- D. **Airport Facilities.** Shall mean and refer to the realty which currently comprises, which may comprise in the future, and on which are located runways, taxiways, and motor vehicle parking areas that are available for use by users of the Airport. Including, but not limited to, drainage facilities, fencing, gates, lighting systems, runways, taxiways, ramp areas, parking areas, visual aid systems, utility lines, strobe lights, beacons, and wind socks.
- E. **Airport.** Shall mean and have reference to all areas comprising the airport land owned by the County and its successors or assignees that now exist or may hereafter be expended together with their appurtenant facilities.
- F. **Airport Board.** Shall mean the Fremont County Airport Advisory Board which is the advisory body of the Fremont County Airport, appointed by the Fremont County Board of County Commissioners.
- G. **Airport Tenant.** Is defined as any person, firm, or corporation leasing property at the Airport for aeronautical purposes who is not a Fixed Base Operator. An Airport Tenant may hangar his/her aircraft on his/her leased property subject to the provision of contained herein.
- H. **Commercial Aviation Activities.** Shall mean business activities, for revenue, that include, but are not limited to, bringing aviation fuel onto the Airport for resale, selling aviation fuel, motor fuel,

and jet fuel, giving flying lessons, operating a flight school, providing charter and rental flights, renting aircraft, selling aircraft or aircraft related items, or providing (for compensation) repair and maintenance services for aircraft related items.

- I. **County.** See Fremont County
- J. **FAA.** Shall mean the Federal Aviation Administration.
- K. **FAR.** Shall mean the Federal Aviation Regulations.
- L. **Fixed Base Operator.** Shall mean any person, firm, corporation, or other entity, engaged in the business of supplying transient and/or home-based aircraft services on the Airport as authorized and licensed by the Fremont County Board of County Commissioners. Fixed Base Operator services include aircraft refueling, flight training, aircraft sales, airframe and powerplant repair and maintenance, hangering, parking (tie-down), aircraft rental, air taxi/air charter service and special services such as glider or parachute jumping operations.
- M. **Flammables.** Shall mean any material that has a flash point at or below 100 degrees Fahrenheit.
- N. **Flying Club.** Shall mean a non-commercial organization established to promote flying, develop skills in aeronautics, including pilotage, navigation and awareness and appreciation of aviation requirements and techniques.
- O. **Fuel Farm.** Shall mean one (1) or more fuel storage tanks.
- P. **Fuel Servicing Equipment.** Shall mean vehicles and equipment used for fueling or de-fueling.
- Q. **Hazardous and Toxic Materials.** Shall mean fuel petroleum products, pesticides, solvents, paint, explosives, flammables, and any other substance that requires special handling under current or future federal, state, or local environmental safety and health regulations.
- R. **Motor Vehicle Parking Lot.** Shall mean the paved, graveled, or marked areas for vehicular parking.
- S. **National Testing Laboratory.** Shall include the national Fire Protection Association, Underwriter's Laboratory, and similar organizations that develop professional standards for fueling equipment.
- T. **Person.** Shall mean and include a natural person, gender, partnership, firm, association, corporation, or any other form of business entity.
- U. **Ramp.** Shall mean the paved area for the Airport normally used for aircraft parking, tie down, loading, and unloading.
- V. **Restricted Area.** Shall mean any area off-limits to the general public. Airport restricted areas include the air operations area, used for take-off, landing and surface maneuvering of aircraft (runways, taxiways and ramp parking areas), and other areas as may be designated by "Restricted Area" signage.
- W. **Run-Up.** Shall mean engine acceleration to test its functions while the aircraft is stationary.
- X. **Runway.** Shall mean the paved area used for aircraft landing and takeoff.
- Y. **Service Equipment.** Shall mean devices or vehicles designed for aircraft servicing or other Airport functions, or devices regularly used at the Airport; including, but not limited to, fuel trucks, tractors, snowplows, mowing equipment, and other equipment that may be necessary for Airport maintenance and upkeep.

- Z. **Taxiway.** Shall mean the paved area of the Airport designated for aircraft movement that allows access to and from the runway and ramp areas.
- AA. **Fremont County.** Shall mean the entity that is the owner of the Airport and all realty, buildings, fixtures, and equipment on record at the Recorder's office. Also referred to as the Airport owner or Airport sponsor or county.
- BB. **Tie Down.** Shall mean an unenclosed space where an aircraft is parked and centered on the center of the triangle formed by the tie down eye hooks.
- CC. **Vehicle.** Shall mean a device (not an aircraft) in, upon, or by which any person or property is or may be propelled, moved, transported, hauled, or drawn upon any roadway or ground surface at the Airport.

### III. GENERAL PROVISIONS

- A. The County reserves the right to make additions, amendments, deletions, or corrections to these rules and regulations after proper public notice and pursuant to Colorado law, as necessary for the safety and well being of aircraft operations and of persons using the Airport. Any regulation herein which conflicts with any municipal, county, state, or federal law, rule, or regulation shall be considered void. No regulation or part thereof shall be considered authorization to deviate from any municipal, county, state, or federal law, rule, or regulation. If any provision or provisions of these Rules and Regulations shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
- B. All persons using the Airport do so at their own risk. The Airport and its regulatory authorities shall not be liable for losses sustained from property damage, personal injury, or death resulting from any accident, fire, or theft occurring within the limits of Airport property.
- C. The use of the Airport or any of its facilities in any manner shall create an obligation of the part of the user to obey all the regulations herein. All persons on any part of the property comprising the Airport shall be governed by the regulations prescribed herein and by resolutions of the County relative to the use or occupation of any part of the property comprising the Airport.
- D. The County may, at any time, take such action as may be deemed necessary in order to safeguard the public property at the Airport. Any person, firm, or corporation causing damage of any kind to the Airport or fixtures thereof shall be liable for such damage.
- E. Any damage to any Airport property or any accident on the Airport shall be reported immediately to the County.
- F. No person not properly certificated or registered by the FAA and no aircraft not similarly certificated shall operate on the Airport. This restriction shall not apply to public aircraft belonging to the government of the United States or to a state, territory, any political subdivision, nor to any aircraft of a foreign country operated under permission of the federal government, nor to ultralights as defined by FAR Part 103
- G. No person shall enter any restricted area posted as being closed to the public except by permission of the County.

### IV. AIRCRAFT OPERATIONS

- A. General
  - 1. **Aircraft.** The owner of each aircraft parked on the Airport for more than 24 hours shall notify the County and/or FBO within 24 hours of arrival of the registration number of the aircraft, intentions, and the persons responsible for it, including off-hour emergency phone numbers.

2. **Pilot.** A qualified pilot or mechanic must be in the cockpit and at the controls of the aircraft when an aircraft engine is operating. All operators are expected to follow FARs and operate in a safe and responsible manner.
3. **Accident Reports.** Any person involved in an accident involving aircraft which occurs at the Airport shall make a full report thereof to the County 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 48 hours of the accident, whichever is sooner. The report shall include the names and addresses of the persons involved, 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 County.
4. **Gliders and Ultralights.** For planning and safety purposes no person shall operate a glider, hang glider, hot air balloon, ultralight, or similar vehicle on the Airport unless he/she has received consent from the Airport Manager and the Manager has posted AWOS notification.
5. **Skydiving.** For planning and safety no person shall conduct or participate in skydiving activity at the Airport unless he/she has received consent from the Airport Manager and the Manager has posted AWOS notification. Skydiving activities shall be limited to public drop zones designated by the Airport Manager, or private drop zones that have been expressly approved, in writing, by the Board of County Commissioners.
6. **Maintenance.** All aircraft repair or maintenance shall be performed only in areas designated and approved by the Airport Manager. Maintenance and repair of personal aircraft in privately owned hangars is permitted.

B. Traffic Pattern Procedures

1. **Radios.** All aircraft, including ultralights, are strongly encouraged to have an operating two-way radio.
2. **Traffic Pattern Directions.** All traffic shall use a left-hand traffic pattern to Runway 11/29 and 17/35.
3. **Traffic Pattern Altitude.** Downwind traffic pattern altitude is 6,200 feet mean sea level, eight hundred (800) feet above the Airport elevation.
4. **Position Reports.** It is recommended that all traffic in the traffic pattern make position reports and state intentions on the UNICOM frequency.

C. Aircraft Movement

1. **Takeoffs and Landings.** No person shall takeoff or land except on a runway or a designated helipad.
2. **Taxiing.** 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, shade, or other covered area. No person shall taxi an aircraft except on areas designated for taxiing and all taxiing shall be done in a safe manner. If it is impossible to taxi an aircraft in compliance with this section then the engine shall be shut off and the aircraft towed to the new location.
3. **Wingspan Restrictions and Indemnification.** The County recommends that aircraft operators only operate aircraft in areas of the Airport consistent with the necessary wingspan clearances needed for the respective aircraft. The Airport assumes no liability for damage or loss, including aircraft operation, in areas where an aircraft wingspan exceeds the necessary object clearance. Any such operation or resulting damage is solely at the risk of the aircraft operator and said operator, as a condition of using the Airport, shall indemnify and hold harmless the Airport from any damages or losses resulting from said operations.

4. **Prop/Jet Blast.** No person shall taxi or operate any aircraft or rotorcraft on the Airport where the propeller or jet blast may cause injury to persons or damage to property. If necessary, the aircraft or rotorcraft operator shall shut down the engine(s) and have the aircraft towed to a non-critical area.
5. **Holding On Runways.** No person shall board or disembark from any aircraft on the runway except in an emergency.

D. Parking and Towing

1. **Aircraft Parking.** Aircraft shall be parked only in assigned, leased, or otherwise properly designated and authorized areas.
2. **Payment.** No person shall park or tie down an aircraft on the Airport without paying the prescribed rates and charges for use of the parking space.
3. **Securing Aircraft.** Aircraft owner and/or pilot shall secure their aircraft parked on the ramp and shall be solely responsible for any damages resulting from failure to properly secure the aircraft.
4. **Disabled Aircraft Removal.** Every aircraft owner, operator, and pilot, jointly and severally, shall be responsible for the prompt removal of disabled aircraft, together with the debris that may have resulted therefrom, unless required or directed by the County or the FAA to delay such action pending an investigation of an accident. Care shall be exercised to avoid damaging Airport property. In the event of failure to promptly remove such disabled aircraft the County may cause the aircraft to be removed and assess the owner(s) thereof for all charges incurred in the removal.
5. **Towing.** Aircraft will not taxi into or out of any hangar under actual aircraft engine power. All aircraft will be towed or pushed by machines or by hand into and out of hangars.
6. **Illegally Parked Aircraft.** All aircraft which are parked, stored, or abandoned contrary to the provisions contained herein may be impounded. Redemption of aircraft which have been impounded will necessitate the owner or operator paying all fees accrued against such aircraft including towing and storage fees incident to impoundment. The County may remove aircraft from an illegal parking place and all charges for such activities shall be the responsibility of the registered owner of the aircraft.
7. **Inoperable, Abandoned, or Junked Aircraft.** Inoperable, abandoned, or junked aircraft shall not be permitted at the Airport unless storage or parking of such aircraft is the primary business of the person storing or parking such aircraft and such business has obtained the necessary commercial activity approvals; or unless the aircraft is scheduled to undergo repairs with the intent of placing the aircraft into airworthy condition. Owners of aircraft scheduled to undergo repairs with the intent of placing the aircraft into airworthy condition must begin such repairs within 45 days unless written permission for alternative arrangements is obtained from the County. Such aircraft parked or stored in excess of this time may be deemed abandoned or junked aircraft subject to impoundment as illegally parked aircraft.
8. **Impounded Aircraft.** The County shall have a lien on impounded aircraft for the storage and care thereof. Notification to the owner of such impounded aircraft shall be conclusively presumed given if, after 60 days of unpaid storage charges or fees, the registered owner of such aircraft is advised, by registered or certified letter, return receipt requested, of the fact of impoundment, delinquency in payment of charges, the County's lien for the payment of same, and the contemplated public sale of such aircraft following the expiration of 30 days from the mailing of such notice unless payment or suitable arrangements for payment have been made.

## V. VEHICLE OPERATIONS

- A. **Licensing and Insurance.** No person shall operate a vehicle of any kind on the Airport without a valid operator's license. All vehicles authorized to operate on the Airport shall at all times maintain at least the minimum coverage and amounts of vehicle liability insurance required by the State of Colorado.
- B. **Control of Vehicles.** No person shall operate or park a vehicle in a manner prohibited by signs, pavement markings, or other traffic control devices or signals posted by the County. The County has plenary power to regulate or prohibit any class or type of vehicle, any other type or class of wheeled vehicle, or other form of transport that operates at the Airport.
- C. **Motor Vehicle Parking.** Public parking is only allowed in the designated public motor vehicle parking lots. No long-term parking exceeding 14 consecutive days is permitted without permission from the County. Vehicles are not allowed to be advertised for sale while parked in the motor vehicle parking lot.
- D. **Vehicles on Runways and Taxiways.** No person shall operate a vehicle on any runway or taxiway without the express approval of the County. Any vehicle entering a runway shall establish two-way radio communications and be equipped with a flashing light on the vehicle or be escorted by a vehicle that can establish communications and is equipped.
- E. **Right of Way.** Drivers of vehicles must yield the right of way to aircraft and pedestrians on the Airport.
- F. **Service Vehicles.** Any vehicle being used on the ramp as a service vehicle must bear suitable identification which designates the operator to whom the vehicle is assigned.
- G. **Speed Limits.** No person shall drive a vehicle on Airport property in excess of 15 miles per hour.
- H. **Motor 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 and render reasonable assistance to any person injured in the accident. The driver shall contact emergency medical personnel or make arrangements for the caring of the person by 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. The driver shall give his/her name, address, operator's license, and registration number to the person injured, the County, and to any law enforcement officer or witnesses of the accident. The operator of such vehicle shall report such accident in accordance with state law and provide a copy of same to the County.
- I. **Careless Operations.** No vehicle shall be operated on any portion of the Airport:
  - 1. In a careless, negligent, or reckless manner;
  - 2. In disregard of the rights and safety of others;
  - 3. Without due caution;
  - 4. At a speed or in a manner which endangers persons or property;
  - 5. While the driver is under the influence of drugs or alcohol;
  - 6. If the vehicle is so constructed, equipped, or loaded as to endanger persons or property or to result in the load or other materials becoming separated from the vehicle;
  - 7. Unless the vehicle is equipped with operating headlights, taillights, turn signals or brake lights, during hours of darkness or during inclement weather; or

8. In a manner that does not allow the vehicle to be immediately driven or towed away from any nearby aircraft in case of an emergency.

## VI. PEDESTRIANS AND PERSONNEL

- A. **Liability for Damage.** Any person causing damage of any kind to Airport property or fixtures shall promptly pay the County for all repairs and damages. If the County prevails in a legal action for damages, it shall be entitled to reimbursement for costs, attorney's fees, expert fees and all other costs and expenses incurred in connection with such action.
- B. **Personnel on Runways and Taxiways.** Pedestrian traffic in any form is strictly forbidden on runways and taxiways. Maintenance crews and others performing essential functions with the permission of the County are not considered pedestrian traffic.
- C. **Pedestrian Yield Right of Way.** Pedestrians must yield the right of way to aircraft on the Airport.
- D. **Model Airplanes.** No person shall operate a model aircraft or other un-piloted flying device on the Airport except with the express written permission of the County. Such written permission shall set forth the manner of operation and location that is permitted and no person shall violate the terms of the written permission.
- E. **Lost, Mislaid, or Abandoned Property.** Lost, mislaid, or abandoned property shall be deposited at the Airport Managers office and, if not claimed by the owner within 60 days, may be turned over to the finder or become the property of the County to be sold, used, or disposed of at its discretion.
- F. **Smoking Areas.** No smoking shall be permitted within 50 feet of aircraft, fuel trucks, and/or fuel storage areas, or elsewhere as specifically prohibited by the County.
- G. **Firearms and Explosives.** No person, except an authorized law enforcement officer or member of the Armed Forces of the United States on official duty, shall possess any firearms, or explosives on the Airport, except (1) those firearms possessed by holders of a Colorado CCW Permit, (2) that do not contain live ammunition and are in an enclosed case intended for immediate transport. No person, other than those identified above, shall store, keep, handle, use, dispense, or transport at, in, or upon the Airport any Class A or Class B explosives, any radioactive substance or material (except for minimum amounts of radioactive substances such as radioactive paint illuminating instrument dials) without the prior written authorization from the County.
- H. **Waste Containers and Disposal.** All persons shall dispose of all waste in the appropriate waste containers and, under no circumstances, shall any person dispose of furniture, appliances, or other similar bulk items in any location on the Airport, including trash containers. No products, industrial waste matter, or other hazardous material shall be dumped, or otherwise disposed of, except in accordance with local, state, and federal environmental law. Any hazardous material shall be and remain the responsibility of the originator under all applicable laws.
- I. **Cleanliness.** All hangars, buildings, properties, or land on the Airport shall be maintained in a clean, attractive, weed free, well painted, and junk free condition. If a Fixed Base Operator, Airport Tenant, or Flying Club has an area where it normally keeps damaged aircraft, aircraft parts, construction fixtures, barrels, containers, or other unattractive items, he/she shall enclose such an area with solid screening pre-approved by the County that will hide such area from public view.
- J. **Maintenance of Property.** Persons occupying, leasing, managing, or otherwise controlling Airport property shall maintain that portion of said property in a condition of repair and general maintenance equal to or greater than the level of maintenance in comparable areas of the Airport. At a minimum, the area must be free of pavement lips or obstacles, vehicle ruts, excessive standing water, trees and vegetation exceeding 12 inches in height, and free from any

and all conditions which are hazardous or potentially hazardous to aircraft. Any person desiring to perform routine property maintenance shall notify the County at least two (2) hours prior to commencing any work. Any person desiring to perform new construction, demolition, or excavation shall notify the County and coordinate safety-related items at least 48 hours prior to commencing any work. Nor shall any person make any alterations to any Airport property without prior notification to the County and obtaining any other required permits, including building and sanitation.

- K. **Storage, Transfer, and Cleanup Charges.** The County may remove and impose storage, removal, and transfer charges upon any property unlawfully located on the Airport. The County may clean up any material unlawfully spilled, placed, or otherwise deposited on the Airport and may charge the responsible persons for the cost of the cleanup, any required environmental remediation, and expenses incurred by, or fines or damages imposed on, the County as a result thereof.
- L. **Property Damage, Injurious or Detrimental Activities.** No person shall destroy, deface, injure, or disturb Airport property or conduct activities on the Airport that are injurious, detrimental, or damaging to the Airport or to activities and business of the Airport. Any person who causes or is otherwise liable for any damage shall be required to pay the County, 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 the Airport until the County has been fully reimbursed for damage done.
- M. **Disorderly Conduct and Intoxicating Liquors.** No person shall commit any disorderly, obscene, or unlawful act or commit any nuisance on the Airport, become intoxicated on any portion of the Airport, and no intoxicated person shall enter upon or remain on or about the Airport.
- N. **Animals.** No person shall bring a dog or other animal onto the Airport premises without it being controlled by a leash or appropriate tether. Any person bringing a dog or other animal onto the Airport shall clean up any feces or other mess from the animal and shall be responsible for any damage or injury it causes. No person shall bring a dog or other animal into the Airport terminal unless it is a qualified service animal for the disabled.
- O. **Obstacles.** With the exceptions noted below, no vehicles, aircraft, or other objects may be parked, temporarily stored, or left standing in any aircraft operating area. The County may cause to be removed from the Airport or aircraft operating area any vehicle or aircraft which is disabled, abandoned, parked in violation of these regulations, or any and all objects or obstacles which present a hazard to aircraft at the owner's or operator's expense and without liability for damage which may result in the course of such moving.
- P. **Airport Security.** All persons shall immediately report to the County or local law enforcement authorities the presence or observation of suspicious activities or persons on or in the vicinity of the Airport. All persons shall at all times keep vehicular access points to the aircraft operations area closed when not in immediate use. Any person who accesses the Airport shall be responsible for their actions and all actions of any person to whom they provide access, whether directly or indirectly.

## VII. FUELING AND FLAMMABLE FLUIDS

- A. **Self-Fueling.** The County and/or its successors and assignees, is the sole and only retail provider of aviation fuel on the Airport, or on properties with granted rights of access to the Airport. No person or persons may bring aviation fuel or auto fuel on the Airport or properties with granted rights of access to the Airport for the purpose of resale. No person or persons may bring aviation fuel or auto fuel on the Airport or properties with granted rights of access to the Airport for any other purpose, without the expressed written authorization of the County, which shall not be unreasonably withheld. Such authorization may include, among other things, a per gallon flowage fee to be paid to the County at a price to be determined if such authorization is granted.

- B. **Fueling Equipment.** All fuel servicing equipment shall comply with a national testing laboratory standard for that equipment. Equipment shall be maintained in a safe operating condition and shall be removed from service when it leaks or malfunctions.
- C. **Location.** Fueling operations shall be conducted in areas designated by the County. No fuel servicing shall be conducted inside a hangar or building, within 25 feet of any hangar or building, or within 50 feet of any open flame, combustion, and ventilation air intake or any boiler, heater, or incinerator.
- D. **Removal of Gas, Oil, Grease, and Aircraft Washing Effluent.** No person shall keep any aircraft or vehicle at the Airport without providing for the containment of leaking oil or fuel. In the event of spillage, leakage, or dripping of gasoline, oil, grease, aircraft washing effluent, or any material which may be unsightly or detrimental to an Airport area, the source and any spilled, leaked, dripped substance shall be removed immediately. The responsibility for the immediate removal of such gasoline, oil, grease, aircraft washing effluent, or other material shall be assumed by the operator or owner of the equipment causing the spillage/leakage or the responsible property owner. In the event of the failure of the operator or owner to restore the area to its original safe and environmentally sound status, the County may clean up any material unlawfully spilled, placed, or otherwise deposited on the Airport and may charge the responsible persons for the cost of the cleanup, any required environmental remediation, expenses incurred by, and fines or damages imposed on the County as a result thereof.
- E. **Spills.** Each person shall exercise care to prevent fuel spills. When a spill occurs, fuel servicing shall be stopped immediately and the persons responsible shall take whatever action is necessary to stop and contain the fuel spill, in a safe manner.
- F. **Notification.** The responsible party shall notify appropriate emergency services and the County immediately when a fuel spill or otherwise hazardous condition occurs.
- G. **Bonding.** During fuel servicing operation, the aircraft and fuel servicing equipment shall be electrically bonded in accordance with current National Fire Protection Agency (NFPA) standards to prevent ignition of volatile gases by static electricity.
- H. **Prohibited Fueling.** Fueling and de-fueling are prohibited when the engine is running on the aircraft or vehicle being fueled or de-fueled unless authorized by the aircraft operating manual; when a combustion heater, charger, radio transmitter, or any other potential ignition source is being operated within 50 feet of the fuel servicing operation; or when lightning is within five (5) nautical miles of the Airport.
- I. **Smoking.** Smoking is prohibited within 50 feet of any fuel servicing operation, any fuel truck, any aircraft while fueling operations are taking place, or any other place as designated by the County.
- J. **Fire Extinguishers.** At least one (1) fire extinguisher with a minimum 10-BC classification shall be within 75 feet of all fuel servicing operations.
- K. **Fuel Servicing Equipment Parking.** No person shall park a fuel-servicing vehicle or allow it to remain within 50 feet of any building, other than specifically designated storage buildings, or to remain parked side by side with another fuel-servicing vehicle with less than ten (10) feet between them.
- L. **Hazardous or Toxic Material.** No hazardous or toxic material may be brought onto the Airport. No person shall store, use, or dispose of hazardous or toxic materials in any manner that will allow them to contaminate the air, ground, or water supply at the Airport.
- M. **Dumping of Oil.** No person shall dump, dispose of, or drain oil or other petroleum products on the ground at the Airport, including in the storm drains.

- N. **Responsibility of Airport Users.** Each Airport user shall take whatever steps are reasonable and necessary to prevent fire. If a fire occurs, the responsible party, or any other person observing it, shall notify the fire department and the County immediately.
- O. **Aircraft Cleaning.** No person shall use flammable or volatile materials in the cleaning of any aircraft, aircraft engine, propeller, or any other appliance on Airport property.
- P. **Aircraft Stripping and Painting.** No person shall strip an aircraft on the Airport. No person will allow any residue from any cleaning, stripping, or washing operation that may contain hazardous materials to enter any sewer or drain system.
- Q. **Ignition Source.** No person shall start an engine or create any other spark when flammables are close enough to create a fire hazard or closer than 50 feet.

### VIII. COMMERCIAL ACTIVITIES

- A. **Commercial Activity.** No person or business shall conduct any form of commercial activity, including subleasing hangar space, aviation and non-aviation activities, on the Airport without the expressed written permission and approval of the County.
- B. **Advertisement.** No person shall post, distribute, or display signs, advertisements, circulars, printed, or written matter on the Airport without written permission from the County.
- C. **Commercial Photography.** No person shall take still, motion, or sound pictures of or on the Airport for commercial purposes without first receiving written authority or permission from the County and paying the appropriate fees.
- D. **Soliciting Funds.** No person shall solicit funds or anything of value for any purpose at the Airport without specific written permission from the County.

### IX. AIRPORT NON-COMMERCIAL TENANTS

- A. **Sublease.** No Airport Tenant or Flying Club shall sublease or sublet any premises leased from the County, or assign such lease, without the prior written approval of the County. The tenant may owe additional fees, which will be negotiated, if the sublease is greater than the lease. In the event the Airport Tenant, or Flying Club sublets any portion of this lease, the Sub-lessee must agree to assume the full obligation of the lease as set out herein and must agree to fully cooperate with the County to ensure that any sub-lessee complies with these rules and regulations. In the event that the Sub-lessee fails to comply with these rules and regulations or fails to comply with the reasonable request or direction of the County as it relates to these rules and regulations, the Airport Tenant, Flying Club, or Sub-lessee shall be held in default. If said default continues for more than thirty (30) days after notice of said default, the County may terminate the lease.
- B. A person having the use designation of Airport Tenant shall be limited to the following uses:
  - 1. Storage of wholly owned or leased aircraft and/or maintenance on wholly owned or leased aircraft.  
Such person shall not hangar aircraft owned by others for financial gain, nor offer or provide any services whatsoever to others, for financial gain, unless authorized in accordance with an approved commercial aeronautical service agreement.

#### C. HANGAR STORAGE

- 1. Hangar space shall be used for the primary purpose of storing aircraft.

## X. ENFORCEMENT

- A. **Intent.** This regulation is designed to establish and define the enforcement authority necessary for the maintenance and promotion of the safe, orderly, and efficient operation of the Airport; for the order and security of its inhabitants, users, and visitors; and to protect the peace, lives, health, and property of such inhabitants, users, and visitors.
- B. **Enforcement Authority.** The Airport manager, any authorized peace officer, and other regularly appointed employees or representatives specifically designated by the County shall have the right and power to enforce any and all regulations contained in these rules and regulations.
- C. **Power to Require Identification.** The County and other regularly appointed employees of the Airport specifically designated by the County shall have the right and power to request and require any person to give his/her true name and residence in matters connected with the Airport, including enforcement of these rules and regulations. No person shall intentionally refuse to report or give a false report of his/her name or residence to the County or designated employee who has requested the information when acting in an official capacity in a matter connected with the Airport.
- D. **Penalties.** Persons found to be in non-compliance with the provisions of these rules and regulations will be subject to the revocation of certain privileges upon the Airport premises which may include, but are not limited to, removal from the Airport premises, revocation of commercial activity privileges and/or business license, termination of lease or operating agreement, or civil penalties and damages as may be provided for by local, state and federal law.
- E. **Appeal.** Any penalties resulting from non-compliance with these rules and regulations can be avoided by timely response to any written notifications of non-compliance. If, after dialogue with the Airport Manager, a person believes he/she is not in violation, and the non-compliance is still being declared, that person may appeal to the Fremont County Board of County Commissioners. The decision of the commissioners, in such appeal, will be final.