

Airport Rules & Regulations
Hays Regional Airport
Hays, Kansas

INTRODUCTION

PURPOSE OF RULES & REGULATIONS [AC 150/5190-7: Regulatory & Guidance Library]

Rules and regulations as outlined in this document are designed to facilitate the safe and efficient operation of the Hays Regional Airport and to govern the conduct of all operations at the airport. They are intended to be reasonable, non-arbitrary and non-discriminatory and therefore applied equally to everyone, lessees, permittees, and users shall at all times comply with federal, state, and local laws, ordinances, rules and regulations which are applicable to their operations. Lessees, permittees and users shall display to the city, upon request, any permit(s), license or other evidence of compliance with such law.

It shall be the responsibility of every user of the Hays Regional Airport, including pilots and others, to become familiar with the provisions of these rules and regulations. A copy will be maintained current to reflect any amendments and will be available in the airport manager's office and on the airport website.

GENERAL PROVISIONS

1. **Airport Staff- Actions to Safeguard the Public:** The airport staff shall have the authority to safeguard the public and further the public health, safety, and welfare. [City Ordinance 8-21]
2. **Airport Staff- Rules and Regulations:** Any and all persons shall be governed by the rules and regulations prescribed herein and by any permit, instruction(s) or other approval(s) issued by the City of Hays relative to the use or occupancy of any part of the airport premises. [City Ordinance 8-20]
3. **Violation of Rules:** Any person who operates or handles any aircraft, vehicle, equipment, apparatus or uses the airport or any of its facilities in violation of rules set forth herein, may be prevented from further use of the airport. In addition, such persons may be subject to the penalties provided herein or in the city code or elsewhere in any applicable federal, state or local law or regulation. The airport manager may refuse the further use of the airport or its facilities to such person(s) for such length of time as he/she determines. Appeal of the airport manager's decision may be made to the city manager who has oversight of the airport, whose determination shall be the final administrative determination of the matter. [City Ordinance 8-20]

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SECTION 1

DEFINITIONS

1.01 Unless specifically defined otherwise herein, or unless a different meaning is apparent from the content, the terms used in these rules and regulations shall have the following definitions:

AGREEMENT TO LEASE shall mean a written agreement between the airport and an entity granting a concession that transfers rights or an interest in property, or otherwise authorizes the conduct of certain non-exclusive activities.

AIR OPERATIONS AREA (AOA) shall mean any area of the airport used or intended to be used for landing, takeoff, or the surface maneuvering of aircraft.

AIRCRAFT shall mean any contrivance now known or hereafter designed, invented or used for powered or non-powered flight in the air. For the purpose of this definition, parachutes and ultralight vehicles are not included.

AIRPORT shall mean Hays Regional Airport

AIRSIDE shall mean that portion of the airport intended for operation and parking of aircraft and includes parking aprons, taxiways, runways and safety areas.

APRON OR RAMP shall mean those areas of the airport within the AOA designated for the loading, unloading, servicing, or parking of aircraft

AUTHORIZED AREA shall mean a specified location approved by the city, or the airport manager, as accessible.

AUTHORIZED REPRESENTATIVE OF AIRPORT MANAGER shall mean such person or persons as designated by the airport manager.

AIRPORT ADVISORY COMMITTEE shall mean a group consisting of seven members to: serve as advisors to the airport manager and /or the city commission and make recommendations regarding airport administration, maintenance and development.

BASING shall mean the regular or routine use of the airport for aeronautical activities. Basing occurs when one or more of the following conditions are met:

1. An aircraft is based at and operated from the airport
2. Supplies, equipment, facilities or personnel are offered commercially to the public for aircraft servicing or maintenance at the airport.

FAA shall mean *Federal Aviation Administration*.

FAR shall mean *Federal Aviation Regulation*.

FIRE DEPARTMENT shall mean that fire department having jurisdiction over the airport.

FIXED BASE OPERATOR (FBO) means an entity that is authorized and required by agreement with the airport to provide services as outlined in the minimum standards. [FBO Lease]

FLAMMABLE LIQUIDS shall mean a liquid or agent which, when in contact with another property or properties, may ignite causing a flame.

FLYING CLUB means any non-profit entity organized for the purpose of providing its members with aircraft for their personal enjoyment only. Aircraft must be in the name of the club or owners on a pro-rata share. The club may not derive a profit from the use of the aircraft. The club may collect only enough funds to cover the costs to insure, operate, maintain and replace the aircraft.

FUEL FLOWAGE FEE shall mean a fee due the airport for fuel that is brought on either airport or city property within the airport boundaries as set forth in city ordinances. [FBO Lease]

GROSS WEIGHT shall mean the maximum allowable gross landing weight of aircraft as determined by the FAA or other governmental agency having jurisdiction.

IMPROVEMENTS shall mean all buildings, structures and facilities including pavement, fencing, signs, and landscaping that is constructed, installed or placed on, under or above any leased area.

INDEPENDENT OPERATOR shall mean an individual or entity not based at the airport that provides services at or from the airport.

ITINERANT PILOT shall mean a pilot operating an aircraft not based at the airport.

LAW ENFORCEMENT AGENCIES shall mean those law enforcement agencies having jurisdiction over the airport.

LEASED AIRCRAFT shall mean any aircraft not owned, but under the control of any individual or organization, through a valid and legal lease agreement with the aircraft owner.

LINE SERVICE shall mean the into-aircraft delivery of fuels, oils and other lubricants, ramp service assistance, towing, parking, storage and tie-down of aircraft. [FBO Lease]

MINIMUM STANDARDS mean the criteria established by the airport owner as the minimum requirements that must be met by businesses in order to engage in providing on-airport activities or services as authorized in city ordinances.

MOTOR VEHICLE means any vehicle other than an aircraft that is motorized.

NFPA shall mean the *National Fire Protection Association*.

NON-AERONAUTICAL ACTIVITY shall mean activities undertaken not for profit but for philanthropic, religious, charitable, benevolent, humane, public interest or similar purpose.

NOTAM shall mean *Notice to Airmen*.

NTSB shall mean *National Transportation Safety Board*.

OBSTRUCTION TO AIRCRAFT PUBLIC NUISANCE shall mean any structure or surface that may interfere with safe operation of aircraft in the airport area.

ON-DEMAND FLYING SERVICE shall mean commercial flying activities other than airline activities. Examples are crop dusting, flight instruction, air taxi and air ambulance.

OPERATOR shall mean person(s) directly controlling or maneuvering equipment, vehicles or aircraft.

OPERATING DIRECTIVES (OD/SOP) shall mean the specific written documents detailing the approved operations as directed and signed by the airport manager.

OPERATOR, AIRCRAFT shall mean any person engaged in the use or movement of an aircraft.

OWNER shall mean person(s) possessing a legal or implied right to property.

PARACHUTE OPERATION shall mean the performance of all activity for the purpose of, or in support of, a parachute jump or parachute drop, or as otherwise, defined by FAA Regulations Part 105.

PARACHUTIST shall mean the person who intends to exit an aircraft while in flight as defined by FAA Regulations Part 105.

PARK shall mean to put or leave or let a motor vehicle or aircraft stand or stop in any location whether the operator thereof leaves or remains in such vehicle or aircraft when such standing or stopping is not required by traffic controls or conditions beyond the control of the operator.

PERSON shall mean any individual, firm, partnership, corporation, company, association, joint stock association, and includes any trustee, receiver, committee, assignee or other representative or employee thereof.

PRIVATE VEHICLE shall mean a vehicle transporting persons or property for which no charge is paid directly or indirectly by the passenger or by any other entity.

PUBLIC AREAS shall mean a specified location maintained for community use.

RAMP - see "Apron"

RESIDE shall mean to occupy, lodge in, live, rest, repose, rest within.

RESTRICTED AREA shall mean any area of the airport designated to prohibit entry or to limit entry or access to specific authorized persons.

ROTOR CRAFT shall mean a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.

RUNWAY shall mean a restricted area used primarily for take-off and landing of aircraft.

SOLICITATION OR TO SOLICIT shall mean to repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, ask orally, in writing, or otherwise (or endeavor to obtain by asking) request, implore, plead for, importune, seek or try to obtain.

SPECIALIZED AVIATION SERVICE OPERATOR (SASO) means an aeronautical Business that offers a single or limited service. SASOs are sometimes known as single-service providers or special FBOs performing less than full services. These types of companies differ from a full-service FBO in that they typically offer a specialized aeronautical service such as aircraft sales, flight training, aircraft maintenance, or avionics services for example.

STAY AT shall mean to reside temporarily.

TAXIWAY OR TAXILANE shall mean a restricted area designated for ground maneuvering.

TENANT shall mean any person, firm or corporation leasing space or property at the Hays Regional Airport.

TRANSIENT AIRCRAFT shall mean an aircraft not using the airport as its permanent base of operations.

ULTRALIGHT VEHICLES means a vehicle as described by FAA Regulations Part 103.

UNICOM means the air/ground radio communication station operated in accordance with the aeronautical information manual on the common traffic advisory frequency assigned for use at the airport by the FAA and the Federal Communications Commission.

1.02 CLARIFICATIONS AND USAGES

Words relating to aeronautical practices, processes, and equipment shall be construed according to their general usage in the aviation industry. In the event of any conflict in rules, regulations, and/or terminology, federal regulations, policies and assurances shall prevail.

SECTION 2

GENERAL REGULATIONS

2.01 COMPLIANCE WITH RULES AND REGULATIONS

- A.** The airport manager or his/her authorized representative(s) has authority to take such actions as may be necessary to safeguard the public in attendance at the airport as well as all facilities under his/her control. All persons authorized on or using the airport shall cooperate with the airport manager and his/her designated representative(s) to enforce these rules and regulations. [City Ordinance 8-20]
- B.** Any permission granted by the city, directly or indirectly, expressly or by implication or otherwise to any person to enter or to use the airport or any part thereof, is conditioned upon strict compliance with the rules and regulations, minimum standards, city ordinances. [City Ordinance 8-20]
- C.** Any permission granted by the city under these rules and regulations is conditioned upon the payment of any and all applicable fees and charges established by the commission. [City Ordinance 8-24]
- D.** Written procedures and directives issued by the airport manager from time to time shall, for temporary situations, be considered as addenda to and have full force and effect as these rules and regulations. [City Ordinance 8-21 & 8-34]

2.02 COMMERCIAL ACTIVITIES

No person shall occupy or rent space in a city-owned structure and no person shall conduct any business, commercial enterprise or activity, or other form of revenue producing activity on the airport without first obtaining a written contract, lease, permit or other form of written authorization from the city. [City Ordinance 8-23]

2.03 THROUGH-THE-FENCE OPERATIONS (TTF)

(Are not permitted at Hays Regional Airport) [AC 150/5300-18B, Compliance Guidance Letter 2012-X & Order 5190-6B]

2.04 LIABILITY

The city neither assumes nor accepts responsibility for loss, injury, or damage to any person(s) or property for any reason whatsoever, including but not limited to, fire, theft, vandalism, wind, flood, earthquake, collision, strikes, or act of God while said person(s) or property is on the airport property.

2.05 ADVERTISING AND DISPLAY/COMMERCIAL SPEECH

- A. No person, for a commercial purpose, shall post or display signs, pictures, sketches, drawings or other forms of printed or written material in public areas at the airport without the express written permission of the airport manager. [City Ordinance 8-23]
- B. No person, for a commercial purpose, shall post, distribute or display signs, advertisements, circulars, pictures, sketches or engage in other forms of commercial speech without first complying with Section 2.02 above. [City Ordinance 8-23]

2.06 OBSTRUCTION OF AIRPORT USE AND OPERATION

No person shall obstruct, impair or unreasonably interfere with the safe, orderly and efficient use of the airport by any other person, vehicle or aircraft. [City Ordinance 8-26]

2.07 RESTRICTED AREAS AND AIR OPERATIONS AREAS [49 CFR Part 139.335 & Airport Security Program]

- A. Except as otherwise provided herein, no person may, without the prior, written authorization of the city, enter the air operations area or any restricted area on the airport except:
 - 1. Persons assigned to duty thereon
 - 2. Passengers who, under appropriate supervision, enter upon the aircraft apron for the purposes of enplaning or disembarking an aircraft
 - 3. Persons authorized by the airport manager or his/her authorized representative
 - 4. Persons engaged or having been engaged in the operation of aircraft
- B. The security of all vehicle and pedestrian gates, doors, fences, walls and barricades which lead from a tenant, lessee or contractor area, or from the air operations area or another restricted area shall be the responsibility of the tenant, lessee or contractor abutting the air operations area.

2.08 PICKETING, MARCHING AND DEMONSTRATION

No person shall walk in a picket line as a picket or take part in a labor or other form of demonstration including but not limited to parades, marches, patrols, sit-ins and public assemblies on any part of the airport, except in or at the place specifically assigned through prior arrangements by the city for such picketing or other permitted demonstration, to any such picketing or demonstration shall be conducted as follows: [City Ordinance 8-26]

- A. In the peaceful and orderly manner contemplated by law without physical harm, molestation, threat or harassment of persons, obscenities, violence, breach of the peace or other unlawful conduct. [City Ordinance 8-26]

- B. Without obstructing the use of the airport by others and without hindrance to or interference with the proper, safe, orderly and efficient operation of the airport and the activities conducted thereupon.
- C. In strict accordance with city ordinances governing such activities on the airport and pursuant to directions and conditions outlined in writing by the city in each instance.

2.09 OTHER LAWS

All applicable provisions of all applicable ordinances, codes, laws of the State of Kansas, City of Hays, Ellis County now in existence or hereafter promulgated are hereby adopted by reference as part of the rules and regulations of the airport. [City Ordinance 8-22]

2.10 INSURANCE CERTIFICATES

A valid certificate of insurance, or copies of it, shall be deposited at the office of the airport manager by all tenants holding a valid lease, sublease, contract or permit executed with the city. [Minimum Standards Section 5.5]

2.11 DAMAGE INSPECTION

- A. At the earliest opportunity, a damage inspection of any airport facilities owned by the city involved in an accident or incident shall be made by the Kansas Highway Patrol and the aircraft or vehicle owner or operator to determine the extent of damages. Damages so sustained will be assessed by the city insurance adjuster as a claim against the owner or operator of the aircraft or vehicle. [City Ordinance 8-22 & 8-33]
- B. In the case of privately-owned property that is damaged, the owner will report same to the airport manager. [City Ordinance 8-20]

2.12 RESPONSIBILITY FOR DAMAGES

Any person causes damage to or destroying public or private property of any kind including buildings, fixtures or appurtenances, through any act or omission, shall be fully liable to the city. [City Ordinance 8-33]

2.13 ACCIDENT REPORTS

Any person involved in an accident, whether personal, aircraft or automotive, occurring on the airport property shall make a full report to the airport manager within ten days. The report shall be in accordance with NTSB and FAA Regulations Title 49, Chapter VIII and city ordinance. [City Ordinance 8-22 & 49 CFR Part 139.329]

2.14 STORAGE OF EQUIPMENT (Non-Aeronautical)

Unless otherwise provided for by a lease or other contractual agreement, no person shall use any area of the airport including buildings, either privately or publicly owned, for the storage of non-aeronautical material or equipment. [Tenant Lease & Order 5190-6B]

SECTION 3

PERSONAL CONDUCT

3.01 COMPLIANCE WITH SIGNS

The public shall observe and obey all posted signs, fences and barricades prohibiting entry upon the airport operations area or restricted areas or governing the activities and demeanor of the public while at the airport. [City Ordinance 8-20, 8-21, 8-34 & AC 150-5190-7]

3.02 USE AND ENJOYMENT OF AIRPORT PREMISES

- A.** No person(s) singularly or in association with others shall by his, her or their conduct or by congregating with others prevent any other person or persons lawfully entitled thereto from the use and enjoyment of the airport and its facilities or any part thereof, or prevent any other person or persons lawfully entitled thereto from passage from place to place or through entrances, exits or passageways on the airport. [City Ordinance 8-20, 8-22 & Tenant Lease]
- B.** It shall be unlawful for any person to remain in or on any public area, place or facility at the airport in such a manner as to hinder or impede the orderly passage in or through or the normal or customary use of such area, place or facility by persons or vehicles entitled to such passage or use. [City Ordinance 8-20 & 8-22]

3.03 ENVIRONMENTAL POLLUTION AND SANITATION

To the maximum extent possible, each person, while on the airport property, shall conduct his/her activities thereon in such a manner as not to cause littering or any other form of environmental pollution. [City Ordinances 8-34, 49 CFR Part 139.343 & 139.321]

- A.** No person shall dispose of garbage, papers, refuse or other forms of trash including cigarettes, cigars and matches except in receptacles provided for such purpose.
- B.** No person shall dispose of any fill or building materials or any other discarded or waste materials on airport. Liquids shall not be placed in storm drains or the sanitary sewer system which might damage such drains or system or will result in environmental pollution.
- C.** Any solid or liquid material which may be spilled at the airport shall immediately be cleaned up by the person responsible for such spillage and reported to the airport manager
- D.** No person shall unnecessarily or unreasonably or in violation of law, cause any smoke, dust, fumes, gaseous matter or particulates to be emitted into the atmosphere.
- E.** Any person discarding chemicals, paints, oils or any products which may not be discarded in a routine manner will adhere to all applicable state, local, county and federal laws and regulations.
- F.** All persons shall fully comply with airport stormwater management plan and NFDA permit.
- G.** No vehicle or aircraft will be washed on airport property except in the designated area.

3.04 ANIMALS [49 CFR Part 139.337]

- A.** No person shall enter any part of the airport with a domestic animal unless such animal is restrained by a leash or is so confined as to be completely under control.
- B.** Animals that are to be or have been transported by air and are to be properly confined for air travel, no person shall permit any animal under his/her control or custody to be allowed free run on the airport,
- C.** No person, other than in conduct of an official act, shall hunt, pursue, trap, catch, injure or kill any animal on the airport.
- D.** No person shall feed or do any other act to encourage the congregation of birds or other animals on the airport.
- E.** No person shall ride horse back on the airport.

3.05 FIREARMS AND WEAPONS

All federal, state and local laws pertaining to firearms and weapons shall be followed. [City Ordinances 8-20, 8-22 & 49 USC]

3.06 PRESERVATION OF PROPERTY [49 CFR Part 139.333 & 139.339]

- A.** No person may destroy, injure, deface or disturb any building, sign, equipment, marker or other structure, tree, flower, lawn or other property on the airport. [City Ordinance 8-33]
- B.** No person shall travel upon the airport other than on roads, walks or other rights-of-way provided for such specific purpose.
- C.** No person shall alter, add to, or erect any building or sign on the airport or make any excavation on the airport without prior, written approval of the city or designated representative. [City Ordinance 8-29]
- D.** Any person causing or being responsible for injury, destruction, damage or disturbance at the airport shall immediately report such incident to the airport manager or designated representative. [City Ordinance 8-33]

3.07 LOST, FOUND AND ABANDONED PROPERTY

- A.** Any person finding lost articles in the public areas at the airport shall immediately deposit them with the airport office. Articles unclaimed by their proper owner within ninety (90) days thereafter shall, upon request, be turned over to the finder in accordance with Kansas statutes. Nothing in this paragraph shall be construed to deny the right of airport tenants to maintain "lost and found" services for property of their patrons, invitees or employees.
- B.** No person shall willfully abandon any personal property on the airport.
- C.** Any property which has been determined by the city to be abandoned, will be removed, stored and/or disposed of at the owner's expense and in accordance with appropriate city ordinances or state laws.

3.08 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

All city, federal, state and local laws pertaining to alcoholic beverages and controlled substances shall be followed. [City Ordinance 8-22]

3.09 DISORDERLY CONDUCT [City Ordinance 8-22 & 49 CFR Part 139.335]

- A.** No person shall commit any disorderly, obscene, indecent act, or commit any nuisance within the airport premises.
- B.** No person shall throw, shoot or propel any object in such a manner as to interfere with or endanger the safe operation of any aircraft or any vehicle operating on the airport.
- C.** No person shall use profane or abusive language within any building, room or area of the airport designated for use by the public.
- D.** No person shall knowingly or willfully make any false statement or report to the city or its authorized representatives.
- E.** No person shall smoke within 100 feet of any flammable material or in any public area of the airport.

SECTION 4

FIRE AND SAFETY

4.01 GENERAL [49 CFR Part 139.319 & 139.321]

- A.** All persons using the airport or the facilities of the airport shall exercise the utmost care to guard against fire and injury to persons or property.
- B.** All applicable city, county, state and NFPA codes, and standards and recommended practices of the City of Hays now in existence or hereafter promulgated and not in conflict with operating directives of the city or with federal aviation regulations, are hereby adopted by reference as part of the rules and regulations of the airport. In the event of conflict, NFPA codes and/or federal aviation regulations shall prevail.

4.02 SELF FUELING OPERATIONS [49 CFR Part 139.321 & NFPA 407]

A. Aircraft Engines

- 1. Fuel servicing shall not be performed on a fixed wing aircraft while an on-board engine is operating or being warmed by external heat or within the confines of any building,
- 2. Combustion heaters on aircraft (e.g. wing and tail surface heaters, integral cabin heaters) shall not be operated during fueling operations.
- 3. No person(s) shall start the engine of an aircraft on the airport if there is any gasoline or other volatile fluid on the ground within the vicinity of the aircraft.

B. Distance from Buildings

- 1. Aircraft being fueled shall be positioned so that the aircraft fuel system vents or fuel tank openings are not closer than 50 feet from any terminal building, hangar, service building or enclosed passenger concourse other than a loading walkway.
- 2. Fuel trucks, whether loaded or empty, shall never enter hangars nor shall they be parked unattended within a distance of 50 feet of hangars, fuel storage systems or other critical installations.

C. Spillage

- 1. No fuel, grease, oil, dopes, paints, solvents, acid, flammable liquids or contaminants of any kind shall be allowed to flow into or be placed in any airport sanitary or storm drain system.
- 2. Any person(s), including the owner or operators of aircraft, causing overflowing or spilling of fuel, oils, grease, or other contaminants anywhere on the airport, shall be responsible for expeditious notification to the airport manager of said spillage and will be held responsible for immediate cleanup of the effected area. When fuel spills occur, fueling shall stop immediately.
- 3. In the event of spillage, fuel delivery devices and other vehicles shall not be moved or operated in the vicinity of the spill until the spillage is removed. A fire guard shall be promptly posted.

D. Passengers

No aircraft shall be fueled or defueled while passengers are on board unless a passenger boarding device is in place at the cabin door of the aircraft, the door is open and a flight crew member is at or near the cabin door.

E. Static Bonding

1. Prior to the fueling and defueling of aircraft, the aircraft and the transfer of fuel apparatus shall be adequately bonded.
2. Prior to making any fueling connection to the aircraft, the fueling equipment shall be bonded to the aircraft by the use of a cable thus providing a conductive path to equalize potential between the fueling equipment and aircraft. The bond shall be maintained until fueling connections have been removed. A minimum of three minutes bonding for start of fueling operations is required.
3. When fueling overwing, the nozzle shall be bonded with a nozzle bond cable having a clip or plug to a metallic component of the aircraft that is metallicity connected to the tank filler port. The bond connection shall be made before the filler cap is removed. If there is no plug receptacle or means for attaching a clip, the operator shall touch the filler cap with the nozzle spout before removing the cap so as to equalize the potential between the nozzle and the filler port. The spout shall be kept in contact with the filler neck until the fueling is completed.
4. When a funnel is used in aircraft fueling, it shall be kept in contact with the filler neck as well as the fueling nozzle spout or the supply container to avoid the possibility of a spark at the fill opening. Only metal funnels shall be used.
5. Each hose, funnel or apparatus used in fueling or defueling aircraft shall be maintained in good condition and must be properly bonded to prevent ignition of volatile liquids.

F. Positioning of Equipment for Fueling

Positioning of aircraft fuel servicing vehicles shall be as follows:

1. Aircraft fuel servicing vehicles shall be positioned so that they can be moved after all aircraft fuel hoses have been disconnected and stowed.
2. The propulsion or pumping engine of aircraft fuel servicing vehicles shall not be positioned under the wing of aircraft during overwing fueling or where aircraft fuel system vents are located on the upper wing surface. Aircraft fuel servicing vehicles shall not be positioned within a 10 foot radius of aircraft fuel system vent openings.
3. Brakes shall be set on fuel servicing vehicles before operator leaves the vehicle cab.
4. No fuel vehicle shall be backed within 20 feet of an aircraft unless a person is posted to assist or guide.

G. Fire While Fueling

When a fire occurs in the fuel delivery the fire department shall be notified immediately, fueling discontinued and all emergency valves shut down.

H. Operation of Fuel Tenders on Runways and Taxiways

No fuel vehicle designed for or employed in the transportation of fuel shall be operated on a taxiway or runway at any time.

I. Fire Extinguishers

No person shall engage in aircraft fueling or defueling operations without proper and adequate fire extinguishing equipment readily accessible and operational at the point of fueling.

J. Parking Areas for Fuel Tender

Parking areas for city approved fuel tenders shall be arranged to:

1. Facilitate dispersal of the vehicles in the event of emergency
2. Provide at least 10 feet of clear space between parked vehicles for accessibility for fire control purposes.
3. Prevent any leakage from draining to an adjacent building
4. Minimize exposure to damage from out-of-control aircraft
5. Provide at least 50 feet from any airport terminal building, aircraft cargo building, aircraft hangar or other airport structure housing the public which has windows or doors in the exposed walls.

K. Use of Radio, Radar and Electrical Systems

No person shall operate a radio transmitter or receiver or switch electrical appliances on or off in an aircraft while it is being fueled or defueled.

L. Thunderstorm Activity

Fueling or defueling operations shall not be conducted during periods of dangerous thunderstorm activity on the airport or when thunderstorm activity is observed within five statute miles of the airport.

4.03 FUEL TRANSPORTING VEHICLES [Order 1050.15A, NFPA 407, 49 CFR Part 139.321]

- A.** Each tank vehicle shall be conspicuously marked on both sides and rear of the cargo tank with the word “flammable” and type of fuel.
- B.** Emergency operating devices on all fuel tank vehicles shall be conspicuously marked “emergency shut off.”
- C.** The propulsion and pumping engine on all tank vehicles shall have safeguards to reduce ignition sources to a minimum.
- D.** The carburetor on all fuel tank vehicles shall be fitted with an approved back-flash arrester.
- E.** The wiring on all fuel tank vehicles shall be adequately insulated and fastened to eliminate chafing and affixed to terminal connections by tight-fitting snap or screw connections with rubber or similar insulating and shielding covers and molded boots.
- F.** Two fire extinguishers should be conspicuously apparent on all tank vehicles.
- G.** Each hose, meter, funnel or apparatus on a fuel truck used in fueling or defueling aircraft shall be maintained in good condition.
- H.** Maintenance and testing of aircraft fueling systems shall be conducted under controlled conditions and in accordance with National Fire Protection Association guidelines.
- I.** Fuel tank vehicles shall be stored and maintained outdoors in areas authorized by the town.
- J.** All fuel truck vehicles shall be operated under a quality control, inspection and maintenance program of a licensed and bonded fuel supplier.

4.04 SMOKING [49 CFR Part 139.321 & NFPA 407]

Smoking or carrying lighted smoking materials or striking matches or other incendiary devices shall not be permitted on airport apron areas

4.05 OPEN FLAME OPERATIONS [NFPA 407 & 409]

Lead and carbon burning, fusion gas and electric welding, blow-torch work, reservoir repairs, engine testing, battery charging and all operations involving open flames shall be restricted to the repair shop section and isolated from the storage section of any hangar and be conducted in full compliance with NFPA Codes 407 and 409. During such operations, the shop shall be separated from the storage section by closing all doors and openings to the storage section.

4.06 STORAGE OF MATERIALS [49 CFR Part 139.321 & NFPA 407]

- A.** No person shall keep or store material or equipment in such manner as to constitute a fire hazard or be in violation of applicable city ordinances, NFPA codes, standard operating procedures and/or operational directives of the airport.
- B.** Gasoline, kerosene, ethyl, jet fuel, ether, lubricating oil or other flammable gases or liquids, shall be stored in accordance with the applicable city, state, federal and NFPA codes.
- C.** Any and all hangars shall be required to provide fire suppression devices required by code as approved by the fire chief.
- D.** No person shall keep, transport, or store lubricating oils on the airport except in containers and receptacles designed for such purpose and in areas specifically approved for such storage in compliance with the applicable FAA regulations.

4.08 HAZARDOUS MATERIALS [49 CFR Part 139.321 & NFPA 407]

- A.** No person shall, transport, handle, or store at, in or upon the airport any cargo of explosives or other hazardous articles which is barred from loading in or for transportation by civil aircraft in the United States under the current provisions of regulations promulgated by the Department of Transportation, the FAA or by any other competent authority.
- B.** No person may offer and no person may knowingly accept any hazardous article for shipment at the airport unless the shipment is handled and stored in full compliance with the current provisions of the federal aviation regulations.
- C.** Any person engaged in transportation of hazardous articles shall have designated personnel at the airport authorized and responsible for receiving and handling such shipments in compliance with the prescribed regulations.
- D.** Any person engaged in the transportation of hazardous articles shall provide storage facilities which reasonably insure against unauthorized access or exposure to persons and against damage to shipments while at the airport.

4.09 **MOTORIZED GROUND EQUIPMENT AROUND AIRCRAFT [49 CFR Part 139.321 & 139.329]**

No person shall park motorized ground equipment near any aircraft in such manner so as to prevent it or the other ground equipment from being readily driven or towed away from the aircraft in case of an emergency.

4.10 **AIRCRAFT ELECTRICAL AND ELECTRONIC SYSTEMS [49 CFR & AC 43.13-1B]**

- A. Radio transmitters and similar equipment in aircraft shall not be tested or operated within a hangar with dynamotors running unless all parts of the antenna system are at least one (1) foot removed from any other object. No aircraft shall be placed, at any time, so that any fabric-covered surface is within one foot of an antenna system.
- B. No airborne radar equipment shall be operated or ground tested in any area on the airport where the directional beam of high intensity radar is within 300 feet or the low intensity beam is within 100 feet of an aircraft fueling operation, airport fueling truck or flammable liquid storage facility unless an approved shielding device is used during the radar operation.

4.11 **ELECTRICAL EQUIPMENT AND LIGHTING SYSTEMS [49 CFR & AC 43.13-1B]**

- A. Vapor or explosion-proof electrical equipment and lighting systems shall be used exclusively within hangars or maintenance shelters when required under NFPA standards. No portable lamp assembly shall be used without a proper, protective guard or shield over such lamp assemblies to prevent leakage.
- B. All power-operated equipment or electrical devices shall be shut off when not in actual use.
- C. The aircraft electrical system shall be de-energized on any aircraft upon which work is being done within any hangar or structure by disconnecting the battery or power source.

4.12 **HEATING HANGARS [NFPA 403 & 407]**

Heating systems or devices in any hangar shall only be approved systems or devices as listed by the Underwriters Laboratories, Inc., as suitable for use in aircraft hangars and shall be installed in the manner prescribed by the Underwriters Laboratories, Inc.

4.13 **USE OF CLEANING FLUIDS [NFPA 407]**

Cleaning of aircraft parts and other equipment shall preferably be done with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, only liquids having flash points in excess of 100°F shall be used and special precautions shall be taken to eliminate ignition sources in compliance with good practice recommendations of the NFPA.

4.14 APRONS, BUILDING AND EQUIPMENT [NFPA 407]

- A. All persons on the airport shall keep all areas of the premises leased or used by them clean and free of oil, grease and other flammable material. The floors of hangars and other buildings shall be kept clean and continuously kept free of rags, waste materials or other trash or rubbish. Approved metal receptacles, with a self-extinguishing cover, shall be used for storage of oily waste rags and similar materials.
- B. No person shall use flammable substances for cleaning hangars or other buildings on the airport. Cleaning agents shall meet all federal, state and local codes, regulations and permit requirements. All cleaning of buildings must be in compliance with the airport stormwater plan.

4.15 CONTAINERS [NFPA 407]

- A. No tenant, lessee, concessionaire or agent thereof doing business on the airport may keep uncovered trash containers adjacent to sidewalks or roads in a public area of the airport.
- B. No person shall spill dirt or any other materials from a vehicle operated on the airport.

4.16 REPAIRING AIRCRAFT [49 CFR Part 43 & Order 5190-6B]

- A. Aircraft repairs in storage areas of hangars shall be allowed provided such repairs or as allowed by FAA.
- B. The starting or operating of aircraft engines inside any hangar is prohibited. This shall not be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving aircraft within any hangar.

4.17 DOPING, SPRAY PAINTING AND PAINT STRIPPING [NFPA 407]

- A. The use of “dope” (cellulose nitrate or cellulose acetate dissolved in volatile flammable solvents) within any hangars is prohibited.
- B. For paint, varnish or lacquer spraying operations, the arrangement, construction, ventilation and protection of spraying booths and the storing and handling of materials shall be in accordance with NFPA standards and applicable city ordinances.

4.18 FIRE EXTINGUISHERS [NFPA 407 & 49 CFR Part 139.321]

- A. Fire extinguishing equipment at the airport shall not be tampered with at any time nor used for any purpose other than fire fighting or fire prevention. All such equipment shall be maintained in accordance with NFPA standards. Tags showing the date of the last inspection shall be attached to each unit or records acceptable to fire underwriters shall be kept showing the status of such equipment.

- B.** All tenants or lessees of hangars, aircraft maintenance buildings or shop facilities shall supply and maintain an adequate number of readily accessible fire extinguishers. Extinguishers shall conform to applicable NFPA standards.

4.19 HAYS FIRE DEPARTMENT

All regulations and recommendations of the Hays Fire Department shall be adhered to with regard to fueling, storage and handling of all inflammables.

SECTION 5

AERONAUTICAL

5.01 GENERAL RULES [City Ordinance 8-22 & 49 CFR Part 139.101]

A. Compliance with Orders

All aeronautical activities at the airport shall be conducted in compliance with the current applicable FAR, these rules and regulations, standard operating procedures and minimum standards, directives/resolutions issued by the city.

B. Hold Harmless

The aircraft owner, pilot, agent or his/her duly authorized representative, (“releasing parties”) agrees to release or discharge the city, airport, its officers and its employees of and from liability for any damage which may be suffered by any aircraft and its equipment and for personal injury or death. Said releasing parties further agree to indemnify and hold the city harmless from and against any and all claims for injuries, damages or losses resulting from and related to the releasing party’s use of the Hays Regional Airport.

C. Negligent Operations Prohibited

1. No person shall operate aircraft at the airport in a careless manner or in disregard of the rights and safety of others.
2. All persons using the airport shall be held liable for any property damage caused by carelessness or negligence on or over the airport, and any aircraft being operated, so as to cause such property damage may be retained in the custody of the airport and the airport may have a lien on said aircraft until all charges for damages are paid. Any person liable for such damage agrees to indemnify fully and to save and hold harmless the city, the airport, its governing body, its officers and its employees from claims, liabilities and causes of action of every kind, character and nature, and from all costs and fees, including attorney’s fees) connected therewith and from the expenses of the investigation thereof.

D. Denial of Use of Airport

The airport manager or his/her authorized representative shall have the right at any time to close the airport in its entirety or any portion thereof to air traffic, to delay or restrict any flight or other aircraft operation, to direct refusal of takeoff permission to aircraft, and to deny the use of the airport or any portion thereof to any specified class of aircraft or to any individual or group, when he or she considers any such action to be necessary and desirable to avoid endangering persons or property and to be consistent with the safe and proper operation of the airport. In the event the airport manager or his/her authorized representative believes the condition of the airport to be unsafe for landings or takeoffs, it shall be within his/her authority to issue or cause to be issued, a NOTAM closing the airport or any portion thereof. [49 CFR Part 139.335]

E. Aircraft Accidents or Incidents

The pilot or operator of any aircraft involved in an accident or incident on the airport causing personal injury or property damage shall, in addition to all other reports required by other agencies, make prompt and complete report concerning said accident or incident to the office of the airport manager within 48 hours of the time of the accident or incident occurred. When a written report of any accident or incident is required by FAR, a copy of such report may be submitted to the airport manager in lieu of the report required above. In either instance, the report shall be filed to the airport manager within 48 hours from the time the accident or incident occurred. [National Transportation Safety Board (NTSB), Flight Safety Director's Office (FSDO) & FAA]

F. Disabled Aircraft

Subject to compliance with appropriate federal regulations, the aircraft owner shall be responsible for the prompt removal of all disabled aircraft and its parts at the airport, as reasonably directed by the airport manager or his/her authorized representative. In the event of the owner's failure or refusal to comply with removal orders, disabled aircraft or any parts thereof may be removed by the airport at the owner's expense without liability to the airport for any damage which may be incurred by the aircraft owner as a result of such removal.

5.02 AIRPORT OPERATIONAL RESTRICTIONS [Airman's Information Manual/Federal Aviation Regulations (AIM/FAR)-Chapter 5]

A. General

Unless contrary to federal policy regulations and/or grant assurances, the City of Hays shall have the authority to designate or restrict the use of runways or other operational areas at the airport with respect to but not limited to the following types of operations:

1. Experimental flights
2. Equipment demonstration
3. Air shows
4. Aircraft type
5. Compliance with FAR Part 36, Noise Standards; Aircraft Type and Airworthiness Certification.

B. Take Offs and Landings

1. Except for a helicopter, which may operate from a helipad or other approved location; no person shall cause an aircraft to land or take off at the airport except on a runway.

C. Balloon Operations

As per Federal Aviation Regulations (FAR)

D. Ultra light Vehicles

As per Federal Aviation Regulations (FAR)

E. Parachute Operations

All parachute operations must be conducted in accordance with FAR Part 105 and shall meet or exceed the basic safety requirements of the United States Parachute Association. Parachute operations at Hays Regional Airport shall be limited to drop zone(s) specified by the airport manager and shall be in accordance with all current airport operational directives.

F. Glider Operations

All glider operations must be conducted in accordance with current FAR Part 91 and current airport operational directives.

G. No Camping Allowed On Airport Grounds [Compliance Guidance Letter 2 DIZ-X]

5.03 TAXI AND GROUND RULES [AIM/FAR-Chapter 5]

A. Aircraft Parking

1. No person shall park an aircraft in any area on the airport except those designated and in the manner prescribed by the airport manager. If any person uses unauthorized areas for aircraft parking, the aircraft so parked may be removed by or at the direction of the airport manager, at the risk and expense of the owner thereof.
2. No aircraft shall be left unattended on the airport unless it is in a hangar or adequately secured. Owners of such aircraft shall be held responsible for any damage resulting from failure to properly comply with this provision.
3. Articles left in aircraft are the sole responsibility of the aircraft owner/pilot. Theft or vandalism of said articles are not the responsibility of the city, or airport staff

B. Derelict Aircraft

1. No person shall park or store any aircraft in non-flyable condition on airport property unless in a state of repair with a documented completion date.

C. Starting and Running Aircraft Engines

1. No aircraft engine shall be run at the airport unless a pilot or certified airframe and power plant mechanic qualified to run the engine of that particular type of aircraft is at the controls.
2. No person may run an engine of an aircraft parked on the airport in a manner that could cause injury to persons or damage to any other property or endanger the safety of operation on the airport.
3. No aircraft will be run-up or started up while under the roofline of a hangar whether said hangar is enclosed or not.
4. Noise emanating from aircraft engines during ground operations shall be maintained within the then applicable aircraft engine noise limits promulgated by the federal government or the city, whichever is the most restrictive.

D. Aircraft Taxiing

1. No person shall taxi an aircraft on the airport until he or she has ascertained there will be no danger of collision with any persons or objects.
2. All aircraft shall be taxied at a safe and reasonable speed.
3. All aircraft operating on the airport shall be equipped with wheel brakes in proper working order.
4. Where taxiing aircraft are converging, the aircraft involved shall pass each other bearing to the right.
5. No aircraft shall be taxied into or out of any hangar under its own power.
6. All aircraft being taxied, towed or otherwise moved on the airport shall operate aircraft position lights in accordance with FAR Part 91 during the hours between sunset and sunrise.

5.04 ROTORCRAFT OPERATIONS RULES [AIM/FAR-Chapter 10]

In addition to all other rules and regulations contained herein, the following rules shall apply to rotorcraft.

- A.** Rotorcraft aircraft shall follow traffic patterns published by the FAA or as otherwise directed by the airport manager.
- B.** Rotorcraft shall not be taxied, towed or otherwise moved with rotors turning unless there is a clear area of at least 50 feet in all directions from the outer tips of the rotors.
- C.** Rotorcraft aircraft shall not be operated within 200 feet of any areas on the airport where unsecured light aircraft are parked.
- D.** Rotorcraft shall not, during landing and take off, pass over any airport building, structure or auto parking area.

5.05 USE OF T-HANGARS AND STORAGE HANGARS

The use or occupancy of any hangars on the airport shall be subject to the terms and conditions of the applicable lease or rental agreement which shall be strictly enforced by the city. No one is allowed to reside/establish living quarters, stay at or repose within hangars or on airport grounds. [Tenant Lease]

SECTION 6

MOTOR VEHICLES

6.01 GENERAL TRAFFIC REGULATIONS [49 CFR Part 139.329]

A. Authority

Unless otherwise provided herein, the city shall, establish ordinances relating to traffic and traffic control and shall post official traffic control devices pursuant thereto. Said ordinances shall include, but not necessarily be limited to, parking, standing, stopping, one-way roadways, through roadways, stop or yield intersections, speed restrictions, crosswalks, safety zones, matters pertaining to all forms of commercial ground transportation traffic lanes, signal devices, limitations on roadway use, and restricted areas. [City Ordinance 8-22]

B. Pedestrian Right-of-Way

The operator of any vehicle shall yield the right-of-way to a pedestrian. The driver of a vehicle must exercise due care for the safety of any pedestrian upon a roadway. [City Ordinance 8-22]

C. Authorized Vehicles

Only vehicles properly registered to operate on public roads shall be authorized to use designated airport roadways, except vehicles of non-standard height and/or weight shall require the express written permission of the airport manager. No person shall operate upon the airport premises any motor vehicle which: 1) is so constructed, equipped or loaded or which is in such unsafe condition as to endanger persons or property, or 2) which has attached thereon any object or equipment (including that which is being towed) which drags, swings or projects so as to be hazardous to persons or property.

D. Closing or Restricting use of Airport Roadways

The airport manager or his/her authorized representative is authorized to close or restrict the use of any or all airport roadways to vehicular traffic in the interest of public safety.

E. Storing, Parking or Repairing Vehicles

No motor vehicle shall be stored, parked or repaired on airport property except vehicles parked or stored in areas so designated by the manager or his/her authorized representative. Repairs are limited to only minor repairs necessary with respect to a temporarily disabled vehicle.

6.02 LICENSING

No person shall operate a motorized vehicle or motorized equipment on the airport without a valid operator's license.

6.03 PROCEDURE IN CASE OF MOTOR VEHICLE ACCIDENTS

The driver of any vehicle involved in an accident on the airport which results in injury to or death of any persons or property damage shall immediately stop such vehicle at the scene of the

accident and shall render reasonable assistance. The driver shall immediately, by the quickest means of communication, give notice of an accident to the applicable law enforcement agency and the airport manager. The driver of each vehicle involved shall furnish the name and address of the owner and the driver of the vehicle, the operator's license and vehicle registration and the name of the liability insurance carrier for the vehicle to any person injured, the driver or occupant of the vehicle damaged and to any police officer.

6.04 SPEED LIMITS

A. Safe Speed

No person shall drive a vehicle on the airport at a speed greater than 20 mph or prudent under the existing conditions and having due regard to actual and potential hazards.

B. Minimum Speed

No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

C. Maximum Speed

No person shall drive a vehicle on the streets and other vehicular areas on the airport, including parking areas, in excess of the speed limits indicated on signs posted and maintained by the town. In areas in which signs are not posted, the speed limit shall be 20 mph. Speed limit around hangars and taxiways providing access to apron is 10 mph.

6.05 VEHICLE OPERATIONS WITHIN AIR OPERATIONS AREA [49 CFR Part 139.329]

A. Licensing and Registration

1. No person shall operate motorized ground equipment of any kind on the airport without a valid operator's license.
2. No person shall operate any motor vehicle in the air operations area without having first registered the same with the airport manager and obtained a permit and airfield safety briefing for the operation of such equipment.

B. Rules of Operations

1. No person shall operate a motor vehicle of any kind on the airport in a reckless manner or in excess of the speed limits prescribed by the airport manager. Speed limits shall not exceed 20 mph on ramp, apron, and 10 mph in aircraft parking or hanging areas.
2. Pedestrians and aircraft shall, at all times, have right of way over vehicular traffic. All vehicles shall pass to the rear of taxing aircraft and shall pass no nearer than 20 feet horizontal distance from any wing or tail section of a parked aircraft.
3. No persons operating a motor vehicle on the airport shall fail to give proper signals or fail to observe the directions of posted traffic signs.
4. No person under the influence of intoxicating liquor, narcotic or dangerous drugs shall operate a motor vehicle or aircraft on the airport.
5. No person shall operate any motor vehicle on the airport overloaded or carrying more passengers than that for which the vehicle was designed. No person shall ride on the

running board, standing up in the body of moving vehicles or with arms or legs protruding from the body of motor vehicles other than crash, fire and rescue vehicles designed for standing personnel.

6. No vehicles shall be operated on the airport if so constructed, equipped or loaded as to endanger persons or property.
7. No person shall operate a motorcycle, truck or other motor vehicle without exhausts protected by screens or baffles to prevent the escape of sparks or the propagation of flame in any hangar on the airport.
8. When parking adjacent to a runway, all vehicles must park parallel to the runway and at least 250 feet to the outside of the runway lights.
9. Two-way radio communications (VHF UNICOM 122.8) will be required of all authorized vehicles or escort by vehicles so equipped, traversing or operating on runways and taxiways at the airport. Such vehicles will display a flashing or rotating yellow beacon. Vehicle operators will contact the UNICOM operator (when on duty) and will receive information regarding known aircraft movement on the ground and in the air around the airport. The vehicle operator will closely monitor UNICOM for transmissions by aircraft or the UNICOM operator. Responsibility lies with the vehicle operator to visually clear himself prior to entering a taxiway or runway.

C. Parking

No person shall park a motor vehicle for loading, unloading or any other purpose on the airport other than in the areas specifically designated for parking and in the manner prescribed by signs, lines or other means. No person shall abandon any motor vehicle on the airport. No person shall park a motor vehicle in a manner as to obstruct roadways nor in a manner which could interfere with or create a hazard for aircraft operations. Vehicle will not be parked on the grass or between hangars. [Certification Alert 12-06 & 49 CFR Part 139.323]

SECTION 7

CHARGES

7.01 SPACE OCCUPANCY CHARGES [City Ordinance 8-23 & 8-24]

Occupancy and rental of all space or the conduct of any business, commercial enterprise or other form of revenue producing activity on the airport shall not be permitted unless a written agreement for such occupancy, rental or conduct or business has first been obtained from the city.

7.02 REMOVAL OF PROPERTY [City Ordinance 8-22, 8-23 & Order 5190-6B]

- 1.** Law enforcement may remove or cause to be removed from any restricted or reserved areas, any roadway or right-of-way, or any other unauthorized area or structure at the airport, any property which is disabled, abandoned or which creates an operations problem, nuisance, security or safety hazard or which otherwise is placed in an illegal, improper or unauthorized manner. Any such property may be removed or caused to be removed by the law enforcement to an official impound area or such other area designated by the city.
- 2.** Any property impounded by the airport shall be released to the owner or operator thereof, upon proper identification of the property, provided that the person claiming it pays any towing, removal or stage charges and any other accrued fees. The city shall not be liable for any damage, which may be caused to the property or loss of diminution of value which may be caused by the act of removal.

7.03 INTENT

Nothing in the preceding sections is intended to preclude any authorized city or law enforcement personnel from taking other action authorized by law.