

TAYLOR MUNICIPAL AIRPORT

RULES AND REGULATIONS

ORDINANCE NO. 96-29

AN ORDINANCE PROVIDING REGULATIONS FOR THE USE, OPERATION AND CONDUCT OF THE TAYLOR MUNICIPAL AIRPORT; PROVIDING A FUEL SURCHARGE; PROVIDING A PENALTY UPON CONVICTION OF A FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) AND EACH DAY A VIOLATION IS PERMITTED TO EXIST SHALL CONSTITUTE A SEPARATE OFFENSE AND PROVIDING CIVIL PENALTIES; PROVIDING A SAVINGS CLAUSE AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY OF TAYLOR:

AIRPORTS AND AIRCRAFTS ARTICLE I

MUNICIPAL AIRPORT AND AIRCRAFT OPERATION

SECTION I.1 Article to contain rules and regulations for airport.

The rules and regulations contained in this article shall obtain and be observed in the use, operation and conduct of said Taylor Municipal Airport.

SECTION I.2 Federal Aviation Administration rules adopted.

The federal air traffic rules promulgated by the Federal Aviation Administration for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part hereof as though fully set forth and incorporated herein.

SECTION I.3 Conflict in rules.

If and where there is conflict in these and the Federal Aviation Administration traffic rules, the latter shall prevail. Refer to copy of Minimum Standards for Commercial and Noncommercial Operators at Taylor Municipal Airport.

SECTION I.4 Knowledge of rules implied; copies of Article available.

By publication of this Article as required by law, all persons will be deemed to have knowledge of its contents. However, the Airport Manager is directed to have copies of the Article printed and at all times available in his office, and to furnish such copies to owners and aircraft operators who use the airport.

SECTION I.5 Use of airport restricted.

No person, firm, association, corporation or entity, incorporated or otherwise, shall use the airport for the carrying on of commercial activities, for the carrying for hire of passengers, freight, express or mail; for instruction in aviation in any of its branches for the sale of fuels, refreshments or any commodity, or for any other commercial purpose, unless approved by a written permit from the City Commission or its duly authorized agent.

SECTION I.6 Nonliability of City: obedience to rules required.

Any person going upon the grounds of said Taylor Municipal Airport, or using it for any purpose, shall do so at his own risk to person and property; and shall hold the City of Taylor harmless for and on account of any injury or damage to person or property suffered thereby. Such person shall be bound by and obey all the rules and regulations concerning and pertaining to said airport.

SECTION I.7 Safeguard of persons and property.

The Airport Manager shall at all times have authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property at the airport.

SECTION I.8 Suspicious activities.

All suspicious and unauthorized activities shall be reported immediately to the Airport Manager, police or DPS.

SECTION I.9 Vehicular traffic.

All vehicular traffic shall be confined to the roads, streets, avenues and alleys provided on the grounds for that purpose, and shall not be operated at a speed in excess of twenty (20) miles per hour, except as otherwise posted on the main entrance road.

SECTION I.10 Restricted area.

- a) NIGHT - During the hours of darkness, airport property is a restricted area.
- b) DAY -. During daylight hours, all airport property is a restricted area, except the main access road and terminal parking area.

- c) PERSONS WHO MAY ENTER RESTRICTED AREA. - No person shall go into the designated restricted area unless they have written permission of the Airport Manager, hold a current license or lease with the City of Taylor for a facility or to conduct an activity in the restricted area or is an invited visitor of such a person. Employees or invited visitors are the responsibility of their sponsor for compliance with all airport rules and regulations.

SECTION I.11 Construction, signs, equipment, buildings, house trailers, generally.

- a) All construction must be authorized by the City Commission and comply with city building and construction codes and standards.
- b) No structures may be erected beyond the BRL (building reference line) or in conflict with the approved airport layout plan.
- c) No signs or equipment or portable buildings and house trailers may be erected, moved in or installed except as may be specifically authorized by the City Commission.

SECTION I.12 Registration of persons and aircraft.

Every person stationed, employed, receiving instructions or operating upon the Taylor Municipal Airport shall register at the office of the Airport Manager, and shall give his name, address, telephone number and the nature of his business or occupation. All aircraft based at the Taylor Municipal Airport shall be registered by the owner(s) of the aircraft at the office of the Airport Manager with either a properly executed lease agreement with the City for a hanger space or a tie-down space, or a properly executed airport tenant agreement if the aircraft occupies space sub-leased or provided, with or without a fee or charge, by a primary airport ground or facilities lessee. It shall be the responsibility of the primary lessee to provide the necessary information for the proper execution of the airport tenant agreement.

SECTION I.13 Pilots and aircraft to be licensed; exceptions.

Only aircraft and airmen licensed by the Federal Aviation Administration shall operate upon or over said Taylor Municipal Airport. Provided that this limitation shall not apply to students in training under license instructors nor to public aircraft of the federal government or of a state territory or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

SECTION I.14 Persons under the influence of intoxicants or narcotics prohibited from flying; exception.

No person under the influence of an intoxicant or narcotic shall operate or fly in any aircraft upon or over said Taylor Municipal Airport provided such inhibition shall not

apply to a passenger when accompanied by a nurse or caretaker in an aircraft apart from the pilot.

SECTION I.15 Liability for damage to airport.

Any person, corporate or individual, and the owner of any aircraft causing damage of any kind to said airport, whether through violation of any of these rules or through any set of negligence, shall be liable therefore, and to, said City of Taylor.

SECTION I.16 Reporting damage to runway lights.

Any person damaging any field light or fixture by operation of an aircraft or otherwise shall immediately report such damage to the Airport Manager.

SECTION I.17 Use of another's property.

Unless authorized by the owner in writing, the use of any aircraft, parts, equipment, accessories or tools of another, situated on said airport, is forbidden, and no person shall enter, climb upon, or in any way tamper with, any aircraft not owned by that person unless written permission has been granted by the owner or the person is accompanied by the owner.

SECTION I.18 No bottles or glass

No bottles or glass shall be left or broken upon the floor of any building or upon any part of the surface area of the airport.

SECTION I.19 Authority of Airport Manager to suspend or restrict operations.

The Airport Manager may suspend or restrict any or all operations without regard to weather conditions whenever such action is deemed necessary in the interest of safety.

SECTION I.20 Special traffic procedures.

The Airport Manager may, in the interest of safety, designate special traffic procedures of certain operations, such as air shows, agricultural operations, flying club operations, etc.

SECTION I.21 Agricultural operations.

Agricultural spraying operations, if authorized, will be conducted in accordance with procedures approved by the Airport Manager and only from the areas designated on the airport. Reckless flying, careless handling of chemicals and indifference toward policing the area or intimidation of other aircraft users will not be tolerated.

SECTION I.22 Repairs to aircraft.

No aircraft shall be repaired on any part of the landing or take-off area, and all repairs shall be made at the places designated by the Airport Manager for such purpose.

SECTION I.23 Maintenance or inspection vehicles in certain areas.

All vehicles performing maintenance or inspection tasks which must operate in the primary landing area or taxiways will be equipped with a roof mount flashing yellow light and will not enter these areas without prior coordination of the unicom operator.

SECTION I.24 Wrecked aircraft.

Every aircraft owner, his pilot and agents, shall be responsible for the prompt removal, under the direction of the Airport Manager of wrecked aircraft.

SECTION I.25 Fire regulations.

- a) Every person going upon or using the airport or its facilities in any manner, shall exercise the greatest care and caution to avoid and prevent fire.
- b) Aircraft shall not be fueled while the engine is running or while in a hanger or other enclosed place.
- c) Smoking or open flame within fifty (50) feet of any aircraft or fuel truck are prohibited.
- d) Compressed inflammable gas shall not be kept or stored in the airport, except at such places as may be designated by the Airport Manager.
- e) No inflammable substance shall be used in cleaning motors or other parts of an aircraft inside a hanger or other building. Flammable liquids may be used only for the purpose stated outside of and clear of any building.
- f) No one shall smoke, ignite a match or lighter in any building, except in offices, waiting rooms or buildings where specially permitted by the Airport Manager.
- g) Hanger entrances shall be kept clear at all times. No boxes, crates, cans, bottles, paper or other litter shall be permitted to accumulate in or about a hangar.
- h) The floors in all buildings shall be kept clean and free from oil, and no volatile, flammable substance shall be used for cleaning the floors.
- i) In all matters relating to aircraft fueling safety the provisions of NFPA Manual 407 "Aircraft Fuel Servicing, 1985," published and available from the National

Fire Protection Association, Inc., 407 Atlantic Avenue, Boston, Massachusetts, 02210, shall prevail.

SECTION I.26 Fueling of aircraft - Safety regulations.

- a) All aircraft shall be gassed at the gas pump, or if by truck on the ramp clear of hangers.
- b) All aircraft will be positively grounded when being serviced with fuel.

SECTION I.26-1 Fuel flowage fees.

- a) The fuel flowage fees to be paid by lessees to the City of Taylor on fuel delivered to lessees at Taylor Municipal Airport shall be six cents (\$.06) per gallon. The fuel supplier and/or FBO shall be exempt from the surcharge.
- b) The City Manager is authorized to execute amendments to lease contracts with fixed base operators providing that such lessees supply the city with monthly reports showing the amount of fuel delivered to lessee.

SECTION I.27 Starting aircraft engines.

- a) If not equipped with adequate brakes, the engine shall not be started in an aircraft until and unless the wheels have been set with blocks attached to ropes or other suitable means for removing them.
- b) No engine shall be started or run unless a competent operator is at the controls of the aircraft and no engine shall be started or run inside any building.
- c) No engine shall be started, run or warmed up until and unless the aircraft is in such position that the propeller stream will clear all buildings and groups of people in the observation areas and path of the aircraft.

SECTION I.28 Restrictions while running aircraft engines.

- a) Pilots are prohibited from loading or unloading aircraft with the engine running.
- b) No airplane will be propped or left running without qualified personnel at the controls.

SECTION I.29 Taxiing aircraft.

- a) No person shall taxi an aircraft until he has ascertained there will be no danger of collision with any person or object in the immediate area.

- b) Aircraft will be taxied at a safe and prudent speed, and in such manner as to be at all times under the control of the pilot.
- c) Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.
- d) Aircraft shall not taxi onto the runways from the ramp and taxiway area if there is an aircraft approaching to land or on the ground in take-off position.
- e) There shall be no taxiing of aircraft by engine power into or out of hangers.

SECTION I.30 Take-off, landing, flying rules and procedures.

- a) REPORTING OF TRAFFIC INTENTIONS. All pilots are encouraged to call on the published, local unicom frequency to determine the runway favored by the wind and to announce their position and intentions for take-off and landing. Wind and runway information that may be given by "Taylor Unicom" is of an advisory nature only and the final decision to which runway to use or whether or not to take-off or land is at the sole discretion of the pilot in command. Any deviation from the runway in use should be announced to "Unicom" or "Traffic" and the right-of-way yielded.
- b) TAKE-OFFS, LANDINGS OVER CERTAIN OBJECTS PROHIBITED OR RESTRICTED. No aircraft shall land or take off in such manner as to clear any public street or highway at an altitude of less than one hundred (100) feet nor land or take off on the taxiway or any turf area or over hangers or other structures, automobile parking areas or groups of spectators.
- c) TAKE-OFFS, LANDINGS WITH CALM WINDS. If the winds are calm, take-off and land on Runway 17.
- d) TAKE-OFF, LANDINGS ON APRON, PARKING RAMP PROHIBITED, EXCEPTION. No fixed wing take-offs or landings shall be made on the apron or parking ramp, except on special permission of the Airport Manager.
- e) TOUCH-AND-GO LANDINGS. Touch-and-go landings may be made at the discretion of the pilot. All aircraft shall "clear" for incoming and take-off traffic before taxiing into take-off position.
- f) TRAFFIC PATTERN ELEVATION. Traffic pattern elevation is one thousand (1,000) feet A.G.L. or (1,580) feet M.S.L.
- g) TAKE-OFF CLIMB. On take-off, all aircraft should climb straight out to a level of four hundred (400) feet, clear airport boundary and execute a ninety (90) degree turn to the right when using runway 17, or execute a ninety (90) degree turn to the left when using runway 35, leave traffic, the aircraft should climb to

five hundred (500) feet before executing a forty-five (45) degree climbing turn to the right for runway 17 or to the left for runway 35.

h) TRAFFIC FLOW.

- 1) Any aircraft within three (3) miles of the airport at an altitude of less than one thousand five hundred (1,500) feet above the ground should conform to the clockwise flow of traffic when the favored runway is 17, or a counter clockwise flow of traffic for runway 35. All aircraft should establish their pattern altitude before entering the traffic pattern and should not deviate from this altitude (except in an emergency) until descent for landing is necessary.
- 2) All aircraft landing at the municipal airport shall fly a standard left hand traffic pattern when the runway is 35, or a right hand traffic pattern when the favored runway is 17 at an altitude of one thousand (1,000) feet above the ground. Pattern entry shall be made an angle of forty-five (45) degrees to the active runway with the runway to the pilots left (runway 35) or to the pilot's right (runway 17) at all times. Entry shall be made at the midpoint of either the upwind or downwind leg.
- 3) Aircraft entering the traffic pattern shall exercise caution and practice courtesy so as not to cause aircraft already in pattern to deviate from their course.

i.) STRAIGHT-IN APPROACHES. Straight-in approaches shall not be used unless authorized by the Airport Manager or unless radio contact with the airport advisory radio has been established from at least five (5) miles out. Aircraft

which

find it dangerous or difficult to conform to the standard pattern due to their high speed or other special characteristic may fly a circular counter-clockwise pattern (counter-clockwise for runway 35; clockwise for runway 17) with a radius of not more than three (3) miles and at an altitude of not more than one thousand (1,000) feet above the ground.

j.) ALTITUDE, ACCELERATION, DECELERATION. No fixed wing aircraft shall be operated over the City of Taylor at an altitude of less than one thousand (1,000) feet above the ground. Aircraft engines shall not be accelerated nor decelerated while over the Taylor area in such manner as to distract, excite or disturb persons on the ground, regardless of altitude. All emergency air ambulance operations (rotor wing or fixed wing) operating within the Taylor City Limits, should contact the Taylor Fire and Police Department before landing either at the Taylor Municipal Airport or any landing zone (LZ) for patient evacuation.

SECTION I.31 Parking aircraft.

- a) Aircraft shall not be parked on or within two hundred (200) feet of any part of the landing or take-off area of the airport; and all unhouseed aircraft shall be parked in the areas designated by the Airport Manager for that purpose.
- b) Aircraft will not be parked in such a manner as to hinder the normal movement of other traffic unless specifically authorized by the Airport Manager as an emergency measure.
- c) It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set or that the plane is properly checked and/or tied down.

SECTION I.32 Tie-down of aircraft.

- a) All aircraft not hangared or in use shall be tied down and wheels chocked. The aircraft owner or his agent is responsible for the tie-down security of his aircraft at all times and particularly during inclement weather.

SECTION I.33 Student training and practice flying.

- a) Instructors in flying shall inform students and shall inform themselves of all rules and regulations in effect at the airport.
- b) By notices posted in his office, the Airport Manager may designate limited areas of the airport for practice flying by and training students.
- c) Aircraft shall not be permitted to remain on the landing or take-off areas for the purpose of instructing students.

SECTION I.34 Helicopter operations.

- a) Helicopters operating in the Taylor area and upon the airport, will comply with applicable federal aviation regulations and comply with unicom procedures established herein.
- b) Helicopters shall at all times maintain clear separation from other traffic and operations.
- c) Helicopters will not operate below a safe autogyro speed or altitude when over populated areas or buildings.
- d) Helicopters will perform take-off maneuvers parallel to and at least two hundred (200) feet either side of the active runway and will not cross the active runway or taxiway unless well clear of other traffic.

SECTION I.35 Glider operations.

- a) Car-tow launch of gliders, and the use of any turf area of the airport for take-offs and landings is prohibited. All aircraft must use the paved runways for take-offs and landings.
- b) All vehicular traffic on the taxiways is prohibited except when towing assembled gliders to the take off area or as provided in subsection (e) of this section.
- c) Gliders will space their takeoffs with the powered aircraft, using the favored runway, in such a way as to safely and efficiently prevent unnecessary delays to the normal traffic flow.
- d) No glider will be launched until the glider pilot or the tow plane pilot advises the unicom operator that glider operations are planned.
- e) Vehicles used for the transportation of disassembled gliders (i.e. trailer) and/or persons will have an amber flashing light on the top of the vehicle or an approved yellow and black checkered flag attached to the vehicle and contain a mobile or portable radio transceiver tuned to the published, local unicom frequency. These vehicles will drive to the assembly area and return after glider operations cease only once, and will follow the routes and park only in the areas designated by the Airport Manager. Transportation of persons during the hours of glider operations will be conducted by only one designated vehicle, properly equipped, following designated routes. All other vehicles will be parked in designated public parking areas.
- f) In the interest of safety, all gliders are requested to contain a mobile or portable radio transceiver tuned to the published, local unicom frequency, and for the tow pilot to advise unicom operator that a glider aero towing is in progress from the favored runway.

SECTION I.36 Parachute operations.

- a) All parachute operations are prohibited.

SECTION I.37 Lien for charges.

- a) To enforce the payment of any charge made for repairs, improvements, storage or care of any personal property, made or furnished by the City of Taylor or its agents, in connection with the operation of said Taylor Municipal Airport, the City of Taylor shall have a lien upon such personal property, which shall be enforceable as provided by law.

- b) To enforce the payment of any such charge, the Airport Manager may retain possession of such personal property until all reasonable, customary and usual compensation shall have been paid in full.

SECTION I.38 Penalty for violation.

- a) Any person operating or handling an aircraft in violation of any of these rules or refusing to comply therewith, may at once be ejected from the airport, or may for any period of time not exceeding fifteen (15) days be “grounded” by the Airport Manager, and upon hearing by this Commission may be deprived of the further use of the airport and its facilities for such period of time as may appear necessary for the protection of life and property. Provided that where any such penalty has been imposed, there shall be no prosecution under paragraph (b)
- b) Any violation of this article shall be a misdemeanor, punishable by fine in any sum not exceeding two hundred dollars (\$200.00).

MINIMUM STANDARDS
FOR
COMMERCIAL AND NONCOMMERCIAL OPERATORS
AT
TAYLOR MUNICIPAL AIRPORT
AT
TAYLOR, TEXAS
NOVEMBER 1996

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SECTION A

INTRODUCTION

The following have been adopted this the 7th day of January 1997 as minimum standards for the Taylor Municipal Airport. The terms here shall be applied uniformly to all persons (as defined herein) operating on or desiring to operate from the above named airport. A person, by operating on or from the airport, thereby consents to be bound by these standards.

Overriding Right of Owner - Any clause herein to the contrary notwithstanding, owner reserves the right to develop and make any improvement to the airport or to make any repairs to the airport or any facility thereon that it deems is in its and the flying public's best interest, and to make any change in any Or all of the minimum standards or lease or rights granted, retroactively when required by the Federal Aviation Administration (FAA) for compliance with the applicable grant provisions or related governmental policies, and prospectively otherwise.

Standards and Leases Subordinate to Agreements with the United States - The airport was developed with aid from the State of Texas and the United States. Copies of such grants are available for review at the office of the Airport Manager. These grants include a number of obligations and commitments to the general and flying public, to said State, and to the United States. Any provision of these standards, any lease, or any practice carried out on or for the airport shall be subordinate to, and if at variance with the grant requirements, unilaterally reformable at owners or FAA's option for conformity with these grants.

Airport Layout Plan (ALP), Conformity With - Airport Manager and the FAA have on file a copy of the most recent FAA-approved ALP for the airport. It provides for orderly development and maximization of return from its airport. All development and activities on and proposed leases of portions of the airport must be in conformity with that document.

Noncompliance with Minimum Standards - Any lessee at the airport that is found to be in violation of the lease agreement and/or these "Minimum Standards" may, upon the election of the city, have the remainder of his lease forfeited without liability to the city.

SECTION B

DEFINITIONS

Airport - As used herein, the term “Airport” shall mean the airport identified on the title plate hereof.

Airport Manager - As used herein, the term “Airport Manager” shall mean the official of the owner named on the title/face sheet hereof, or his designee. In no event however, shall it be a commercial operator (his family member, stockholder, partner, competitor, or employee) of the airport.

City - As used herein, the term “City” shall mean the City of Taylor, Texas.

Commercial Operator - As used herein, the term “Commercial Operator” shall mean a person who provides for compensation, goods or services to the public on or from the airport, such as a car rental agency, restaurant, etc.

General Fixed-Base Operator - As used herein, “General Fixed-Based Operator” shall mean a person authorized under these standards to operate on the airport as a general fixed-base operator (GFBO). See Section G on Commercial Operators/Rights hereinafter.

GFBO - As used herein, “GFBO” shall mean a General Fixed-Based Operator.

Line Service - As used herein, the term “line service” shall mean the dispensing of aviation fuel, checking aircraft engine oil, adding aircraft engine oil, windshield cleaning, etc.

Noncommercial Operators - As used herein, the term “Noncommercial Operator” is a person who does not offer or provide goods or services to the public for compensation. See Section H hereinafter on noncommercial operators.

Owner - As used herein, the term “owner” shall mean the owner identified on the title page of these standards.

Person - Unless context clearly indicates otherwise, the word person as used herein shall mean any natural Person, estate, club, organization, firm, association (whether incorporated or not), partnership, corporation, or legal entity of any kind.

Specialty Fixed-Base Operator - As used herein, a “Specialty Fixed-Base Operator” is a person authorized to operate on the airport as a specialty fixed-base operator. See Section G on Commercial Operator/Rights hereinafter.

SFBO - As used herein, “SFBO” is a Specialty Fixed-Base Operator.

SECTION C

GENERAL POLICIES

Aircraft Parking on Airport - No aircraft or other vehicle will be left parked for over twenty-four (24) hours at or on the airport unless its owner/operator has made arrangements with a commercial operator for parking in such operator's assigned/leased spaces or unless space therefore has been leased from owner under procedures set out in the section on "Noncommercial Operators."

Aircraft Parking on Terminal Apron - The paved or surface-treated terminal aircraft parking apron shall be reserved for itinerant aircraft or for other aircraft while being fueled or while loading or unloading passengers, except that portion of the parking apron reserved for aircraft owners leasing space from the city for month-to-month parking.

Aircraft Parking/Tie-Down - No person may offer to provide or may use any tie-down space unless the tie-down space has at least 3-point tie-downs with ropes or chains adequate to hold aircraft immobile in gale-force winds.

Aircraft Without Pilot - Aircraft owner(s)/operator(s) shall not leave aircraft on the airport unattended unless such aircraft are tied down in properly equipped tie-down spaces or are under the control of a GFBO or SFBO.

Aircraft/Heights/Loading - No person shall operate any aircraft on the airport which weighs more or has wheel loading any greater than the limits identified in the current official "Airport/Facility Directory" published by the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce, provided, however, that if lesser maximums are duly published in official Notices to Airmen, such lesser maximums shall not be exceeded.

Airport Open on Nondiscriminatory Basis - Subject only to the provisions hereof, facilities on the airport shall be open to all classes of users on fair and not unjustly discriminatory bases. What constitutes discrimination shall, in the final analysis, be determined by the Federal Aviation Administration (FAA), the determination of which shall be final.

Aerial Applicators - No person may use the airport for loading, unloading, air frame/hopper/tank wash-down, other than engine repair of any aircraft used to apply any insecticide, fungicide, rodenticide, or herbicide unless he first gets written permission from Airport Manager. The Airport Manager shall not grant such a permit unless the applicant follows procedures for and obtains an SFBO permit and, in addition, agrees to and (if not provided by a GFBO-lessor) actually does provide at his own expense a paved work area with adequate provisions to collect all debris, liquids, and other materials from such aircraft and deposit same in a container and dispose of same in a manner approved by the Federal Environmental Protection Agency, Texas Department of Health, Texas

Department of Water Resources, Texas Department of Agriculture, and code of ordinances and regulations of the City of Taylor and Williamson County.

Buildings and Structures - All buildings and structures owned or used by operators on the airport are considered as "public buildings" and shall comply with state and local laws, codes and regulations.

Buildings and Structures Standards - No Person may construct, suffer, or maintain any structure or shelter, either permanent or temporary, unless specifically authorized by the city. Except as noted hereinafter, in no event shall the city authorize construction, erection, or continued presence of a structure unless it is of permanent metal and/or masonry construction, paved floors (except for "T" hangars which may have dirt floors), aesthetically pleasing, and at a minimum, meet building, fire, and other codes or standards applicable in the city and/or at the airport, provided, however, that the city may on a case-by-case basis make exception to this policy insofar as applicable to GFBO's during the first five (5) months the GFBO is open if first determined that such action is necessary to provide a minimal level of service to airport users.

Civil Rights - Persons using this airport shall comply with all provisions of the Civil Rights Act of 1964 and implementing Part 21 of the Regulations of the U.S. Department of Transportation, and are hereby specifically prohibited from discrimination against any group or individual on the basis of race, creed, color, national origin, or sex.

Commercial Operations - No person may conduct any commercial activity or offer or provide any goods or services for compensation to the public at the airport unless that person is a general fixed-base operator (GFBO) or a specialty fixed-base operator (SFBO) at the airport.

Complaints - Complaints against any operator or his employees for violations of these standards shall be in writing alleging the infraction, date, persons, and, witnesses thereto and signed by the complainant and filed with the Airport Manager.

Compliance with Ordinances, Laws, and Regulations - All persons operating on the airport shall comply with applicable state and federal laws and regulations and local ordinances.

Compliance with Health, Fire, Construction, and Zoning Codes - All persons utilizing the airport shall comply with the requirements of all city health, fire, construction, and zoning codes applicable to the airport and its operation.

Damages - Any clause herein or lease provision to the contrary notwithstanding, any person using facilities or services at the airport which results in damages caused by such use to the airport or any property located thereon shall be responsible for all damages incurred, including death, bodily injury or property damage.

Hangar Space - Except as otherwise provided in this section, no person may offer for hire on the airport any hanger or shelter for aircraft, related service equipment, or surface vehicle unless he has leased premises from the city as a GFBO or SFBO.

Inspections - To the extent necessary to protect the rights and interests of the owner or to assure compliance with these minimum standards or a lease, the Airport Manager or his authorized representative, or any representative of the FAA or state agency having jurisdiction over the airport shall have the right to enter and inspect, upon notice, during reasonable hours, structures, premises, facilities, and improvements on the airport to determine compliance with all requirements of these standards and any applicable lease provisions.

Insurance on all Structures - At all times during the term of the lease of land on the airport, the lessee, at his own expense, shall maintain with a Texas-licensed casualty company insurance on all structures on the leased property at the airport protecting the lessee and the owner, as their interests may appear, against loss of damage by fire, accident, wind storm, hail, explosion, or smoke. Should loss occur and lessee, for any reason, abandons the lease, all proceeds shall (except to the extent otherwise claimable by the structure's mortgage) ipso facto, become the property of owner.

Insurance - Any public liability insurance policy required under these standards shall be carried with a Texas-licensed company. Also, a certificate showing that said insurance is in force, that the City of Taylor is a co-insured, and provide for a thirty (30) day notice of cancellation shall be furnished to the Airport Manager.

Landing Fees - Except as provided in the section on “Commercial Operators/Rights,” no fee shall be due from any airport user for the right to land.

Licenses, Certificates, and Authorizations - No person shall operate on or from the airport (whether for compensation or not) unless he possesses or can confirm all licenses, certificates, and authorizations required by these standards and the various governmental authorities such operations.

Maintenance of the Airport - Each lessee of land or facilities on the airport shall keep his leased area/facilities neat (freshly painted where appropriate), trimmed, clean, free from any type of hazard of life, limb, or property, free from junk and debris, and in an aesthetically pleasing condition. Maintenance of areas not leased shall be the responsibility of the owner. No aircraft or other vehicle may be parked or kept at the airport unless it is kept operable and in apparently sound structural and mechanical condition. Aircraft not meeting this test; i.e., those undergoing repair or appearing to be “Junk,” unusable, or unsightly, shall promptly be repaired or removed from the airport within ten (10) days written notice from owner. Failure to do so after notice shall be considered a breach of these standards.

Protected Surfaces on/around Airport - No aircraft or other vehicle will be parked or left unattended or any object/structure placed, built, or suffered to remain (a) within sixty-

eight 68 feet of the centerline of any surface used as a taxiway, (b) within two hundred (250) feet of the centerline of runway, or (c) at any point on the airport where the object would protrude through any surface prescribed as obstruction-free by Federal Aviation Regulations Part 77.

Rates and Charges - All rates and charges imposed by owner on any operator or user or by any commercial operator on users of or other operators on the airport shall be uniformly applicable to all other such operators/users which make the same or similar use of the airport facility, provided, however, that nothing herein shall prevent granting of quantity discounts if such discounts are granted on a nondiscriminatory basis.

Surface Vehicles on Airport - Except to the extent needed to service or load aircraft, no private or commercial vehicle shall be driven or parked on any other than designated roads or auto parking areas.

Surface Vehicles, Limits on Weight - No vehicle with dual-wheeled axle loading of more than 15,000 pounds, is allowed on any paved or treated aircraft movement or parking areas.

Use of Land within the Airport - Property within the airport may be used only for aeronautical purposes, provided, however, that nothing herein shall prohibit a secondary non-aeronautical use of such land if (a) the primary aeronautical need is not interfered with; (b) it is not in violation of FAA regulations; (c) is specifically authorized by owner and; (d) if such secondary use will benefit the airport or provide better for its maintenance or development.

Conflicts in Lease - Should any portion of these Standards conflict with the conditions of any lease agreement executed by the city prior to the adoption of these Standards, the conditions in the prior executed lease agreement will take precedent over these Standards for the remainder of the lease term or renewal thereof.

SECTION D
FEES DUE OWNER

Fees Due from Operators at/on Airport - The following shall be due and payable to owner on the tenth (10th) day of each calendar month for charges incurred during the calendar month next proceeding, as follows:

1. Sums due under any leases of land or land and improvements.
2. Sums due under any agreement granting operating rights at or from the airport.
3. From any scheduled passenger/freight airlines using the airport, such landing fees as may henceforth be imposed and incorporated herein.

SECTION E

FUELING ON AIRPORT

Commercial Fueling of Aircraft and Surface Vehicles - Except as specifically authorized hereinafter, no person may sell or provide for hire on the airport fuel, lubricants, or related services to aircraft or service vehicles unless he first qualifies as a GFBO or SFBO. Owner specifically reserves the right to construct, maintain, and operate centralized fuel storage and dispensing tanks.

Fueling by Aircraft Owners/Operators - The city recognizes the right of any person, firm or corporation operating aircraft on the airport to refuel only its own aircraft with its own regular employees. However, said persons, firms or corporations may not hire vendors of fuel from off-airport premises to refuel on the airport. Aircraft fueling accomplished under this provision shall be in strict accordance with the National Fire Protection Association, Inc. NFPA Manual 407 "Aircraft Fuel Servicing, 1985" as amended or supplemented.

SECTION F

LEASES AND LIMITATIONS ON LEASES

Exclusive Rights - No person may be granted in fact or by written instrument any exclusive right prohibited by Section 306 (a) of the Federal Aviation Act of 1958. Determination of the existence of a prohibited exclusive right shall in the final analysis be made by the Federal Aviation Administration (FAA), and such determination shall be final. If FAA determines any provision of a written instrument or a practice in fact constitutes a grant of a prohibitive exclusive right, such provision or grant shall be deemed null and void for all purposes.

Terminal Apron Leasing - No related persons/entities (legally by consanguinity or affinity, or otherwise) may be granted GFBO rights on the entire terminal apron or on all or substantially all the land contiguous thereto.

Lease Charges/Escalation Clauses/Terms - All unimproved airport property shall be leased at an amount per square foot per year as set by owner. The term of each lease for use of unimproved airport property shall be set by owner, not to exceed twenty (20) years with a ten (10) year option. Every lease of airport property shall be deemed to contain an automatic escalation clause requiring adjustment of lease charges at the end of each five (5) year period by the cumulative increase (since last adjusted) in the latest Consumer Price Index as published by the Bureau of Labor Statistics prior to lease anniversary and each five (5) years thereafter.

Lease/Operating Rights Nontransferable - Except to the extent needed for a mortgagee to protect its legitimate interest in a leasehold and improvements thereon, land areas and/or facilities used or needed shall be held pursuant to lease only and shall not be transferable unless authorized in writing by the airport owner.

Lease Cancellation/Reduction in Scope - Land leased on the airport must be promptly, effectively, and reasonably fully utilized. Any person leasing vacant land on the airport must commence construction of minimum facilities, as described in his lease with the city, not later than one (1) year from the date of the lease agreement, provided however that the city may grant such extensions as the city may deem necessary. The facilities shall be completed not later than one (1) year after construction commences.

Total Cancellation: If any lessee fails to promptly and effectively utilize any of the leased premises owner may lease the tract to another qualified person in accordance with procedures set out elsewhere herein.

Partial Cancellation: If a lessee after such two (2) year period (and any extension that may be granted by the City) is using only part of the area leased to him, owner may, or on receiving from an otherwise qualified person a bone fide firm offer to lease the unused portion shall, unilaterally reduce the lease to the area being actually used,

provided, however, that in no event (except where lease is totally canceled) will a GFBO's or a SFBO's lease be reduced below the minimum required acreage for such operators.

Revocation of Leases/Grants - The owner, in its discretion, shall have the right to terminate any lease, license, or agreement authorizing any person to conduct any service or activity and/or to revoke any lease on any land or facility on the airport for any cause or reason provided by these standards or by law and, in addition, upon happening of one or more of the following:

- a) Filing of a petition of voluntary or involuntary bankruptcy by operator.
- b) The making by the person of any general assignment for the benefit of creditors.
- c) The abandonment or discontinuance of any permitted operation at the airport by any person or failure to conduct any service, operation, or activity which the lessee or person has agreed to provide under the terms of his contract.
- d) The failure of a person to promptly pay to the owner, when due, all rents, charges, fees, or other payments which are payable to the owner in accordance with applicable leases or otherwise due hereunder.
- e) The failure of the person to remedy any default or breach or violation of these rules and regulations by him or his employees within thirty (30) days after notice from the Airport Manager.
- f) Violates any of the rules and regulations of the airport or fails to maintain current FAA licenses required for his operation.
- g) Intentionally or knowingly supplies the owner with false or misleading information or misrepresents any material fact on his application or documents or in statements made to or before representatives of owner.
- h) Operates or allows any employee to operate an aircraft or any other equipment in a dangerous or hazardous manner which could endanger the general public or any member thereof in any manner.

SECTION G

COMMERCIAL OPERATORS

General - No person may conduct or provide for compensation to the public any goods, services, or equipment on the airport unless he otherwise qualifies as GFBO or SFBO. Nothing contained herein or anywhere else in these standards will prohibit partners, co-owners, or members of legitimate nonprofit clubs (as limited elsewhere in these standards) from providing, servicing, or using their own flight equipment.

Selection of Commercial/Operators - Where owner has more than one fully qualified applicant interested in commercial operations on a particular tract or facility on the airport, owner shall select the applicant in a fair and nondiscriminatory manner. Procedures for application/selection are given hereinafter.

Scheduled Air Carriers/Air-Taxi Service - The owner of the airport reserves the right to negotiate and contract directly with any prospective provider of scheduled air passenger or scheduled air freight service at the airport. Such scheduled operators shall not be required to first seek facilities from GFBO's, and shall have the right, with no compensation necessarily due any other operator, to use a central terminal ramp for loading and unloading of passengers or freight. Procedures for obtaining rights to provide such scheduled service shall be those for SFBO's

General Fixed-Base Operator (GFBO) - As used herein, "GFBO" or General Fixed-Base Operator shall mean a primary commercial operator authorized to do business or to provide goods or services to the public for compensation on the airport and meets at least the minimum requirements set out hereinafter:

The GFBO's shall be selected using procedures set out in these standards (see paragraph "Selection of GFBO's.")

Any person desiring to become a GFBO shall be required to lease either the (but never more than one) GFBO areas which may be vacant at the time, or an equivalent acreage of land located elsewhere on the airport. If another GFBO area is to be developed for the first time, the person obtaining the lease/operating rights shall, in addition to other requirements herein, at his own expense construct at a location shown/to be shown on the ALP a paved aircraft parking apron of at least 30,000 square feet with at least a ten (10) year design life and have a 30,000 pound single wheel configuration - aircraft load rating.

A. Requirements

1. GFBO leases at a rate stipulated herein above the terminal building and city fueling facilities, or another ALP-compatible GFBO area on the airport of the same acreage.

GFBO's shall be required to lease a minimum of one acre of GFBO areas as are designated.

2. GFBO, within one (1) year of lease agreement date, plus any extensions the city may grant, commences construction of and within two (2) years of lease agreement date, plus any extensions the city may grant, completes a fully equipped and operational facility required by these standards. If any GFBO fails to do so, owner may on his motion, or on receiving from an otherwise qualified person a bona fide firm offer to lease and operate a GFBO on the tract shall, unilaterally cancel the GFBO lease and offer the tract for lease to others under the procedures set out hereinafter.
3. GFBO provides prompt line service with at least one person on duty at all times from 7:00 am to sunset, even seven (7) days a week and safely and courteously supplies fuel, starting aid, and related light maintenance to aircraft and/or service vehicles on the airport.
4. GFBO provides, at all times, at least two fully equipped positions on the paved parking apron for itinerant aircraft usage.
5. GFBO provides, in full view of the apron aide of the terminal building (or inside the pilot lounge if it is kept open twenty-four (24) hours a day), a pay or free telephone for the use of the pilots.
6. GFBO provides, for sale, current aircraft navigation maps or charts (Sectionals or WAC's, and Low-Altitude En Route) for Texas and any other states GFBO determines is necessary.
7. GFBO provides, at all times, a food vending and soft drink machine accessible to airport users.
8. GFBO provides (at a prominent and highly visible location(s) on or in front of the hangar/pilot lounge) a fire extinguisher of minimum capacity required under local fire codes for fighting fuel fires in/on/around aircraft normally using airport.
9. GFBO possesses and maintains public liability and premises operators insurance coverage protecting both GFBO and owner against:
 - a) Aircraft liability coverage for the operation of aircraft by the GFBO in the minimum amount of \$1,000,000.00 per accident, including passenger liability of \$300,000.00 per person.
 - b) Premises liability coverage for premises leased from owner in the minimum amount of \$1,000,000.00 per accident.

Products liability for aircraft fuel sales in the minimum amount of \$1,000,000.00 per accident.

10. GFBO leases space for and provides properly equipped tie-down locations for all GFBO owned/operated aircraft, all aircraft being serviced at GFBO, and at least four itinerant aircraft.

Selection of GFBO's

1. Following sufficient notice that applications for GFBO lease/rights are to be accepted, on the designated day, (not less than fifteen (15) days following publication) owner will review all applications to ascertain those applicants who meet the minimum requirements set out herein for GFBO's. Application should address each of the relevant GFBO requirements and such other matters as may be pertinent to each proposal (application).
2. Owner, acting through the Airport Board, shall evaluate each application (proposal) on each of the following criteria:
 - a) Financial integrity and stability - sufficient fiscal and credit to fulfill all requirements and obligations.
 - b) Ownership experience - The aviation related experience of the principal(s) submitting an application.
 - c) Management experience - Relevant managerial competence of the manager named in the application.
 - d) Diversity and breadth of services proposed.
 - e) Track record of the applicant in similar business endeavors.
 - f) Quality of other enterprises operated by the applicant (either currently or in the past).
 - g) Comprehensiveness and quality of applicants to become GFBO.
 - h) Miscellaneous attributes or intangibles - (must be specifically enumerated with support justifications).
3. A recommendation will be presented to the City Commission for award (by resolution) of a GFBO(s).
4. All applicants will be advised in writing by the City Clerk of the City Commissions' award. The person(s) selected must, within five (5) days of the notice of award, confirm in writing his willingness to accept such award and be bound by all regulations

contained in these minimum standards and applicable FAA regulations. Should any person awarded GFBO status decline to accept, the next person(s) will then be offered said GFBO status until all vacant GFBO positions are filled or until the list is depleted of acceptable applicants only if the City Commission approves by resolution.

Specialty Fixed-Based Operator (SFBO) - A Specialty Fixed-Based Operator (SFBO) is a person other than a GFBO who offers and/or provides for compensation to the public goods, services, or facilities on or for delivery an or in the vicinity of the airport, including one or more of the following activities: (however, in order for an SFBO to offer or provide contract fuel sales, one or more of the other activities must also be offered or provided):

- a) Scheduled air passenger and/or freight service.
- b) Aircraft engine/air frame/accessory modification.
- c) Aircraft avionics installation/modification/repair.
- d) Major and/or minor aircraft power plant/accessory repair.
- e) Major and/or minor aircraft air frame/accessory repair.
- f) Ground school for pilots or mechanics.
- g) Flight schools providing for at least single-engine private pilot (VFR) ratings within a reasonable length of time. and own or possess under exclusive lease at least one aircraft IFR-certified which must be based at the airport, and kept properly certified, and in top mechanical an “physical condition.”
- h) Helicopter pilot training.
- i) Other special flight instructions.
- j) Aerial photography.
- k) Air ambulance.
- l) Covered and uncovered aircraft parking.
- m) Other specialty activities not identified.
- n) Contract fuel sales.
- o) Sales of aircraft.

No person may operate as an SFBO unless that person has received and holds a currently valid written authorization from the City Manager.

Conditions which must be met for the City Manager to issue a written authorization to function as an SFBO are as follows:

1. The person must have:
 - a) A lease with sufficient and appropriate space to conduct functions of the SFBO as it has represented it will perform for a period of a minimum of twelve (12) months for either unimproved airport property or improved airport property with city-owned facilities on it, said lease having been recommended by the Airport Board and approved by the City Commission (aircraft storage hangars and tie-down spaces shall not be used for an SFBO operation); or
 - b) A sublease from a GFBO or another SFBO with sufficient and appropriate space to conduct those functions as an SFBO which the City Manager has approved and shall set out in the written authorization (not required if a scheduled air passenger/freight airline).
2. The person must make a request to the City Manager in writing, setting the specific functions that they will perform as an SFBO (the City Manager shall limit the written authorization issued by him to those functions set out in the request).
3. To the extent applicable to the SFBO operation authorized by the City Manager, applicant must provide the same type/amount of insurance coverage as required from GFBO's and must meet all other requirements of these standards.
4. If applicant is a scheduled air passenger/freight airline, said applicant must pay to owner any landing hereinafter imposed by owner on such scheduled operations.

SECTION H

NONCOMMERCIAL OPERATORS

Flying Clubs/Cooperative and/or Partnership Ownership of Aircraft - Flying clubs, cooperative or partnership ownership operation of aircraft based on the airport are specifically authorized, provided:

- a) The flying club, association, partnership, or corporation is composed only of natural persons and is organized on a not-for-profit or solely cost-sharing basis.
- b) The flying club, association, partnership, or corporation provides and maintains public liability insurance with a minimum of \$1,000,000.00 per accident, \$500,00.00 per person and \$500,000.00 property damage liability insurance.
- c) The flying club, association, partnership, or corporation leases, rents, or otherwise provides on the airport hanger space or tie-down space for each aircraft operated from the airport.
- d) Training, if provided at all, is provided only to its members.
- e) The flying club, association, partnership, or corporation registers with the Airport Manager on the first business day of each year and provides the required copy of public liability insurance policy, a listing (with “n” numbers) of aircraft based and used at the airport, and a list of all members authorized to operate such aircraft.
- f) The flying club, association, partnership, or corporation and all members thereof otherwise operate in accordance with applicable federal and state law/regulations and these standards.

All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

The fact that the City of Taylor is currently without comprehensive regulations to govern its municipal airport operations creates an emergency and public necessity requiring that the rules prohibiting the passage of an Ordinance on the date on which same is introduced and requiring three (3) separate readings thereof be and the same are hereby dispensed with and waived as to this Ordinance and this Ordinance is hereby declared to be an emergency measure and shall take effect immediately from and after its passage.

INTRODUCED, PASSED, APPROVED, AND ADOPTED on first reading this 26th day of November, 1996.

Donald R. Hill, Chairman
Board of Commissioners

ATTEST:

Barbara Belz, City Clerk

PASSED, APPROVED, AND ADOPTED on second reading this the 16th day of December, 1996.

Donald R. Hill, Chairman
Board of Commissioners

ATTEST:

Barbara Belz, City Clerk

PASSED, APPROVED, AND ADOPTED on this third and final reading this the 28th day of January 1997.

Donald R. Hill, Chairman
Board of Commissioners

ATTEST:

Barbara Belz, City Clerk