

DARE COUNTY AIRPORT AUTHORITY

**STANDARD MANUAL OF AIRPORT
RULES AND REGULATIONS
FOR THE
DARE COUNTY REGIONAL AIRPORT
MANTEO, NORTH CAROLINA**

As Amended Through January 31, 2007

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SECTION 1 - GENERAL

1.1. DEFINITIONS:

A. Abandoned or illegally parked aircraft - An abandoned or illegally parked aircraft is an aircraft which:

- (1) Is left on the Airport in violation of a law, rule or regulation prohibiting parking; or
- (2) Is left on Airport property under the control of the Airport Authority for longer than twenty-four (24) hours without permission; or
- (3) Is deemed abandoned or illegally parked by the Airport Director when the aircraft was initially parked in an approved tie down or other authorized parking area with permission of the Airport, but the owner of the Aircraft subsequently becomes delinquent on the payment of tie-down fees to the Airport, or the Airport otherwise withdraws its permission for the aircraft to be parked in such parking area; or
- (4) Is left on Airport property leased by a private party, without the consent of the lessee or occupant thereof, for longer than twenty-four (24) hours.

B. Abandoned vehicle - An abandoned motor vehicle is a motor vehicle which:

- (1) Is left on the Airport in violation of a law or ordinance prohibiting parking; or
- (2) Is left on Airport property under the control of the Airport Authority for longer than twenty-four (24) hours without permission; or
- (3) Is left on Airport property leased by a private party, without the consent of the lessee or occupant thereof, for longer than twenty-four (24) hours.

C. Aircraft - "Aircraft" shall mean any contrivance now known or hereafter invented, used or designed for navigation of or flight in air.

D. Air Operations Area - "Air Operations Area (AOA)" is defined as an area used or intended to be used for landing, takeoff, surface maneuvering of aircraft, or enplaning or deplaning.

E. Air Taxi (Commuter) - Aircraft operated by the holder of an Air Taxi (or Commuter) Operating Certificate which authorized the carriage of passengers, mail or cargo for revenue in accordance with FAR Parts 135 and 121, on either a scheduled or unscheduled basis.

F. Airport - Shall mean the Dare County Regional Airport and includes all property and improvements within the boundary lines of any airport operated or controlled by the Dare County Airport Authority, except when otherwise specifically noted.

G. Airport Authority - The Dare County Airport Authority and also referred to as the "Owner".

H. Airport Employees - "Airport Employees" shall mean the bona-fide employees of Dare County.

I. Airport Director - The officer or representative of the Airport Authority having immediate charge of the Airport.

J. Airport Out-Parcel - All lands owned or controlled by the Dare County Airport Authority lying outside of the Airport Proper.

K. Airport Proper - The Dare County Regional Airport and all property and improvements lying generally within an area bounded on the east by Driftwood Road; on the west by the Croatan Sound; on the north by the property of Dare County; and on the south by Burnside Subdivision.

L. Apron - A defined area, on a land airport, intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refueling, parking or maintenance.

M. Banner Tow Operator - A Commercial Operator who for commercial purposes operates an aircraft which includes a banner supported by a temporary framework attached externally to the aircraft and towed behind the aircraft as an advertising medium.

N. Cargo (Air) - Any property carried on an aircraft other than mail, stores, and baggage.

O. Commercial Operator - An individual or firm operating at the Airport and providing aircraft services such as maintenance, repair, modification, storage, ground and flight instructions, rentals, sales, banner tow services, crop duster services, or a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property. An operation is for "compensation or hire," when the carriage by air is merely incidental to the person's other business or is, in itself, an enterprise for profit. A determination of whether a person is a Commercial Operator shall rest solely with the Authority.

P. Emergency Equipment - Crash, fire and rescue, or police motor vehicles and such other equipment as the Airport Director may designate as necessary to safeguard airport runways, taxiways, ramps, buildings and other property.

Q. FAA - The Federal Aviation Administration.

R. Fixed Base Operator - A Commercial Operator who shall have entered into a written lease or agreement with the Authority for the use of any building, shop or hangar, or for the site upon which such a building might be erected, and who, by further agreement, guarantees to provide on the Airport and serve the public with all of the following minimum facilities:

- a. Aircraft storage
- b. FAA approved domestic repair station
- c. Student training
- d. Demonstration and sale of aircraft
- e. Aircraft rental
- f. Charter-Air Taxi

The term "Limited Fixed Base Operator" shall mean any person who shall have entered into a written lease or agreement with the Authority to provide any one or a combination of services of an aviation nature defined for "Fixed Base Operator." All activities provided by a "Limited Fixed Base Operator" shall meet all established standards for that activity or combination of activities.

S. Instructor - "Instructor" means any individual giving, or offering to give, instruction in the operation, construction, repair or maintenance of aircraft, aircraft power plants and accessories, including the repair, packaging and maintenance of parachutes.

T. Junked vehicle - A vehicle that does not display a current license plate upon that vehicle and that:

- (1) Is partially dismantled or wrecked; or
- (2) Cannot be self-propelled or moved in the manner in which it originally was intended to move; or
- (3) Is more than five (5) years old and appears to be worth less than one hundred dollars (\$100.00).

U. Motor vehicle or vehicle - All machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle. This definition includes but is not limited to automobiles, trucks, boats, watercraft, campers, trailers, motor homes, and motorcycles, but not including aircraft.

V. Nuisance vehicle - A vehicle on the Airport that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, and including a vehicle found to be:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats or other pests;
or
- (2) A point of heavy growth of weeds or other noxious vegetation over eight (8) inches in height; or
- (3) A point of collection of pools or ponds of water; or
- (4) A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor; or
- (5) Containing areas of confinement, such as trunks, hoods, etc., which cannot be operated from inside the area of confinement; or
- (6) So situated or located that there is a danger of it falling or turning over; or
- (7) A point of collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; or
- (8) A point of concentration of sharp parts thereof which are jagged or contain sharp edges of metal or glass; or
- (9) A health and safety hazard and a public nuisance as declared by the Airport Director.

W. Pattern - The configuration or form of a flight path flown by an aircraft, or prescribed to be flown, as in making an approach to a landing.

X. Pedestrian - Any person afoot.

Y. Person - Any individual, partnership, group or duly authorized representatives thereof.

Z. Public Aircraft Facilities

1. The phrase "Public Aircraft Facilities" as used in these regulations means the following facilities as they are from time to time provided and made available by the Airport Authority for public use by aircraft operators:
 - a. Public runways for the purpose of the landing and the taking-off of aircraft.
 - b. Public taxiways for the purpose of the ground movement of aircraft.

- c. Public aircraft parking space for the purpose of parking and storing aircraft; for the purpose of loading and unloading passengers, baggage, freight, mail and other cargo upon and from aircraft; for the purpose of performing operations incidental to the immediate preparation of aircraft for departure such as inspection, cleaning, and other supplies; for the purpose of making minor and emergency repairs to aircraft; and for the purpose of parking mobile equipment actively used in connection with the foregoing.
- d. Any other space, facilities or services provided by the Airport Authority for public use by aircraft operators at the Airport.
- e. Public access to the ramp is for the primary purpose of loading and unloading passengers and their baggage, and the loading and unloading of mail and freight.

AA. Ramp - A defined area, on a land airport, intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refueling, parking, or maintenance.

BB. Refueling Trucks - "Refueling Trucks" shall mean any motor vehicle used for the transporting, handling or dispensing of aviation fuel, oils, and lubricants.

CC. Service, Maintenance and Construction Equipment - Approved equipment normally operated by the Airport, its agents or under contract, fixed base operator(s) (must have company logo on vehicle), or other governmental agencies performing official duties on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of Airport facilities and services or for the servicing of aircraft. This definition shall include equipment owned and operated by a contractor performing work on the Airport under a contractual agreement with Airport Director.

DD. Terminal Area - The area used or intended to be used for such facilities as terminal and cargo buildings, boarding gates, shops, other service buildings, automobile parking, Airport motels, restaurants, garages, and automobile service; and an area provided for parking and positioning of aircraft in the vicinity of the terminal building for loading and unloading.

EE. Transient Hangar Lease - "Transient Hangar Lease" is a lease of space by the Authority or by a Fixed Base Operator in a hangar on the Airport designated by the Authority for transient aircraft parking or storage. Such lease shall be for the parking or storage of transient aircraft only. The term of such lease shall be on a daily or weekly basis. In no event shall the lease, including all renewal options, extend for more than 30 consecutive calendar days without prior written consent of the Airport Authority or its designee in each instance. No aircraft may be stored or parked on the Airport in any transient hangar space for more than 30 calendar days (consecutive

or cumulative) during any 365 calendar day period without prior written consent of the Airport Authority or its designee in each instance.

FF. Ultralight Vehicle - For the purposes of this document, an ultralight vehicle is a vehicle defined by the Federal Aviation Regulations as amended from time to time.

GG. Vehicle - See definition of "motor vehicle."

HH. Wrecked or Disabled Aircraft - An aircraft that:

- (1) Is partially wrecked, disabled or damaged; or
- (2) Cannot be self-propelled, flown or moved in the manner in which it originally was intended to be flown or move; or
- (3) Is more than five (5) years old and appears to be worth less than one hundred dollars (\$100.00).

1.1.1.: These definitions shall not supersede any definitions contained in contractual agreements with the Airport Authority or designated representative.

1.2. SCOPE:

A. All users of and persons on the Airport shall be governed by these regulations and the directions of the Dare County Airport Authority (DCAA) or designated representative. These regulations are subject to change by the Airport Authority at any time based upon experience, need, and operating conditions. The DCAA may issue a certificate of waiver authorizing operations in deviation of these rules.

B. The use of the Airport or any of its facilities in any manner shall create an obligation on the part of the user thereof to obey all the regulations herein provided and adopted by the Authority.

The privilege of using the Airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof, and he shall release and hold harmless and indemnify the Authority, its officers and employees from any liability of loss resulting from such use, as well as claims of third persons to using the Airport.

The privilege of using the Airport shall be upon the further condition that any person, persons, corporations, co-partnership, or others desiring to use the same as a Commercial Operator, Fixed Base Operator, or Limited Fixed Base Operator, or such others from whom the Authority shall reasonably request, shall furnish a policy of indemnity against personal injury and property damage

in a reasonable sum as the Authority shall require, all said insurance to name the Airport Authority and their officers, employees and personnel, as co-insured and the policy shall also contain a section stating that the Authority shall be informed, in writing, by the insurance carrier at least ten (10) days prior to cancellation of the required insurance.

C. Any person violating any of the Airport Rules and Regulations may be punished as provided by law or ordinance or, at the discretion of the Authority, may be deprived of the use of the Airport facilities for such period of time as may be necessary to be effective.

D. These regulations are not intended to amend, modify or supersede any provision of Federal, State, or local law, or any specific contractual agreement of the Airport Authority with which they may conflict; provided, however, that these regulations shall, insofar as possible, be interpreted so that no such conflict shall exist.

E. If any portion of these regulations shall be invalid or unenforceable, all other portions shall remain in effect and be construed to achieve the purposes hereof.

F. Any proposed changes in these regulations shall be posted by the Authority in a public area at the Airport for a period of at least ten (10) days. During this period comments on the proposed changes may be submitted by the general public in writing to the Authority. The closing date for comments shall also be posted. After review of comments by the Authority, revisions may be made and the final draft of the proposed changes will be printed for public distribution. Copies of the change will be posted at the Airport and provided to all holders of a copy of the manual. Failure to comply with this section shall not invalidate any other of these regulations.

G. No person shall engage in any business or commercial operation of any nature whatsoever on the Airport except with the approval of the Airport Authority or designated representative, and under such terms and conditions as may be prescribed.

H. The soliciting of business, fares, alms, or funds for any purpose on the Airport without the permission of the Airport Authority or designated representative is prohibited.

I. No individual, business, partnership, or corporation shall construct or erect any building, sign or structure or modify any existing facility without specific permission and approval of the Airport Authority.

1.3. PENALTIES:

The Airport Authority or designated representative may remove or eject from the Airport premises any person who knowingly and willfully violates any regulation or instruction issued by the Airport Authority or designated representative, may deny the use of the Airport to such person if the Airport Authority or its designated representative determines that such denial is necessary

under the circumstances, and may take such other measures as may be permitted by law, to enforce Airport regulations and maintain the Airport Authority control of the Airport.

1.4. LOST ARTICLES:

All lost articles shall be turned into the Airport Director's office by the finders. Any such articles not claimed in sixty (60) days shall be disposed of as determined by the Airport Authority or designated representative.

1.5. LIABILITY:

The Airport Authority assumes no responsibility for loss, injury or damage to persons or property by reason of fire, theft, vandalism, wind, flood, earthquake, collision, strikes, or acts of God or of the public enemy, nor does it assume any liability for facilities of same, or for property damage.

1.6. ACCIDENT REPORTS:

All persons involved in any accident, personal, aircraft or automotive, occurring on the Airport, shall make a full report to the Airport Director or designated representative as soon after the accident as possible, and in any event within 24 hours after such occurrence. Contact the Airport Director at (252) 475-5570 (Airport) with the report. See also section 3.5 for additional and Federal requirements.

1.7. GROUND TRANSPORTATION:

No carrier for hire shall load or unload passengers at the Airport at any place other than that designated by the Airport Authority or designated representative.

1.8. BUILDING AND CONSTRUCTION REQUIREMENT:

- A. Hangars to be constructed shall contain a minimum of 900 square feet of floor space.
- B. All buildings shall be fireproofed and of metal or masonry construction, with properly designed doors stressed in accordance with the national building code, floor of properly constructed concrete or asphalt of sufficient designed load strength to sustain all types of aircraft using the facility.
- C. Any person desiring to erect or construct any building or related facility on the Airport shall be required to submit plans and specifications for the same (4 copies of each) to the Airport Director for consideration by the Authority. The plans shall include a general layout, drawn to scale, showing the desired amount of ground actually required for the operation of such building or facility in addition to the portion occupied by the building or facility proper. Doors on all buildings shall

be self-contained. No projection for the suspension or carrying of doors shall be permitted beyond the building line as established by the Authority.

D. All buildings erected upon or facilities installed at the Airport shall conform to the Building Code requirements of the State of North Carolina and the County of Dare and be approved by the Airport Authority and such other agencies or public bodies as may be deemed necessary by the Airport Authority.

E. Prior to the commencement of any construction, all licenses, contracts and permits must be obtained and copies of the same must be furnished to the Airport Authority.

F. Any person or firm desiring to construct improvements on the Airport shall furnish the Authority a performance bond commensurate with any construction required under the minimum standards of service to be performed.

G. All plans, specifications, and construction must comply with these Rules and Regulations.

H. If the plans are approved by the Airport Authority, a ground lease shall be entered into at the rate prescribed by the Authority.

1.9. RESTRICTED AREA; GENERAL:

A. All areas of the Airport, except those areas open to the public, are restricted and no person shall enter upon the Air Operations Area, or any hangar, except:

- (1) Persons assigned to duty therein;
- (2) Authorized representatives of the FAA;
- (3) Passengers under appropriate supervision, entering the Air Operations Area for the purpose of enplaning and deplaning;
- (4) Business representatives in the conduct of their business with a tenant, so long as such business representatives are escorted by the tenant at all times; and
- (5) Aircraft Owners or Renters and/or their authorized representatives.

B. Any violation of these rules shall be a misdemeanor punishable by imprisonment, a fine, or both.

SECTION 2 - VEHICLES

2.1. LICENSING AND REGULATION:

A. No person shall operate motorized vehicles of any kind on the Airport without a valid Operator's License.

B. No person shall operate any motor vehicle in the Public Aircraft Facilities area without having first registered same with, and having received permission from the Airport Management, other than those Authorized under 1.9.

2.2. RULES OF OPERATION:

A. No person shall operate a motor vehicle of any kind on the Airport in a reckless or negligent manner or in excess of 10 miles per hour unless a contrary speed limit is posted. This speed limit shall not apply to in-service Emergency Equipment.

B. Pedestrians and aircraft shall at all times have right of way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft.

C. 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.

D. No person under the influence of alcohol or other impairing substances shall operate a motor vehicle or aircraft on the Airport.

E. No person shall operate any vehicle owned or leased by the Airport Authority or by Dare County within 12 hours after having consumed any alcohol or other impairing substances regardless of the quantity of such consumption. In no case shall such person operate any vehicle owned or leased by the Airport Authority or by Dare County while under the influence of alcohol or any other impairing substances.

F. No person shall operate any motor vehicle on the Airport overloaded or carrying more passengers than that for which the vehicles were designed. No person shall ride on the running board, stand up in the body of moving vehicles or ride on the outside of the body of a vehicle, or with arms or legs protruding from the body of motor vehicles.

G. No vehicle shall be operated on the Airport if it is so constructed, equipped or loaded as to endanger persons or property.

H. No person shall operate any type of motor vehicle without exhausts protected by screens or baffles to prevent the escape of sparks or the propagation of flame.

I. No vehicle shall enter, be driven upon, or operated upon any airport runway, taxiway, ramp, tie down area, or any area posted by signs prohibiting the entrance thereon, without the prior written consent of the Airport Director in each instance. The provisions of this section shall not apply to Emergency Equipment or Service, Maintenance, and Construction Equipment when engaged in performing normal duties. Aircraft owners may be granted authorization by the Airport Director or his designated representative to operate a vehicle on airport ramps to reach their own aircraft in a tie down area. Aircraft owners desiring to operate a vehicle for this purpose shall request such authorization in advance in each instance. Any authorization granted shall apply only to a specific need request. Unless specifically authorized, aircraft owners shall not pass over any runway, taxiway, or ramp and shall proceed through the tie down area at a speed not to exceed 10 miles per hour. They shall not at any time park a vehicle on any area used for the movement of aircraft. Such authorization shall not be granted contrary to the provisions of Part 139, or any other Federal Aviation Regulation (FAR).

J. No pedestrian shall be allowed beyond the terminal building area or upon the apron or aircraft tie down area unless for the purpose of embarking in or disembarking from an aircraft, or unless authorized by the airport director. Pedestrian traffic is prohibited on taxiways, runways, and outlying areas of the airport except for those employees of the city, county, state or federal government, or contractors engaged in airport construction or maintenance work.

2.3. RADIO EQUIPMENT:

A. The installation of two-way radios does not permit the operation of vehicles on the Airport without prior permission from the Airport Director or designated representative.

B. No person shall operate any radio equipment in any aircraft when such aircraft is being refueled, or when such aircraft is in a hangar except when radio maintenance is being performed on the aircraft.

2.4. EMERGENCY:

In the event of emergencies on the Airport, notification must be given to the Airport Director (if practical) and to:

Roanoke Island Fire Department: 475-5570 or 911.

Dare County Sheriff: 475-5980 or 911.

2.5. REPAIR OF MOTOR VEHICLES:

No person shall clean or make any repairs to motor vehicles anywhere on the Airport other than in designated shop areas, or as approved by the Authority, except those minor repairs necessary to remove such motor vehicles from the Airport; nor shall any person move, interfere, or tamper with any motor vehicle, or put in motion the engine, or take, or use any motor vehicle part, instrument, or tool thereof, without the permission of the Authority or satisfactory evidence of the right to do so duly presented to the Airport Authority or designated representative.

2.6. PARKING:

A. No person shall park a motor vehicle, for loading, unloading or any other purpose, on the Airport other than in the areas specifically established 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 an area requiring payment for parking thereon without paying the required parking fee; nor in a manner so as to obstruct roadways; nor in aircraft parking areas; nor on grass areas. The Airport Director shall have the authority to assign specific parking spaces to parking tenants or licensees.

B. The Airport Authority or designated representative shall have the authority to tow or otherwise move motor vehicles which are parked by their owners or operators on the Airport in violation of these regulations, at the operator's expense and without liability for damage which may result in the course of such moving.

C. No vehicles shall be allowed to park in a hangar area where it impedes operation of other aircraft or maintenance. No vehicle, boat, or trailer will be allowed to be permanently stored outside of a hangar. Temporary storage outside of a hangar shall not exceed 72 hours.

D. The lessee of a hangar may store a motor vehicle, on a temporary basis, inside of a hangar provided that said vehicle does not create a safety hazard and further provided that said hangar is primarily used for the storage of the lessee's aircraft.

2.7. ABANDONED, NUISANCE AND JUNKED VEHICLES:

A. It shall be the intent of this Section 2.7 to promote and enhance the aesthetic appearance of the Airport and to promote tourism and the opportunities for economic development of the Airport. It is further the intent of this Section 2.7 to promote and enhance the attractiveness of the Airport to its users and visitors.

B. Administration. The Airport Director shall be responsible for the administration and enforcement of this Section. The Airport Director may contact the Dare County Sheriff's Office for assistance with the removal and disposition of vehicles determined by the Airport Director to be "abandoned" "nuisance" or "junked vehicles" located on the Airport. The Airport may, on an annual

basis, contract with private tow truck operators or towing businesses to remove, store, and dispose of abandoned vehicles, nuisance vehicles and junked vehicles in compliance with this Section and applicable state laws. Nothing in this Section shall be construed to limit the legal authority or powers of officers of the Sheriff's Office in enforcing other laws or in otherwise carrying out their duties.

C. Abandoned vehicle unlawful; removal authorized.

(1) Upon investigation, the Airport Director may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicle removed.

(2) It shall be unlawful for the registered owner or person entitled to possession of a vehicle, or for the lessee or occupant of the real property upon which the vehicle is located, to leave or allow the vehicle to remain on the property after it has been declared an abandoned vehicle.

D. Nuisance vehicle unlawful; removal authorized.

(1) Upon investigation, the Airport Director may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle as defined above, and order the vehicle removed.

(2) It shall be unlawful for the registered owner or person entitled to possession of a vehicle, or for the lessee or occupant of the real property upon which the vehicle is located, to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.

E. Junked vehicle regulated; removal authorized.

(1) Upon investigation, the Airport Director may order the removal of a junked vehicle as defined in this Section after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the apparent owner if any. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing the appearance of the Airport. The following, among other relevant factors, may be considered:

- (a) Appearance of the Airport;
- (b) Promotion of tourism and other economic development opportunities;
- (c) Indirect protection of public health and safety;

- (d) Preservation of the character and integrity of the Airport; or
- (e) Promotion of the comfort, safety, happiness and emotional stability of Airport users and visitors.

Provided, however, no vehicle that is used on a regular basis for business or personal use shall be removed or disposed of pursuant to this subsection (1).

(2) It shall be unlawful for the registered owner or person entitled to the possession of a junked vehicle, or for the lessee or occupant of the real property upon which a junked vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.

F. Removal of abandoned, nuisance or junked vehicles; pre-towing notice requirements; appeals.

(1) Except as set forth in subsection H below, an abandoned, nuisance or junked vehicle which is to be removed shall be towed only after notice to the registered owner or person entitled to possession of the vehicle.

(a) In the case of a nuisance vehicle or a junked vehicle, if the names and mailing addresses of the registered owner or person entitled to the possession of the vehicle, or the lessee or occupant of the real property upon which the vehicle is located can be ascertained in the exercise of reasonable diligence, the notice shall be given by first class mail. Reasonable diligence shall include notification to the registered owner of the vehicle at his last known address according to the latest registration certificate or certificate of title on file with the North Carolina Division of Motor Vehicles; notice to the lessee or occupant as contained in the records of the Airport. The Airport Director shall retain a written record to show the name(s) and address(es) to which mailed, and the date mailed.

(b) If such names and addresses cannot be ascertained or if the vehicle to be removed is an abandoned vehicle, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the Airport Authority on a specific date (no sooner than seven (7) days after the notice is affixed). The notice shall state that the vehicle will be removed by the Airport Authority on specified date, no sooner than seven (7) days after the notice is affixed or mailed, unless the vehicle is moved by the owner or legal possessor prior to that time.

(2) Appeals. The registered owner or person entitled to possessing a vehicle which has been determined to be an abandoned vehicle, nuisance vehicle or junked

vehicle who has received a notice pursuant to Section G(1) that the vehicle will be removed may appeal the determination. In the case of notice for removal of a junked vehicle where the determination has been made that the aesthetic benefits of removing the vehicle outweigh the burdens on the apparent owner, in accordance with Section F(1), the registered owner or person entitled to possession of the junked vehicle may appeal that determination. Any appeal shall be made within ten (10) days upon receipt of the notice for removal of the vehicle as provided in Section G(1). All appeals shall be made to the Airport Authority in writing. Appeals held pursuant to this section shall be conducted by the Airport Authority within forty-five (45) days after the receipt of a request for a hearing, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.

G. Exceptions to the prior notice requirement.

Circumstances justifying the removal of vehicles without prior notice include:

(1) *Vehicles abandoned on certain areas of the Airport.* For vehicles left on certain areas of the Airport, the Airport Director may determine that immediate removal of such vehicles may be warranted when they are:

- a. Obstructing traffic or aircraft operations;
- b. Parking in violation of a rule or regulation prohibiting or restricting parking;
- c. Parking in a no-stopping or standing zone;
- d. Parking in a restricted area, runway area or taxiway area of the Airport;
- e. Parking in loading zones;
- f. Parking in public transportation or taxi zones; or
- g. Parking in violation of temporary parking restrictions imposed by the Airport Authority.

(2) *Nuisance vehicles and abandoned vehicles on leased property.* These vehicles may be removed without giving prior notice in those circumstances where the Airport Director finds a special need for prompt action to protect and maintain the public health, safety and welfare. By way of illustration and not of limitation, such circumstances include vehicles blocking or obstructing ingress or egress to public or

restricted areas of the Airport, vehicles parked in such a location or manner as to pose a traffic or aircraft hazard, or vehicles causing damage to the Airport.

H. Removal of vehicles; post-towing notice requirements.

(1) Any abandoned, nuisance or junked vehicle which has been ordered removed may, as directed by the Airport Director, be removed to a storage garage or area by the tow truck operator or towing business contracting to perform such services for the Airport. Whenever such a vehicle is removed, the Airport Director shall immediately notify the last known registered owner of the vehicle, such notice to include the following:

- (a) The description of the removed vehicle;
- (b) The location where the vehicle is stored;
- (c) The violation with which the owner is charged, if any;
- (d) The procedure the owner must follow to redeem the vehicle; and
- (e) The procedure the owner must follow to request a probable cause hearing on the removal.

(2) The Airport Director shall attempt to give notice to the vehicle owner by telephone; however, whether or not the owner is reached by telephone, written notice, including the information set forth in subsections (1)(a) through (e) above, shall also be mailed to the registered owner's last known address, unless the notice is waived in writing by the vehicle owner or his agent.

(3) If the vehicle is registered in North Carolina, notice shall be given within twenty-four (24) hours. If the vehicle is not registered in the state, notice shall be given to the registered owner within seventy-two (72) hours of the removal of the vehicle.

(4) Whenever an abandoned, nuisance or junked vehicle is removed and such vehicle has no valid registration or registration plates, the Airport Director shall make reasonable efforts, including checking the vehicle identification number to determine the last known registered owner of the vehicle and to notify him of the information set forth in subsections (1)(a) through (e) above.

I. Right to probable cause hearing before sale or final disposition of vehicle. After the removal of an abandoned vehicle, nuisance vehicle or junked vehicle, the owner or any other person entitled to possession is entitled to a hearing for the purpose of determining if probable cause existed

for removing the vehicle. A request for hearing must be filed in accordance with the provisions of Article 7A of Chapter 20 of the General Statutes of North Carolina, as amended.

J. Redemption of vehicle during proceedings. At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed vehicle by paying the towing fee, including any storage charges, or by posting a bond for double the amount of such fees and charges to the tow truck operator or towing business having custody of the removed vehicle. Upon regaining possession of a vehicle, the owner or person entitled to the possession of the vehicle shall not allow or engage in further violations of this Section.

K. Sale and disposition of unclaimed vehicle. Any abandoned, nuisance or junked vehicle which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing business having custody of the vehicle. Disposition of such vehicle shall be carried out in accordance with Article 1 of Chapter 44A of the General Statutes of North Carolina.

L. Conditions on removal of vehicles from leased property on the Airport. Except as provided in subsection F(1), as a general policy, the Airport will not remove a vehicle from leased property on the Airport if the occupant or lessee of such property could have the vehicle removed under applicable state laws. In no case will a vehicle be removed by the Airport from leased property on the Airport without a written request of the occupant or lessee, except in those cases where a vehicle is a nuisance vehicle or is a junked vehicle which has been ordered removed by the Airport Director pursuant to subsection F(1). The Airport shall require any person requesting the removal of an abandoned, nuisance or junked vehicle from leased property on the Airport to indemnify the Airport against any loss, expense or liability incurred because of the removal, storage, or sale thereof.

M. Protection against criminal or civil liability. Any person who removes a vehicle pursuant to this Section shall not be held liable for damages for the removal of the vehicle to the owner, lienholder or other person legally entitled to the possession of the vehicle removed; however, any person who intentionally or negligently damages a vehicle in the removal of such vehicle, or intentionally or negligently inflicts injury upon any person in the removal of such vehicle, may be held liable for damages.

N. Exceptions. Nothing in this Section shall apply to any vehicle:

- (1) Which is in an enclosed building;
- (2) Which is on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise; or
- (3) Which is in an appropriate storage place or depository maintained in a lawful place and manner by the Airport.

O. Unlawful removal of impounded vehicle. It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the Airport any vehicle which has been impounded pursuant to the provisions of this ordinance unless and until all towing and impoundment fees which are due, or bond in lieu of such fees, have been paid.

SECTION 3 - AIRCRAFT OPERATION

3.1. AERONAUTICAL ACTIVITIES:

A. All aeronautical activities at this Airport and all flying of aircraft departing from or arriving in the air space above this Airport shall be conducted in conformity with the current pertinent regulations and directives, and/or advisories of the FAA to the extent applicable, with orders issued by the Airport Authority or designated representative, unless amended by other information or directives herein, information provided by Airport UNICOM, NOTAMS, or any publication generally recognized as a reliable aid to pilot navigation.

B. No fixed wing or rotary wing aircraft shall be allowed to operate at the Dare County Regional Airport unless said aircraft has a current FAA Airworthiness Certificate and is operated by a licensed pilot or student pilot holding a valid medical certificate, except aircraft being taxied or ferried by a licensed A & E mechanic. The aircraft traffic pattern at the Airport is on file with the Airport Director, provided however that Banner Tow Operators shall adhere to that pattern prescribed in Section 13 herein.

C. All aircraft and operators shall comply with all applicable Federal Aviation Regulations and National Transportation Safety Board Regulations.

D. The Dare County Regional Airport Terminal Building will be open for public use daily from 8:00 AM until 7:00 PM, unless otherwise designated by the Airport Authority.

3.2. FIXED BASE REGISTRATION:

The owners of all aircraft based on the Airport will register their aircraft with the Airport Authority or designated representative prior to beginning operation. Any change in the ownership will require a change in registration.

3.3. PROHIBITING LANDINGS & TAKE-OFFS:

The Airport Director may prohibit aircraft landing and taking off at any time and under any circumstances when the Airport Director deems such landings or take-offs likely to endanger persons or property, except for emergency landings. Further, the Airport Director may delay or restrict any flight or other operation at the Airport to any aircraft when any of these rules and regulations are violated in any manner.

3.4. PAYMENT:

Payment for use of Airport facilities, storage, repairs, supplies, or other services rendered at the Airport shall be made before flight unless satisfactory credit arrangements have been made with

the Airport Director or designated representative or the tenant directly responsible for furnishing the commodity or service rendered.

3.5. ACCIDENTS:

A. Persons involved in aircraft accidents occurring on the Airport causing personal injury or property damage shall make a full report thereof to the Airport Director or designated representative as soon after the accident as possible, which report shall include their name and addresses. In the event that he is unable to do so, the owner of the aircraft or his agent shall make such report. When a written report of an accident is required by the Federal Aviation Regulations, and/or National Transportation Safety Board Regulations, a copy of such report shall be submitted to the Airport Authority or designated representative.

B. In the event of an accident, the aircraft owner, through the Airport Director, may, in compliance with Federal Aviation Regulations and other governmental regulations, move damaged aircraft from the landing areas, ramps, aprons, or other areas at the expense of the aircraft owner and without liability to the Airport Authority, Airport Director, and employees, for damage resulting from such moving.

C. Airport property damaged or destroyed by an accident or otherwise shall be paid for by parties responsible.

D. All aircraft accidents and incidents shall be reported to the FAA by all parties charged with the responsibility to do so, in accordance with all FAA and NTSB regulations.

3.6. NON-AIRWORTHY AIRCRAFT:

A. All non-airworthy and/or otherwise disabled aircraft and parts thereof on the Airport shall be promptly removed from Airport operations areas by the aircraft owner.

B. If any person refuses to move said aircraft or part thereof as directed by the Airport Authority said aircraft or part may be removed by the Airport Authority at the owner's or operator's expense, and without liability to the Airport Authority, Airport Director, and employees for damage which may result in the course of or after such moving.

3.7. REFUSAL OF AIRPORT USE:

The Airport Authority or designated representative may delay any flight or other operations at the Airport for any reason it believes justifiable. The Airport Authority or designated representative may also prohibit in all or in any part the use of the Airport for any purpose by an individual or group.

3.8. CLOSING OF FIELD:

In the event the Airport Authority or designated representative believes Airport conditions to be unsafe for landings or take-offs, it shall be within the Authority's authority to have issued a NOTAM closing the Airport or any part thereof.

3.9. REPAIRING OF AIRCRAFT:

The performance of aircraft and engine repair and maintenance is considered to be a commercial operation regulated by the Authority except where such services or repairs are performed by the aircraft owner or his permanent employees. The Airport Authority reserves the right to designate reasonable areas where such aircraft owners may perform services on their own aircraft. If such areas are designated, the Airport Authority may prohibit the performance of such services in tie-down areas and prescribe rules for the use of such owner type aircraft maintenance areas.

3.10. ENGINE RUN-UP:

Aircraft shall not perform run-up or prolonged engine test operations in any area that would result in a hazard or nuisance to other aircraft, persons, or property.

3.11. PARKING OF AIRCRAFT:

A. No person shall park aircraft in any area on the Airport other than that prescribed by the Airport authority or designated representative.

B. At the direction of the Airport Director, the operator, owner, or pilot of any illegally parked aircraft on the Airport shall move the aircraft to a legally designated parking area on the Airport. If the operator refuses to comply with the directions, the Authority, through the Airport Director, may take such action as provided by Section 3.19 of the Rules and Regulations of the Airport.

3.12. DEMONSTRATION:

No experimental flight or ground demonstrations shall be conducted on the Airport without the express approval of the Airport Authority or designated representative.

3.13. LIGHTING FACILITY DAMAGE:

Any person damaging any light or fixture by operation of an aircraft, or otherwise, shall report such damage to the Airport Director immediately and shall be fully responsible for any costs required to repair or replace the damaged facility.

3.14. CATEGORIES OF AIRCRAFT:

Final determination as to proper category designation of any aircraft shall rest with the Airport Authority or designated representative. Charges as shown in Section 8 shall be determined according to the following classifications:

A. Private

1. Privately owned aircraft that are operated non-commercially by owner or owners.
2. Private aircraft may be used by persons other than the owner provided that it is not rented or leased by the owner for a profit.
3. Company and corporation owned aircraft that are operated for the free transportation of their and other personnel and/or products are classified as private aircraft and subject to the restrictions as listed under (2) above.
4. Club aircraft must be owned and operated by a nonprofit partnership or nonprofit North Carolina corporation, and each club member must be a bona fide owner of a part of the aircraft or a share in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance, and replacement of its aircraft and will file and keep up to date with the Airport Authority or designated representative a list of membership. At any time the Airport Authority or designated representative has a reason to believe a club or club aircraft is being so operated that it falls under the "commercial" classification hereunder, it shall so notify such club, and if they fail to remedy conditions complained of, the Airport Authority or designated representative shall reclassify the aircraft or order specific conditions remedied. The Airport Authority or designated representative shall have authority to deny the use of a club classification to any group.

B. Commercial Aircraft use:

1. For rental, hire or charter.
2. Student instruction and its kindred occupations for profit or hire.
3. Any aircraft used for commercial purposes and not otherwise covered in these regulations.

C. Air Taxi (Commuters)

1. Contract:

All Federally certified Air Taxis or Commuters holding a contract with the Airport Authority for Airport usage.

2. Non-Contract:

All Air Taxis or Commuters not covered in Section 3.14(C)(1) above.

3.15. OTHER:

A. No person shall start or run any engine in aircraft unless a competent person is in the aircraft attending the engine controls. Blocks shall always be placed in front of the wheels before starting the engine or engines unless the aircraft is provided with adequate parking brakes.

B. No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft, or persons being personally conducted by Airport attendants shall be permitted to enter the landing area proper, taxi space, or aprons. However, this does not give any person or persons so excepted the privilege of unrestricted use of the Airport. These privileges are confined to the necessary use of these spaces in connection with flights, inspections, and routine duties.

3.16. LANDING AND TAKE-OFF:

A. In all cases, take-offs and landings over populated areas shall be kept at a minimum in the interest of public safety and convenience.

B. The following types of aircraft shall obtain prior authorization before such aircraft may take off or land at the Airport: air ships, dirigibles, motorless aircraft, or aircraft with a total gross weight in excess of those weights specified in the latest edition of the applicable Airport Facilities Directory, or FAA Certified Air Carriers.

C. All take-offs and landings shall be confined to the runways and all movement of aircraft shall be confined to the hard surface areas, except as specifically authorized by the Airport Authority.

D. Additional traffic rules are as follows:

1. Landings and take-offs shall be made on the runway subject to the wind direction.

2. Aircraft are expected to start their initial takeoff from the runway end.
3. No landing or take-off shall be made except at a safe distance from buildings and other aircraft.
4. Aircraft entering the traffic pattern shall exercise caution and courtesy so as not to cause aircraft already in the pattern to deviate from their course.
5. Rotary wing aircraft shall conform to the pattern described herein for light aircraft, and shall not be operated within 200 feet of any area where unsecured light aircraft are parked or operating.
6. Unless an emergency situation exists, aircraft are expected to utilize standard traffic patterns, or such traffic patterns as are specified by NOTAM from time to time.
7. Simulated engine-out procedures and practice (multi-engine aircraft) are forbidden within the traffic pattern and approach area, unless notice is given by radio.
8. No turn shall be made after take-off until the departure runway end has been reached and you are within 300 feet of pattern altitude. Aircraft shall climb to the appropriate traffic pattern altitude as soon as possible.

E. Taxi rules are as follows:

1. No person shall taxi an aircraft until he has ascertained by visual inspection of the area that there will be no danger of collision with any person or object in the immediate area.
2. Aircraft shall be taxied at a safe and reasonable speed with due respect for other aircraft, persons, or property.
3. Aircraft not equipped with brakes shall have an attendant at a wing when the aircraft is taxied near buildings or other aircraft.

4. Aircraft awaiting take-off shall stop at the taxiway or stub taxiway hold lines for the runway in use and in a position so as to have a direct view of aircraft approaching for landing, and shall ascertain that the way is clear prior to entering the active runway.
5. Aircraft taxiing shall conform to the designated taxi patterns.
6. Landings and take-offs will not be permitted on the taxiways.
7. Engine checks and run-ups prior to take-off will be performed behind the taxiway hold lines.
8. Except for public displays of aviation flight specifically authorized by the Dare County Airport Authority to be conducted under responsible auspices and control, no person shall operate an aircraft in a careless or reckless manner so as to endanger the life or property of others by buzzing, diving or low altitude flying in the vicinity of the Airport.

3.17. FLIGHT INSTRUCTION:

No person or firm shall engage in commercial flight instruction at the Airport unless prior to giving such instruction he has registered his current flight instructor's certificate with the Airport Director's office, has submitted his certificate for inspection to the Airport Director, and has filed with the Airport Director a certificate of insurance, for instructor and student. All policies required by virtue of this section will name as co-insured the Airport Authority, its officers, members and employees, and shall contain a provision requiring the insurance carrier to give the Authority at least 10 days notice prior to any cancellation or change in coverages.

3.18. OUTSIDE SERVICES:

No person or firm shall employ the services of a certificated airframe and power plant mechanic or authorized inspector or flight instructor at the Dare County Regional Airport unless such mechanic, inspector or flight instructor is in the permanent employ of said person or firm, or is in the employ of a Fixed Base Operator holding a current operating agreement with the Airport Authority, or as may be approved in Section 8.3.

3.19. ABANDONED, WRECKED, DISABLED, OR ILLEGALLY PARKED AIRCRAFT:

A. It shall be the intent of this Section 3.19 to promote and enhance the aesthetic appearance of the Airport and to promote tourism and the opportunities for economic development

of the Airport. It is further the intent of this Section 3.19 to promote and enhance the attractiveness of the Airport to its users and visitors.

B. Administration. The Airport Director shall be responsible for the administration and enforcement of this Section. The Airport Director may contact the Dare County Sheriff's Office for assistance with the removal and disposition of aircraft determined by the Airport Director to be "abandoned," "illegally parked," "wrecked" or "disabled" located on the Airport. The Airport may, on an annual basis, contract with private tow truck operators or towing or other removal businesses to remove, store, and dispose of abandoned, illegally parked, wrecked or disabled aircraft in compliance with this Section and applicable state laws. Nothing in this Section shall be construed to limit the legal authority or powers of officers of the Sheriff's Office in enforcing other laws or in otherwise carrying out their duties.

C. Abandoned or illegally parked aircraft unlawful; removal authorized.

(1) Upon investigation, the Airport Director may determine and declare that an aircraft has been abandoned or illegally parked as defined above, and order the aircraft removed.

(2) It shall be unlawful for the registered owner or person entitled to possession of an aircraft, or for the lessee or occupant of the real property upon which the aircraft is located, to leave or allow the aircraft to remain on the property after it has been declared an abandoned or illegally parked aircraft.

D. Wrecked or disabled aircraft regulated; removal authorized.

(1) Upon investigation, the Airport Director may order the removal of a wrecked or disabled aircraft as defined in this Section after finding in writing that the aesthetic benefits of removing the aircraft outweigh the burdens imposed on the apparent owner if any. Such finding shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing the appearance of the Airport. The following, among other relevant factors, may be considered:

- (a) Appearance of the Airport;
- (b) Promotion of tourism and other economic development opportunities;
- (c) Indirect protection of public health and safety;
- (d) Preservation of the character and integrity of the Airport; or

(e) Promotion of the comfort, safety, happiness and emotional stability of Airport users and visitors.

Provided, however, no aircraft that is currently used on a regular basis for business or personal use shall be removed or disposed of pursuant to this subsection (1).

(2) It shall be unlawful for the registered owner or person entitled to the possession of a wrecked or disabled aircraft, or for the lessee or occupant of the real property upon which a wrecked or disabled aircraft is located to leave or allow the aircraft to remain on the property after the aircraft has been ordered removed.

E. Removal of abandoned, illegally parked, wrecked or disabled aircraft; pre-removal notice requirements; appeals.

(1) Except as set forth in subsection G below, an abandoned, illegally parked, wrecked or disabled aircraft which is to be removed shall be towed or otherwise removed only after notice to the registered owner or person entitled to possession of the aircraft.

(a) If the names and mailing addresses of the registered owner or person entitled to the possession of the aircraft, or the lessee or occupant of the real property upon which the aircraft is located can be ascertained in the exercise of reasonable diligence, the notice shall be given by first class mail. Reasonable diligence shall include notification to the registered owner of the aircraft at the owner's last known address according to the latest registration certificate or certificate of title on file with the FAA; notice to the lessee or occupant as contained in the records of the Airport. The Airport Director shall retain a written record to show the name(s) and address(es) to which mailed, and the date mailed.

(b) If such names and addresses cannot be ascertained, notice shall be given by affixing on the windshield or some other conspicuous place on the aircraft a notice indicating that the aircraft will be removed by the Airport Authority on a specific date (no sooner than seven (7) days after the notice is affixed). The notice shall state that the aircraft will be removed by the Airport Authority on specified date, no sooner than seven (7) days after the notice is affixed or mailed, unless the aircraft is moved by the owner or legal possessor prior to that time.

(2) Appeals. The registered owner or person entitled to possessing an aircraft which has been determined to be an abandoned, illegally parked, wrecked or disabled aircraft, who has received a notice pursuant to Section F(1) that the aircraft will be removed, may appeal the determination. In the case of notice for removal of a

wrecked or disabled aircraft where the determination has been made that the aesthetic benefits of removing the aircraft outweigh the burdens on the apparent owner, in accordance with Section E(1), the registered owner or person entitled to possession of the wrecked or disabled aircraft may appeal that determination. Any appeal shall be made within ten (10) days upon receipt of the notice for removal of the aircraft as provided in Section F(1). All appeals shall be made to the Airport Authority in writing. Appeals held pursuant to this section shall be conducted by the Airport Authority within forty-five (45) days after the receipt of a request for a hearing, and further proceedings to remove the aircraft shall be stayed until the appeal is heard and decided.

F. Exceptions to the prior notice requirement.

Circumstances justifying the removal of aircraft without prior notice include:

(1) Aircraft abandoned or illegally parked on certain areas of the Airport. For aircraft left on certain areas of the Airport, the Airport Director may determine that immediate removal of such aircraft may be warranted when they are:

- a. Obstructing traffic or aircraft operations;
- b. Parking in violation of a rule or regulation prohibiting or restricting parking;
- c. Parking in a no-stopping or standing zone;
- d. Parking in a restricted area, runway area or taxiway area of the Airport;
- e. Parking in loading zones;
- f. Parking in public transportation or taxi zones; or
- g. Parking in violation of temporary parking restrictions imposed by the Airport Authority.

(2) Abandoned or illegally parked aircraft on leased property. These aircraft may be removed without giving prior notice in those circumstances where the Airport Director finds a special need for prompt action to protect and maintain the public health, safety and welfare. By way of illustration and not of limitation, such circumstances include aircraft blocking or obstructing ingress or egress to public or restricted areas of the Airport, aircraft parked in such a location or manner as to pose a traffic or aircraft hazard, or aircraft causing damage to the Airport.

G. Removal of aircraft; post-removal notice requirements.

(1) Any abandoned, illegally parked, wrecked or disabled aircraft which has been ordered removed may, as directed by the Airport Director, be removed to a storage garage or area by the tow truck operator or towing business contracting to perform such services for the Airport. Whenever such an aircraft is removed, the Airport Director shall immediately notify the last known registered owner of the aircraft, such notice to include the following:

- (a) The description of the removed aircraft;
- (b) The location where the aircraft is stored;
- (c) The violation with which the owner is charged, if any;
- (d) The procedure the owner must follow to redeem the aircraft; and
- (e) The procedure the owner must follow to request a probable cause hearing on the removal.

(2) The Airport Director shall attempt to give notice to the aircraft owner by telephone; however, whether or not the owner is reached by telephone, written notice, including the information set forth in subsections (1)(a) through (e) above, shall also be mailed to the registered owner's last known address, unless the notice is waived in writing by the aircraft owner or the owner's agent.

(3) Notice shall be given to the registered owner within seventy-two (72) hours of the removal of the aircraft.

(4) Whenever an abandoned, illegally parked, wrecked or disabled aircraft is removed and such aircraft has no valid registration on such aircraft, the Airport Director shall make reasonable efforts, including checking the aircraft identification number to determine the last known registered owner of the aircraft and to notify the last known registered owner of the information set forth in subsections (1)(a) through (e) above.

H. Right to probable cause hearing before sale or final disposition of aircraft. After the removal of an abandoned, illegally parked, wrecked or disabled aircraft, the owner or any other person entitled to possession is entitled to a hearing for the purpose of determining if probable cause existed for removing the aircraft. A request for hearing must be filed in accordance with the provisions of Article 7A of Chapter 20 of the General Statutes of North Carolina, as amended.

I. Redemption of aircraft during proceedings. At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed aircraft by paying the removal or towing fee, including any storage charges, or by posting a bond for double the amount of such fees and charges to the tow truck operator or towing or removal business having custody of the removed aircraft. Upon regaining possession of an aircraft, the owner or person entitled to the possession of the aircraft shall not allow or engage in further violations of this Section.

J. Sale and disposition of unclaimed aircraft. Any abandoned, illegally parked, wrecked or disabled aircraft which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing or removal business having custody of the aircraft. Disposition of such aircraft shall be carried out in accordance with Article 1 of Chapter 44A of the General Statutes of North Carolina.

K. Conditions on removal of aircraft from leased property on the Airport. Except as provided in subsection E(1), as a general policy, the Airport will not remove an aircraft from leased property on the Airport if the occupant or lessee of such property could have the aircraft removed under applicable state laws. In no case will an aircraft be removed by the Airport from leased property on the Airport without a written request of the occupant or lessee, except in those cases where an aircraft is a wrecked or disabled aircraft which has been ordered removed by the Airport Director pursuant to subsection E(1). The Airport shall require any person requesting the removal of an abandoned, illegally parked, wrecked or disabled aircraft from leased property on the Airport to indemnify the Airport against any loss, expense or liability incurred because of the removal, storage, or sale thereof.

L. Protection against criminal or civil liability. Any person who removes an aircraft pursuant to this Section shall not be held liable for damages for the removal of the aircraft to the owner, lienholder or other person legally entitled to the possession of the aircraft removed. Any person who intentionally or negligently damages an aircraft in the removal of such aircraft, or intentionally or negligently inflicts injury upon any person in the removal of such aircraft, may be held liable for damages; notwithstanding the foregoing, however, if a person determines that disassembly of or removal of parts from the aircraft is reasonably necessary to remove the aircraft from the Airport, to transport the aircraft to a storage facility, or to store the aircraft, such person shall not be held liable for damages for the removal of the aircraft to the owner, lienholder or other person legally entitled to the possession of the aircraft removed.

M. Exceptions. Nothing in this Section shall apply to any aircraft:

- (1) Which is in an enclosed building;
- (2) Which is on the premises of a business enterprise being operated in a lawful place and manner if the aircraft is necessary to the operation of the enterprise; or

(3) Which is in an appropriate storage place or depository maintained in a lawful place and manner by the Airport.

N. Unlawful removal of impounded aircraft. It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the Airport any aircraft which has been impounded pursuant to the provisions of this Section unless and until all towing, removal and impoundment fees which are due, and any unpaid rent or tie-down fees, or bond in lieu of such fees, have been paid.

3.20. MUFFLED AIRCRAFT ENGINES REQUIRED:

No person shall operate an unmuffled aircraft engine (whether experimental or not) at the Airport unless prior written certificate of waiver shall be issued by the Authority or its designee.

SECTION 4 - FIRE REGULATIONS

4.1. Smoking or lighting of an open flame is prohibited at places with posted signs, within 100 feet of any aircraft and within 100 feet of hangars, fuel trucks, or fuel loading stations, tank farms, and on Airport aprons and ramps.

4.2. No person shall conduct any open-flame operations in any hangar or on the Airport unless specifically authorized by the Airport Authority or designated representative.

4.3. No person shall use flammable volatile liquids having a flash point of less than 1100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose, unless such operations are conducted in open air, or in a room specifically set aside for that purpose, which room must be properly fireproofed and equipped with adequate and readily accessible fire extinguishing apparatus.

4.4. No person shall store material or equipment, use inflammable liquids or gases, or allow their premises to become in such condition so as to violate, in any manner, the fire code in force in the area of the Airport; provided, that such materials may be kept in an aircraft in the proper receptacles installed in the aircraft for such purpose, or in rooms or areas specifically approved for such storage by the Airport Authority or designated representative, or in Underwriter's approved safety cans.

The storage of paint thinners, fuels or other such volatile materials in hangars is prohibited.

4.5. To the extent not provided by the Airport Authority, tenants of all hangars and buildings shall provide approved fire extinguishers and equipment, and they shall be kept in operating condition and inspected at least once every twelve (12) months by trained personnel. In no case shall the Airport Authority be responsible to maintain and inspect any fire extinguishers that the Airport Authority provides, supplies or furnishes.

4.6. Tenants shall provide suitable metal receptacles with self-closing covers for the storage of waste, rags, and other rubbish. All used waste and rags or other rubbish shall be removed by the lessees at least once each week. Lessees may contract with other agencies or persons for removal of this material, subject to approval of the Airport Authority or designated representative. If, after warning by the Airport Director, the area is not cleaned, cleaning will be arranged by the Airport Director and billed to the tenant or person.

4.7. The procedures and precautions outlined in the criteria of the National Fire Protection Association (NFPA Pamphlet #410D, Safeguarding Aircraft Cleaning, Painting and Paint Removal, and NFPA Pamphlet #410F, Aircraft Cabin Cleaning and Refurbishing Operations), shall be adhered

to in all cleaning, painting and refurbishing operations using flammable fluids, including the storage of such fluids.

SECTION 5 - FUELING OPERATIONS

5.1. FUELING AND DEFUELING OF AIRCRAFT:

A. All aviation fuels and oils for sale on Airport property will be dispensed only by the Airport Authority. No other company, group, or individual will be allowed to transport, store, fuel or otherwise introduce petroleum products to the Airport property without the express permission of the Airport Authority, and then only in the areas designated by the Airport Authority and which meet all operational and safety procedures and requirements.

B. No fuel storage and/or dispensing equipment shall be installed or used at the Airport without the prior written approval of the Authority. All such equipment shall be kept in a safe and nonleaking condition. The use of any surface equipment other than approved fuel trucks is expressly prohibited.

C. No aircraft shall be fueled or defueled while the engine is running, or being warmed by applications of exterior heat, or while such aircraft is in a hangar or enclosed space.

D. No aircraft shall be fueled or defueled within 50 feet of a hangar, or building.

E. Smoking or lighting of an open flame shall be prohibited within 100 feet of any fueling operation.

F. No person shall operate any radio transmitter or receiver, or switch electrical appliances off or on in an aircraft during its fueling or defueling.

G. During refueling, the aircraft and the fueling dispensing apparatus shall both be grounded to a point or points of zero electrical potential.

H. No person shall use any material during fueling or defueling of aircraft which is likely to cause a spark or be a source of ignition.

I. Adequate fire extinguishers shall be within ready reach of all persons engaged in fueling or defueling aircraft.

J. Fueling hoses and equipment shall be maintained in a safe, sound and non-leaking condition and shall be approved by National Board of Fire Underwriters in all respects and parts.

K. All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a grounding device to prevent ignition of volatile liquids.

L. No aircraft shall be fueled or defueled while passengers are on board the aircraft.

M. Persons engaged in the fueling and draining of aircraft fuel shall exercise care to prevent overflow of fuel. Persons responsible will take proper measures to remove any volatile liquid when it is spilled.

5.2. SELF FUEL:

A. The Airport Authority may enter into an agreement with any person for the purpose of that operator fueling his own aircraft. The following applies to any activity where this privilege might be extended:

1. The Authority will negotiate a lease which will provide space for the self fueling operation.
2. All self fuel operations will be from above ground facilities on Airport property or approved fuel trucks which meet all installation and safety criteria of the FAA, N.C. Department of Transportation Division of Aviation, National Fire Protection Association, and the American Petroleum Institute.
3. Prior to any executed agreement, the Airport Authority will review all plans and specifications for such installations, and may take any action it may deem appropriate for determining whether or not such installation is in keeping with the spirit of these Rules and Regulations for the purpose of protecting the public's safety and welfare, and the Authority's obligation to ensure, to the extent reasonable, that such is protected. The Authority will issue a permit for the installation of such facilities once the plans and specifications are approved by the Authority.

B. All installations approved by the Authority will be serviced, operated and tended **ONLY** by the owner or their direct employees and will be for the purpose of servicing only aircraft owned by that individual. No third parties will be allowed on the airfield for the purpose of dispensing fuel in any manner whatsoever without the express written permission of the Airport Authority.

C. All fuel brought on to the Airport will be subject to a fuel flowage fee to be negotiated with the Airport Authority, and paid at the time the fuel is brought onto the Airport.

D. Any person electing to self fuel their aircraft and with the permission of the Airport Authority will carry appropriate liability and product insurance in amounts agreeable to the Airport

Authority and further will have the Airport Authority, its members, officers and employees as named insured on any policies required by virtue of any agreements entered into by those provisions.

E. A copy of any policy issued for this insurance will be filed with the Airport Authority and will contain a provision to notify the Authority at least 10 days in advance of any cancellation.

F. Upon the termination of any lease under these provisions, the tenant shall abide by the terms of such lease immediately. If the tenant abandons the installation, the Authority shall have the right, at its option, to either assume ownership of the improvements or have them removed at the tenant's expense.

5.3. STORAGE IN APRON AREA:

Gasoline, oil, and solvent drums or receptacles shall not be stored on apron and ramp areas, unless otherwise approved by the Airport Authority. Any material of this type that is kept in subject areas will be kept enclosed and covered in a housing of a design and type that meets the approval of the Airport Authority or designated representative.

5.4. LIQUID DISPOSAL:

No fuels, oil, dopes, paints, solvents or acids shall be disposed of or dumped in drains, basins or ditches or elsewhere on the Airport. Such items must be taken to the recycling center or disposed of as designated by local or state law.

5.5. COMPRESSED GASES:

No cylinder or flask of compressed, flammable or noxious gases shall be stored in hangars. This rule shall not apply to Fixed Base Operators or Limited Fixed Base Operators that, as a part of their operations, perform aircraft maintenance and repairs as a FAA-approved domestic repair station; such use and storage of compressed gases by such approved aircraft maintenance and repair station shall comply with all applicable local, State and Federal regulations.

5.6. EXPLOSIVES AND OTHER DANGEROUS ARTICLES:

No person shall store, keep, handle, use, dispense or transport at, in or upon the Airport any Class A or Class B explosives (as defined in the Interstate Commerce Commission Regulations for transportation of explosives and other dangerous articles), dynamite, nitroglycerine, black powder, fireworks, firearms and ammunition, blasting caps or other explosives, gasoline, alcohol, ether, liquid shellac, kerosene, turpentine, formaldehyde, or other flammable or combustible liquids, ammonium nitrate, sodium chlorate, wet hemp, powdered metallic magnesium, nitrocellulose film, peroxides, or other easily inflammable solids or other corrosive liquids, prussic acid, phosgene, arsenic, carbonic acid, potassium cyanide, tear gas, lewisite or any Class A poison (as defined in the Interstate Commerce Commission Regulations for transportation of explosives and other dangerous

articles), or any other poisonous substances, liquids or gases, any compressed gas, or any radioactive article, substance or material, at such time or place or in such manner or condition as to endanger unreasonably or as to be likely to endanger unreasonably persons or property, and which has not been approved by the Airport Authority or designated representative.

SECTION 6 - HAZARDOUS CARGO

6.1. AIRCRAFT CARRYING OR SUSPECTED OF CARRYING EXPLOSIVES:

A. No aircraft carrying explosives or explosive materials shall land or take off from the Airport unless authorized by the Airport Authority or its designee.

B. Persons having knowledge of an aircraft carrying or suspected of carrying explosives or explosive materials shall advise the Airport Director.

C. Aircraft carrying explosives or explosive materials, or suspected of carrying explosives or explosive materials, and having passengers aboard, shall unload the passengers at a point on the paved portion of Taxiway Echo lying at the midpoint between the south edge of Runway 5-23 and north of the "hold short line" of Runway 35. This rule shall be enforced in the discretion of the Airport Director.

SECTION 7 - GENERAL REQUIREMENTS

7.1. PRESERVATION OF PROPERTY:

No person shall destroy, injure, deface or disturb in any way any building, sign, equipment, marker, or other structure, tree, flower, lawn or other property on the Airport; nor alter, make additions to, or erect, any building or sign or make any excavations on the Airport without prior approval of the Airport Authority; nor willfully abandon any personal property on the Airport.

7.2. INTERFERING OR TAMPERING WITH AIRCRAFT:

No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools, without permission of the owner or by specific direction of the Airport Authority or designated representative.

7.3. PASSENGER ACCESS AND AREAS:

It shall be the sole responsibility of the Airport Authority and Tenants to see that all gate chains, doors, and other public safeguards are continually and conscientiously used in a manner so to protect all persons.

7.4. USE OF ROADS AND WALKS:

A. No person shall travel on the Airport other than the roads, walks or places provided for the particular class of traffic.

B. No person shall occupy the roads or walks in such a manner as to hinder or obstruct their proper use.

7.5. ANIMALS:

No person shall enter the Terminal Building of the Airport with a dog or other animal (without the express permission of the Management) except; (1) seeing-eye dogs, or (2) dogs or other animals which are to be transported by air and are restrained by leash or properly confined.

7.6. SOLICITATION:

No person shall solicit funds for any purpose, and no signs or advertisements may be posted at the Airport without permission of the Authority.

7.7. USE OF SHOP AREAS:

All shops, garages, equipment and facilities are expressly for the conduct of the owner's or lessee's business and operations. No persons shall make use of these facilities without individual and specific permission of the Authority or tenant.

7.8. TRASH CONTAINERS:

No person shall keep uncovered trash containers in any area. No vehicle used for hauling trash, dirt, or any other materials shall be operated on the Airport unless such vehicle is constructed so as to prevent the contents thereof from blowing, dropping, sifting, leaking, or otherwise escaping therefrom. Areas to be used for trash or garbage containers shall be designated by the Airport Authority or designated representative and no other areas shall be used. Such areas shall be kept clean and sanitary at all times.

7.9. FLOOR CARE:

All lessees on the Airport shall keep the floors of the hangars, hangar areas and Terminal apron and ramp areas, leased by them respectively, or used in their operations, clean and clear of oil, grease and other materials or stains except as may be provided to the contrary in any specific leases or contracts.

7.10. STORAGE OF EQUIPMENT:

No tenant or lessee on the Airport shall store or stack material or equipment in such manner as to constitute a hazard to personnel or property.

7.11. EQUIPMENT AND MISCELLANEOUS IN APRON AREA:

All ramp equipment shall be parked and kept in a neat and orderly manner. No receptacles, chests, cases or housing shall remain on the apron or ramp area that do not fit in with the general architectural and cleanliness standards of the rest of the installation. Final approval of these items rests with the Airport Authority or designated representative.

7.12. MAINTENANCE:

All tenants shall maintain their leased property in such condition or repair, cleanliness, and general maintenance as shall be acceptable to the Airport Authority and in accordance with their individual lease agreements.

7.13. DAMAGES:

Tenants, lessees, and grantees shall be fully responsible for all damages to buildings, equipment, real property and appurtenances in the ownership or custody of the Airport Authority, its tenants, or others caused by negligence, abuse, or carelessness on the part of their employees, agents, customers, visitors, suppliers, or persons with whom they may do business.

7.14. WASTE MATERIALS:

Garbage, refuse and other waste material shall be placed in receptacles provided for such purpose.

7.15. DESTRUCTION OF PROPERTY PROHIBITED:

No person shall destroy, remove or disturb in any way buildings, signs, equipment, markers, or other property on the Airport.

7.16. METERING:

Every tenant shall provide a meter for the purpose of accurately measuring gas, water, and electrical power used by that tenant, unless other specific agreements are made with the Airport Authority.

7.17. PAYMENT OF CHARGES:

Reserved.

7.18. DEFAULT OF OBLIGATIONS:

When any tenant, user, or grantee is formally notified that he is in default of any written or implied obligation to the Airport Authority, whether it be for breach of performance or service covenants or non-payment, he shall thereafter be billed for all losses of revenue, expenses incurred to re-establish performance or service, reasonable attorney fees and other costs, unless the tenant, user, or grantee files with the Airport Authority or designated representative within ten days of receipt of the formal notification a statement that corrective or preventive measures have been initiated and will diligently be carried to completion. If the promises contained in the statement are not fulfilled, the tenant, user, or grantee will be considered in absolute default and appropriate lawful steps shall be taken by the Airport Authority.

7.19. USE OF LAW ENFORCEMENT AGENCIES:

In the event circumstances arise that are, in the discretion of the Airport Director, sufficiently serious to warrant the intervention of law enforcement personnel, the Airport Director or his authorized representative shall contact the appropriate law enforcement agency or agencies for assistance. The Airport Authority expressly grants permission to law enforcement personnel responding to its requests to enter its premises and to enforce the rules and regulations contained herein and as may be adopted by the Airport Authority.

7.20. RESTRICTIONS ON USE OF HANGARS:

A. Persons leasing hangar space from the Airport shall take good care of the hangar and return the same at the expiration of the term of the lease in as good condition as received, ordinary wear, tear and natural decay excepted.

B. Hangar space is to be used solely as storage space for one aircraft (or more than one aircraft if permitted by the lease agreement with the Authority) owned or leased by the person leasing the hangar space, and parts and accessories for the aircraft being stored in the same hangar, and for no other purpose. Unless previous written consent is given by the Airport Authority, leased hangar space shall not be used for any commercial purpose, including, but not by way of limitation, the sale of products or services of any kind, whether or not such sales are transacted for a profit.

C. Hangar space lessees shall be allowed to perform preventive maintenance on their aircraft, registered for that hangar, of the kind and to the extent permitted by applicable FAA regulations governing "Preventive Maintenance." In this regard, each hangar space lessee shall be allowed to have a small desk, work bench, and necessary small hand tools on the premises.

D. Hangar space lessees shall use the hangar in accordance with Federal, State and local laws and regulations, including, but not limited to, those pertaining to fire and safety, as well as the Rules and Regulations of the Airport Authority.

E. Hangar space lessees shall not have exclusive use of any Airport ramp, apron or taxiway areas. All such exterior areas are common use areas available to all other lessees on the Airport. No aircraft shall not be parked or positioned in such exterior areas so as to block, limit or restrict the use of the ramps, aprons or taxiways by other Airport tenants or users.

F. Hangar space lessees may add electrical service to the leased premises using a separate meter as long as all installations are in accordance with applicable codes. Plans and specifications must be submitted to the Airport Director for approval prior to any such installation.

G. Storage of operable personal automobile while a registered aircraft is in use will be permitted.

H. Installation of a power (if electrical service is added) or hand winch to assist with hanging of aircraft is permissible.

I. Hangar space lessees shall not be permitted to perform repair service on automobiles or automotive equipment of any kind in or near any hangar.

J. No storage of any material or object not directly related to the registered aircraft shall be allowed without prior written consent of the Airport Director. This prohibits the storage of, among other things, furniture, inoperative and unregistered aircraft, utility trailers, and all other objects foreign to the purpose intended.

K. No painting operations of any kind shall be allowed in or near any hangar without prior written consent of the Airport Director.

L. Installation of and/or use of space heaters and engine heaters, or other devices that could be potentially hazardous, is prohibited in or near any hangar, unless specifically authorized in writing by the Airport Director.

M. Washing aircraft, however performed, will not be permitted in or near any hangar, without the written permission of the Airport Director.

N. Installation of furniture or appliances that are not required under permitted uses specified above shall be prohibited. This prohibits sleeping couches, cots, beds, hot plates, stoves or other cooking devices, unless specifically authorized by the Airport Director.

7.21. UNAUTHORIZED ENTRY INTO RESTRICTED AREA:

The Airport Director shall be responsible for assuring that all areas of the Airport, specifically including buildings, hangars, utilities and service rooms or areas, runways and fields are conspicuously posted in cases of restricted areas and no trespassing areas.

7.22. OCCUPATIONAL SAFETY AND HEALTH VIOLATIONS:

If a tenant or Commercial Operator on the Airport violates any provision of, or regulation promulgated under, the Occupational Safety and Health Act of 1970 (Public Law 91-596, 91st Congress, Act of December 29, 1970, 84 Stat. 1950), and/or the Occupational Safety and Health Act of North Carolina (Chapter 95, Article 16 of the North Carolina General Statutes), the tenant or commercial operator (as the case may be) shall be responsible for any and all such violations found on the premises occupied by such tenant and/or commercial operator, and shall indemnify, save, defend (at tenant's or operator's cost and sole expense) and hold harmless the Airport Authority, Dare County, and the officers, directors, agents, and employees of Dare County, and the successors and assigns of each of the foregoing (all of such persons or entities being collectively referred to herein as "Indemnified Persons" and each such reference shall refer jointly and severally to each person),

from and against the full amount of any and all liabilities, obligations, losses, damages, penalties, claims, actions, suits, costs, expenses and disbursements (including, but not limited to, all actual attorneys' fees and all other professional or consultants' expenses incurred in investigating, preparing for, serving as a witness in or defending against any action or proceeding whether actually commenced or threatened, which may be asserted against any Indemnified Person), arising from, in respect of, as a consequence of, or in connection with such violation. If the Airport Authority and/or Dare County are cited for such violation by the applicable agency, the tenant and/or commercial operator, whose premises on which the violation occurred, shall take immediate action to cause the Airport Authority and/or Dare County to be removed as parties to such citation. The Airport Authority and/or Dare County reserve the right and option (but not the obligation) to cure any such violations. In the case of the Airport Authority and/or Dare County electing to cure a violation, the tenant or Commercial Operator responsible and liable for such violations shall reimburse, indemnify and hold harmless the Airport Authority and Dare County, as the case may be, for all costs and expenses incurred by the Airport Authority and/or Dare County in curing such violations.

7.23. COMMERCIAL USE OF THE TERMINAL BUILDING:

A. Tour Operator Activities.

1. Tour operator pilots may use the Terminal Building to meet and drop off passengers who have scheduled their flights directly with the tour operator in advance of the flight.
2. Solicitation of potential passengers and conducting other business.
 - a. Tour operators who lease office space within the Terminal Building, and their pilots and employees, must conduct all aspects of their business (including but not limited to the booking of passengers and the solicitation of potential passengers) within the leased office space, and not in the common areas of the Terminal Building, or within 50 feet of any exterior portion of the Terminal Building.
 - b. No tour operator (including tour operators who lease office space within the Terminal Building), or their pilots or employees, shall use the common areas of the Terminal Building to solicit business from potential passengers who have not previously arranged a flight with the particular tour operator. This prohibition shall include verbal or written solicitation of such potential passengers. This prohibition shall apply to the following areas: The Terminal Building common areas, the porches of the Terminal Building, and within 50 feet of any exterior portion of the Terminal Building. A tour operator leasing office space in the Terminal Building shall not solicit a potential passenger located in the Terminal Building common area, by inviting

such potential passenger into or near the tour operator's leased office space inside the Terminal Building.

3. Tour operators shall not use Terminal Building telephones (except telephones in the tour operator's leased office space, if applicable) to schedule flights with passengers.
4. Tour operators not leasing office space in the Terminal Building must base their scheduling and business operations at the tour operator's separate leased facility on the Airport and not in or near the Terminal Building. Such separate leased facility shall be located on the grounds of the Airport and shall provide office space and facilities for aircraft storage. Tour operations shall be conducted from such separate leased facility or by pre-arranged appointment by meeting passengers at the Terminal Building.
5. Tour operators shall comply with all security procedures promulgated by the Airport Authority or other agencies.
6. If a tour operator's passengers are flown from and/or returned to the Terminal Building, the tour operator shall move the aircraft back to the tour operator's separate leased facility or to an area designated by the Airport Director to be used for air tour parking. Such designated air tour parking area may consist of such number of parking spots per air tour operator as may be assigned by the Airport Authority or its designee, which may only be occupied during the daytime while conducting air tour operations.
7. Potential tour operator passengers who have not scheduled a flight with a particular tour operator and who request information from Airport staff on tour operators will be provided each tour operator's printed materials or a listing of tour operators based at the Airport without any endorsement of any particular tour operator. Airport staff shall not take any tour operator reservations and shall instead tell potential passengers to call tour operators directly to schedule flights. If a potential passenger requests from the Airport staff a particular tour operator by name, a particular pilot by name, and/or a particular type of aircraft, the Airport staff may provide such information (if known) to the potential passenger.

B. Charter Service Activities.

1. Charter service pilots may use the Terminal Building to meet and drop off passengers who have scheduled their flights directly with the charter service operator in advance of the flight.

2. No charter service pilot or employee shall use the common areas of the Terminal Building to solicit business from potential passengers who have not previously arranged a flight with the particular charter service. This prohibition shall include verbal or written solicitation of such potential passengers. This prohibition shall apply to the following areas: The Terminal Building common areas, the porches of the Terminal Building, and within 50 feet of any exterior portion of the Terminal Building.
3. Charter service pilots may wait for scheduled passengers in the Terminal Building lounge or in the Terminal Building pilot room. Charter service pilots who need to take a nap while waiting for scheduled passengers may only nap in the pilot room and not in any other area of the Terminal Building.
4. Charter service pilots shall comply with all security procedures promulgated by the Airport Authority or other agencies.

SECTION 8 - SCHEDULE OF CHARGES - AIRCRAFT

8.1. COMMERCIAL OPERATIONS:

A. No aircraft, aviation organization or person shall engage in any commercial operation of any type at the Airport unless prior permission is obtained from, and assessed fees paid to, the Airport Authority. Such permission and fees, in lieu of a contract as provided for in 8.1 (B), shall be on an each and every time basis with the fee being as determined by the Airport Authority or designated representative and in addition to the landing fees then in effect under 8.1 (C).

B. The Airport Authority at its discretion may enter into separate contracts with any commercial operation [as defined in 1.1 and 3.14 (B) and (C)] on the Dare County Regional Airport.

C. By resolution, the Airport Authority may adopt a fee schedule to be applied for landings by any commercial operations not having a contract with the Airport Authority as provided above, which fee schedule shall be posted in a conspicuous place at the Airport Terminal Building, or at the office of the Airport Director. Commercial operators shall pay a fee for each landing at the Airport in accordance with any such fee schedule then in effect.

D. The Airport Director may detain any aircraft for nonpayment of any charges due.

8.2. GOVERNMENT (PUBLIC) AIRCRAFT:

The following types of aircraft may not be subject to landing and/or parking fees: Aircraft owned by Federal, State, or Municipal Governments.

8.3. SPECIAL SERVICES:

The Airport Authority authorizes the Airport Director to allow mechanics not based on the field to repair or perform maintenance functions on aircraft at the Dare County Regional Airport subject to the following requirements:

A. The aircraft owner or agent for the owner and the proposed mechanic must apply in writing to the Airport Director stating:

- (1) The serial number of the aircraft to be repaired or serviced.
- (2) The date proposed for work to begin, and the estimated length of time required.
- (3) A description of the repair or maintenance to be performed.

- (4) Name, address and contact information of the aircraft owner and proposed mechanic.

B. The proposed mechanic must furnish proof of coverage for liability insurance in accordance with the minimum standards established for commercial operations under Section 10.1 of these Rules and Regulations.

C. Authority to enter the field and perform repair or maintenance functions must be in writing, signed, and dated by the Airport Director, and state the purpose and period for which it is issued. Verbal approval by the Airport Director or an officer of the Airport Authority is authorized, under unusual circumstances, providing the required liability insurance is in effect.

D. The mechanic to whom the permission is issued, or the owner making the request, shall pay such fees as are applicable to the work proposed, and shall comply with all special terms, conditions or limitations set forth in writing by the Airport Director or by these Rules and Regulations.

SECTION 9 - PROCEDURES FOR RECEIVING AND PROCESSING APPLICATIONS

9.1. Any applicant wishing to establish commercial operations on the Airport shall be furnished a copy of the minimum standards, attached hereinafter as Section 10, and shall make application in writing to the Airport Director, setting forth in detail the following:

- A. The name and address of the applicant;
- B. The proposed land use, facility and/or activity sought;
- C. The names and the qualifications of the personnel to be involved in conducting such activity;
- D. The financial responsibility and technical ability of the applicant and operator to carry out the activity sought;
- E. The tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity;
- F. The requested or proposed date for commencement of the activity and the term of conducting the same;
- G. The estimated cost of any structure or facility to be furnished, the proposed specifications for same, and the means or method of financing such construction or acquisition of facilities.

9.2. Upon the filing of such an application with the Airport Director, the application shall be immediately referred to the appropriate committee and considered by the Airport Authority at the next scheduled regular meeting of the Airport Authority thereafter. If no meeting is scheduled within sixty (60) days from the filing of such application, a special meeting shall be called for consideration of the application, with notice of such meeting being given to the applicant.

Upon consideration of the application, the Authority shall determine whether or not the applicant meets the standards and qualifications as herein established and whether or not such application should be granted.

9.3. Upon approval of any such application in principle, the Authority shall cause to be prepared a suitable lease or contract agreement setting forth the terms and conditions under which the commercial operation shall be conducted. All charges and/or fees associated with any lease agreement shall be negotiated between the Tenant and the Authority on a case by case basis.

9.4. Any rejected application shall be returned to the applicant within ten (10) days of the rejection with a written explanation of the reasons for rejection.

9.5. The final agreement as drafted shall be subject to review and approval of the North Carolina Department of Transportation - Division of Aviation, the FAA, and such other agencies or public bodies deemed necessary by the Airport Authority.

SECTION 10 - MINIMUM STANDARDS FOR COMMERCIAL OPERATORS AND OTHERS

10.1. GENERAL:

A. The following minimum standards shall apply to all commercial operations. No Commercial Operator may take part in any commercial operations that are not listed in the Commercial Operator's Commercial Aviation Operation License Agreement with the Airport Authority.

B. No Commercial Operator shall be allowed to operate on the Airport without a fully executed Commercial Aviation Operation License Agreement with the Authority. Any Commercial Operator who is not a Fixed base Operator or Limited Fixed Base Operator, or any Commercial Operator whose principal place of business is located other than the Dare County Regional Airport and who further has a valid contract with another airport sponsor, may not be required to maintain facilities at the Airport.

C. Commercial Operators extended the privilege of providing self fueling services shall also be required to meet the minimum safety standards listed in Section 5.

D. No persons or Fixed Base Operators other than the Commercial Operators qualifying under 10.1(C) shall be permitted to dispense aviation petroleum products. All other Commercial Operators may engage in such other aeronautical services as they may qualify themselves for in accordance with these regulations and their lease agreements.

E. The Authority shall determine substantial conformance to the standards for all Commercial Operators.

F. All Commercial Operators must show financial solvency and business ability to the satisfaction of the Authority.

G. The minimum liability insurance which a Fixed Base Operator shall carry including general liability, product liability, and premise liability, as appropriate is \$1,000,000. Hangar's keeper/property damage insurance carried by the Commercial Operator will be decided on between the Authority and the Commercial Operator but in no case will be less than \$100,000. All policies required by virtue of this section will name as an additional insured, the Airport Authority, and will contain a provision which will require the insurance carrier to notify the Authority at least thirty (30) days prior to any cancellation, or change in coverage. All insurance policies required to be maintained hereunder shall be procured from insurance companies rated at least (A-/VII) or better by the then current edition of Best's Insurance Reports published by A.M. Best Co. and licensed to do business in the State of North Carolina.

H. Land available for commercial type operations is a valuable and limited commodity. It is the policy of the Authority that no land areas or building space in excess of present and foreseeable requirements will be leased to any operator.

I. A person who is not a Commercial Operator shall not be permitted to operate a business on or lease space or lands lying within the Airport Proper.

10.2. FUEL AND OIL:

All aeronautical activities granted permission by the Authority and engaged in self fueling of aircraft at the Airport shall be subject to a fuel flowage fee, which shall be established by the Authority. Persons conducting such activities on the Airport shall be required to provide:

A. Hard surface ramp space accessible by taxiway with electric pumps and above ground tank storage, or approved truck.

B. In conducting refueling operations, every operator shall install and use adequate grounding facilities at fueling locations to eliminate the hazards of static electricity and shall provide approved types of fire extinguishers or other equipment commensurate with the hazard involved in refueling and servicing aircraft.

C. Meet all other requirements as set forth in Section 5.

10.3. AIRCRAFT MAINTENANCE AND REPAIR:

All persons operating aircraft engine and accessory maintenance facilities shall provide:

A. Sufficient hangar space to house any aircraft upon which such service is being performed.

B. Suitable storage space for aircraft awaiting maintenance or delivery after repair and maintenance have been completed.

C. Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform top overhauls as required for FAA certification and repair of parts not needing replacement on all single engine land and light multi-engine land general aviation aircraft.

D. At least one FAA certified air frame and engine mechanic available during reasonable business hours.

- E. Nonairworthy aircraft shall be screened from public view.
- F. Separately partitionable space with adequate exhaust fans and fire protection for spray painting if this type work is performed.
- G. Appropriate insurance as outlined in 10.1(G).

10.4. FLIGHT TRAINING:

All persons conducting flight training activities, including ground school instruction, shall provide:

- A. At least one full-time, properly certificated flight instructor for certificates or endorsements recognized by the FAA.
- B. At least one dual equipped single engine land aircraft properly equipped and maintained for flight instruction or such other types of aircraft as may be required to give flight instruction of the kind advertised.
- C. Adequate classroom space with proper rest room and seating facilities. A part of the required facilities, with the consent of the Authority, may be located off Airport property.
- D. Appropriate Insurance as outlined in 10.1(G).

10.5. BANNER TOW OPERATIONS:

- A. All Banner Tow Operators shall comply with all ordinances of any County or Town over which the Banner Tow Operator operates, including but not limited to ordinances governing a Banner Tow Operator's traffic patterns and minimum elevations or altitudes.
- B. All banner tow operators shall comply with Section 10.13 of these rules and regulations which require two-way radio communications capability at all times.
- C. Banner Pick-Up Requirements.
 - (1) Standard approach procedures apply to all aircraft picking up banners at the Airport, with the obvious offset into the field South of Runway 5/23. These procedures are for noise abatement of aircraft flying with banners under tow.
 - (2) Wind direction favoring Runway 17 or Runway 23:
 - (a) After the banner pick up, the aircraft shall fly straight out over the shoreline until the following conditions are met:

- (i) The aircraft is 1,000 feet beyond the shoreline; and
 - (ii) the minimum altitude of the aircraft is 500 feet.
 - (b) Once the above conditions are met, the aircraft shall reduce power for noise abatement.
 - (c) The aircraft shall then turn towards U.S. Highway 158 and depart the Airport area. The departure shall not be over neighborhoods near the Airport.
- (3) Wind direction favoring Runway 5 or Runway 35:
- (a) After the banner pick up, the aircraft shall fly straight out until an altitude of 500 feet is achieved.
 - (b) Upon reaching 500 feet, the aircraft should reduce power until reaching a point 1,000 feet beyond the shoreline.

D. Missed Banner Pick-Ups. Missed banner pick-ups will be treated as a banner drop. The aircraft shall follow the banner drop procedures in the event of a missed banner pick-up.

E. Banner Drop Requirements.

- (1) Wind direction favoring Runway 17 or Runway 23:
- (a) Approaches should be made parallel to Runway 23.
 - (b) After the banner drop, the aircraft shall fly straight out over the shoreline until the following conditions are met:
 - (i) the aircraft is 1,000 feet beyond the shoreline; and
 - (ii) the minimum altitude of the aircraft is 500 feet.
 - (c) Once the above conditions are met, the aircraft shall reduce power for noise abatement, and make a left turn out.
- (2) Wind direction favoring Runway 5 or Runway 35:
- (a) Approaches should be made parallel to Runway 5.
 - (b) After the banner drop, the aircraft shall fly straight out until an altitude of 500 feet is achieved.

- (c) The aircraft shall then reduce power for noise abatement and make a left turn out.

10.6. COMMUTER, CHARTER, AND AIR TAXI SERVICE:

Persons operating commuter, charter, or air taxi service shall provide:

- A. Passenger lounge, rest room and telephone facilities as appropriate.
- B. Adequate table, desk or counter for checking in passengers, handling ticketing or fare collection, handling of luggage.
- C. Appropriate Insurance as outlined in 10.1(G).

10.7. AIRCRAFT RENTAL AND SALES:

Persons conducting aircraft rental and sales activity shall provide:

- A. Suitable office space for consummating sales and/or rentals and the keeping of the proper records in connection thereof.
- B. Hangar or other storage space for at least one aircraft to be used for sales or rental.
- C. For rental, at least one airworthy aircraft suitably maintained and certificated.
- D. Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements for such service and repair.
- E. There shall be available, during reasonable business hours, a properly certificated pilot capable of demonstrating new aircraft for sale or for checking out rental aircraft.
- F. The minimum stock of readily expendable spare parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.
- G. Current up-to-date specifications and price lists for types and models of new aircraft sold.
- H. Proper checklists and operating manuals on all aircraft rented and adequate parts catalogues and service manuals on new aircraft sold.
- I. Appropriate Insurance as outlined in Section 10.1(G).

10.8. MISCELLANEOUS OPERATIONS:

Activities not herein provided for may be conducted by any person, firm or corporation upon application to and approval of the Authority. Reasonable terms and conditions for the privilege of engaging in these various services will be established by the Authority commensurate with the nature and scope of the activities involved.

10.9. HANGAR SPACE:

Hangar space, office and lounge space, aircraft parking area and other such required facilities will be considered in aggregate where an operator offers multiple services in order that facility requirements will be adequate and reasonable for the services offered.

10.10. REGULATION OF AIRCRAFT SPRAYING CHEMICALS:

Persons seeking to use the Airport to conduct crop dusting or spraying of agricultural chemicals shall make written application to the Airport Authority for such operation in each instance. The application shall provide evidence satisfactory to the Airport Authority that:

A. Suitable arrangements have been provided for the safe storage and containment of noxious chemical materials; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the Airport.

B. The operator shall have available properly certificated aircraft suitably equipped for the agricultural operation undertaken.

C. No portion of the crop dusting or spraying operations shall be conducted in or on any areas of the Airport except as the Airport Authority prescribes in writing.

D. All portions of the crop dusting or spraying operations shall be conducted in accordance with all appropriate Federal Aviation Regulations, and State and Local Regulations.

10.11. ADDITIONAL MINIMUM STANDARDS FOR CONSTRUCTION BY COMMERCIAL OPERATORS:

The following minimum standards shall be established for Commercial Operators desiring to construct hangars, shops or other buildings to be constructed on the Airport:

A. Maintenance shops to be constructed shall contain a minimum floor space suitable to perform maintenance on aircraft with additional areas to use for storage of required equipment for maintenance work. The determination of the adequacy of floor space for maintenance shops shall be made by the Airport Authority in its sole discretion based on objective criteria.

B. Office space to be constructed shall contain a minimum floor space suitable for the proposed purpose for the office space. The determination of the adequacy of floor space for office space shall be made by the Airport Authority in its sole discretion based on objective criteria.

C. All maintenance shops and other buildings designated as public use facilities must provide parking for the public and such parking area must be immediately adjacent to the maintenance or other public use facility. Such public parking space must also be immediately adjacent to a public right of way so that members of the public who visit the maintenance shop or other public use facility will not travel over other restricted portions of the Airport to reach the maintenance shop or other public use facility.

D. Facilities used to paint aircraft must be designed to meet all Federal, State, and local laws including E.P.A. and O.S.H.A. requirements. A separate partitionable space within a privately owned hangar equipped with adequate exhaust fans, vapor recovery, and fire protection for spray painting is required.

10.12. AIRCRAFT PARKING APRONS:

Aircraft parking aprons shall be constructed according to plans and specifications approved by the Authority. Areas of aircraft parking apron may be required for operators handling aviation petroleum products, and aircraft repair.

10.13. NO DISCRIMINATION:

A. All services shall be provided on a fair, equal, and non-discriminatory basis to all users of the Airport. The prices charged for each unit of service shall be fair, reasonable, and not discriminatory; provided, that the operator may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar type price reductions to volume purchasers.

B. Each Commercial Operator shall provide its services in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended. Accordingly, no person shall be denied equal services on the grounds of race, color, sex, or national origin.

10.14. TWO-WAY COMMUNICATIONS REQUIRED:

No commercial operator may operate any aircraft at the Airport unless such aircraft is equipped with properly functioning two-way radio communications. Radio communications on frequency 122.8 MHz shall be used during all ground operations in the Airport traffic pattern. Pilots operating aircraft for a commercial operator who are departing from and approaching the Airport shall at all times monitor two-way communications so as to allow Airport or other local, State, or Federal governmental personnel to communicate with them.

SECTION 11 - SPECIAL AIRPORT USES

11.1. PURPOSE OF THIS SECTION:

The Airport Authority operates the Airport for the use and benefit of the public and to keep the Airport open to the various types, kinds, and classes of aeronautical use for which the Airport facility is designed and intended to serve. The Authority has established these rules to be met by all users so as to provide for the safe and efficient use of the Airport and to otherwise protect the safety of persons and property both on the ground and in the air.

11.2. REGULATION OF USE OF AIRPORT BY AIRCRAFT DUE TO WEIGHT:

The landing area facilities constructed are primarily intended for the use of powered aircraft whose weights are not in excess of the published strengths of the paved surfaces concerned. Operations on these surfaces by aircraft slightly in excess of the published pavement strengths may be permitted on an infrequent basis with the written permission of the Authority in each instance.

11.3. REGULATION OF NON-POWERED AIRCRAFT:

Operations involving non-powered aircraft, including gliders, balloons, parachuting and other unusual and special classes of activities, shall not be permitted on the Airport without the prior written approval of the Authority in each instance, and will be permitted only during an approved event which is performed for the benefit of the public.

11.4. UNLICENSED OR UNREGISTERED AIRCRAFT:

Operations involving unlicensed or unregistered aircraft shall not be permitted on the Airport without prior written approval of the Airport Authority in each instance.

11.5. REGULATION OF NON-AVIATION USES:

Considering the Authority's obligation to keep the Airport open to the public for aeronautical purposes, the Airport facilities will not be used for non-aviation uses which conflict with its aeronautical use, except as may be permitted by the Airport Authority by written certificate of waiver in each instance.

11.6. SPECIAL AVIATION EVENTS:

A. The Airport Authority recognizes the benefits to Dare County of having special events at the Dare County Regional Airport. The intent of these procedures is to promote safe and financially responsible events while maintaining safety and service to Dare County and its residents

as the primary focus. Nothing in this regulation is intended to be in conflict with rules and regulations of Dare County, the State of North Carolina, or the Federal Aviation Administration.

B. A Special Aviation Event is defined as an activity out of the realm of everyday flying activity at the Airport. Approved charters, air tours, banner-towing and normal take-offs and landings are not Special Aviation Events. A Special Aviation Event may include but is not limited to group fly-ins, fly-ins combined with other events such as meals, and any event where the Airport may be needed to provide extra employees or volunteers, modify normal operations, or modify other established rules or schedules.

C. Approval Procedures

1. Any and all Special Aviation Events shall comply with all rules and regulations of the Airport, the County of Dare, the State of North Carolina, and the Federal Aviation Administration, except when such agencies grant written certificates of waiver from such rules and regulations.

2. An application for a Special Aviation Event shall be submitted in writing to the Airport Director. The application shall include a full description of the Special Aviation Event, the anticipated impact of the Special Aviation Event on normal Airport operations, and any special needs or expectations of the person or organization who submitted the application.

3. The Airport Director shall review the application and shall make a written recommendation for approval or denial to the Facilities/Safety Committee, to the Chair of the Airport Authority, and to any other committee of the Airport Authority as may be directed by the Chair. Such recommendation shall address relevant factors, including but not limited to:

- a. Safety;
- b. Liability insurance coverage;
- c. Impact on regular users of the Airport;
- d. Consideration of neighbors of the Airport;
- e. Whether the applicant has requested fuel price discounts;
- f. Whether the applicant has requested a reduction or waiver of scheduled fees such as tie down fees;
- g. Whether as a result of the proposed event the Airport will incur unreimbursed expenses such as meals, overtime, comp time, and volunteer time; and

- h. The applicant's financial responsibility.

The committee(s) shall make a recommendation for approval or denial to the Airport Authority (or, if applicable, the Executive Committee). The Airport Authority (or, if applicable, the Executive Committee) shall approve or deny the application during a regular or special meeting of such body.

4. Special Aviation Events shall require a new application for each event. Airport Authority approval for a Special Aviation Event shall be limited to the date(s) listed in the application. For example, the sponsor or organizer of an annual Special Aviation Event shall be required to submit a new application each year for approval.

SECTION 12 - ULTRA-LIGHT VEHICLES

12.1. INTRODUCTION:

In a spirit of fostering safety and cooperation between Ultra-Light Vehicles and both fixed and rotary wing aircraft utilizing the Dare County Regional Airport, the Dare County Airport Authority has prescribed rules and regulations to govern the operation of Ultra-Light Vehicles at the Dare County Regional Airport.

12.2. PURPOSE:

The purpose of these rules and regulations are to regulate and promote safety in the operation of Ultra-Light Vehicles and also reduce the potential for danger to the lives of persons and property on and in the vicinity of the Airport. Another purpose of these rules and regulations is to encourage all those utilizing the Airport's facilities to strive for a healthy, cooperative relationship and rededicate themselves to the highest level of safe and enjoyable flying.

12.3. APPLICABILITY:

Those Ultra-Light Vehicles which operate from the airport and meet the definition of the FAR Part 103, and Experimental Vehicles subject to FAR Part 91, will be subject to these regulations. ALL Ultra-Light Vehicles operating at Dare County Regional Airport will be equipped with properly functioning two-way VHF radio and be familiar with local communications. Ultra-Light Vehicles/operators departing from and approaching the airport will at all times monitor two-way communications so as to allow the airport or other aircraft to communicate with them.

12.4. REGISTRATION:

A. Prior to operating an ULTRA-LIGHT vehicle at the Airport, the operator shall register with the Airport Director. Pilots should be registered with United States Ultra-Light Association or Aero Sports Connection. Pilots of Ultra-Light Vehicles shall notify the Airport by radio or telephone in advance of operating an Ultra-Light Vehicle at the Airport.

B. Ultra-Light Vehicle operators shall, at the request of the Airport Director, present registration certificates or vehicles for inspection.

C. No air tours, familiarization flights, demonstration flights, flight instruction, or flight operations other than so authorized by special use permit issued by the Dare County Airport Authority or agent, will be conducted from the Dare County Regional Airport.

12.5. FLIGHT OPERATIONS:

All flight operations shall be in accordance with FAR Parts 103 and 91.

12.6. GROUND OPERATIONS:

- A. All Ultra-Light Vehicles shall have operational brakes on each main wheel.
- B. While taxiing, speed will not exceed 10 mph or commensurate with existing conditions.
- C. Parking on taxiways or between T-Hangars will not be permitted at any time for any reason.
- D. Assembly of Ultra-Light Vehicles will be in an area designated by the Airport Director or his representative.
- E. The fee for overnight parking will be the same charge as conventional aircraft. The policy of overnight parking is to assure a fee is paid in a fair and equitable manner.
- F. Only one light aircraft or Ultra-Light Vehicle may be secured in a hangar. If more than one is stored, a charge will be applied to each light aircraft and/or Ultra-Light Vehicle.

12.7. TRAFFIC PATTERN:

- A. The traffic pattern for all Runways is left-hand. This will place Ultra-Light Vehicle operations in the same pattern as conventional aircraft.
- B. Wind direction will determine the runway in use.
- C. The traffic patterns for Ultra-Light Vehicles are flown at 500 feet above ground (512 feet above mean sea level). Conventional aircraft fly their pattern at 1,000 feet above ground (1,012 feet above mean sea level).
- D. Ultra-Light Vehicles shall remain well clear of runways while operating on the ground and in the air.
- E. No Ultra-Light Vehicle shall operate within 5 miles of the airport except for landing or departing.
- F. When using runways, Ultra-Light Vehicle pilots shall not extend their downwind leg so that it might interfere with the conventional aircraft pattern. Ultra-Light Vehicles shall depart the runway at the next open taxiway.

12.8. NOISE:

All Ultra-Light Vehicle operators shall be aware of the effects of noise generated by their vehicles on the surrounding neighborhoods. Continued operation will constitute a muffler or noise reduction propeller be installed to reduce noise. Ultra-Light Vehicles should remain well clear of all buildings.

12.9. SAFETY:

A. Safety is the most important aspect of all operations at the Airport. The Airport Director shall receive and investigate all reports of unsafe or potentially unsafe practices by operators of Ultra-Light Vehicles. The Airport Director will report all unsafe or potentially unsafe practices to the operator of the Ultra-Light Vehicle vehicle and/or to the FAA, in the Airport Director's discretion.

B. The Airport Director will report, within twenty-four hours of the occurrence, to the FAA in writing all Ultra-Light Vehicle accidents occurring at the Airport.

C. Operator of Ultra-Light Vehicles shall immediately report to the Airport Director any accidents involving the Ultra-Light Vehicle. Reportable accidents include those involving serious injuries, fatalities, or substantial damage.

D. Orderliness and discipline within the operation area of the airport, both ground and air, are the responsibilities of the Ultra-Light Vehicle operators.

E. Towing of a hang glider is restricted to special events and a special use permit by the Dare County Airport Authority.

12.10. ENFORCEMENT:

The Airport Director or his designated representative has the power to enforce the provisions of these regulations. Violation of any of these rules or of FAR Parts 103 and 91 (or any other applicable federal, state, county, or Airport law, or regulation) may cause suspension of operating privileges on the Dare County Regional Airport.

12.11. TERMINATION OF ULTRA-LIGHT VEHICLE RULES AND REGULATIONS:

Sections 12.1 through 12.11 of the Rules and Regulations, relating to Ultra-Light Vehicles, shall automatically terminate without further action by the Dare County Airport Authority, at such time that the Dare County Regional Airport receives FAR Part 139 Certification.

THIS STANDARD MANUAL OF AIRPORT RULES AND REGULATIONS WAS ADOPTED BY THE DARE COUNTY AIRPORT AUTHORITY ON APRIL 25, 1985, AND AMENDED ON THE FOLLOWING DATES:

<u>Date</u>	<u>Change(s)</u>
July 26, 1989	Amend Section 8.3
July 22, 1992	Amend Section 1.2(F); add new Sections 7.22 and 10.13; correction of miscellaneous typographical errors, and standardization of section numeration
December 8, 1993	Add new Section 7.23; amend Sections 1.9 and 7.3; rewrite Section 7.21
January 25, 1995	Amendments to Sections 1.8, 2.2, 2.4, 2.6, 5.4, and 10.9
March 26, 1997	Add new Section 12
October 22, 1997	Add new Sections 1.1(G-1) and 1.1(G-2); revise Section 9.3; add new Section 10.1(K).
March 25, 1998	Revise Section 1.1(G-2).
August 27, 2003	Add new Sections 1.1(S-1), 2.7, 7.24 and 7.25.
October 1, 2003	Add new Section 11.7; revise and restate the remainder of Section 11.
June 30, 2004	Re-wrote and amended Section 7.25.
January 26, 2005	Revise Section 3.11(B); add new Section 3.19.
April 27, 2005	Amend Section 1.1, 1.2, 1.4, 1.6, 1.8, 1.9, 2.1, 2.2, 2.3, 2.4, 2.6, 2.7, 3.1, 3.3, 3.4, 3.5, 3.6, 3.13, 3.14, 3.16, 3.17, 3.19, 4.1, 4.2, 4.5, 4.6, 5.2, 5.5, 6.1, 7.8 (now 7.7), 7.21 (now 7.19), 7.22 (now 7.20), 7.23 (now 7.21), 7.24 (now 7.22), 7.25 (now 7.23), 8.1, 8.2, 8.3, 9.1, 9.2, 9.5, 10.1, 10.2, 10.3, 10.4, 10.5 (now 10.6), 10.6 (now 10.7), 10.7 (now 10.8), 10.9 (now 10.11), 10.11 (now 10.13), 10.13 (now 10.14), 11.6 (now 11.5), 11.7 (now 11.6), and 12.1 through 12.11. Added new Section 3.20, 10.5, and 10.15. Deleted former Sections 7.3, 7.9, 7.10, 7.17, and 8.4 (7.17 is reserved). Moved the second clause of former Section 7.17 (now renumbered as Section 7.14) to create new Section 7.15, moved 11.5 to 10.10, and moved 10.12 to become part of 10.13.
January 31, 2007	Amend Sections 1.1, 2.2, 10.1(G) and 10.5.

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