

AIRPORT COMMISSION OF FORSYTH COUNTY

SMITH REYNOLDS AIRPORT



Rules and Regulations

**Smith Reynolds Airport
Winston-Salem, North Carolina**

Adopted November 15, 2011

AIRPORT RULES AND REGULATIONS
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The attached Rules and Regulations for Smith Reynolds Airport were adopted at the regular scheduled meeting of the Airport Commission of Forsyth County on November 15, 2011. These Rules and Regulations supersede any previously established regulations by the Airport Commission of Forsyth County.

Chairman
Thomas F. McKim
Airport Commission of Forsyth County

ARTICLE 1: DEFINITIONS

The following words and phrases, whenever used in these rules and regulations, shall be construed as defined in this article unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases.

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

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

Airside means the area of the airport that is either contained within the airport perimeter fence, or which requires access through a building located on or adjacent to airport property, or which requires access through a controlled airport access point.

Airport - means the entirety of Smith Reynolds Airport, located in Forsyth County, North Carolina.

Airport Commission means the Airport Commission of Forsyth County, the owner and operator of the Airport.

Airport Director shall mean Airport Commission’s Airport Director or acting Airport Director, who may from time to time be appointed by Airport Commission, and shall include such person or persons who may from time to time be authorized by Airport Commission or by the Airport Director to act for him with respect to any or all matters pertaining to this document.

Based Aircraft means aircraft permanently based at the Airport pursuant to a lease or permit directly with the Airport Commission, or a permit or sub-lease from an Airport lessee or FBO.

Fixed Base Operator or “FBO” shall mean a person operating a concession granted by the Airport Commission to provide a full range of aeronautical services to the aeronautical public at the Airport.

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

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

Major aircraft alterations and repair means major alterations and/or repairs of the parts or of the types listed in the most current FAR Part et. seq.

Movement Area means those areas of the Airport designated for the taxiing, take-off and landing of aircraft. Movement Areas include, without limiting the generality hereof, all taxiways, taxilanes, aprons and runways on the Airport.

Notice to Airmen or NOTAM means an official notification from the Airport Commission or the FAA concerning the condition or use of the Airport for flight activities which, when posted in accordance with FAA regulations, is deemed to be notice to all pilots concerning such condition or limitation.

Person means a natural person, corporation, partnership, limited liability company or any other form of business organization.

Preventive aircraft maintenance means maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations as listed in the most current FAR Part 43, Appendix A, Paragraph C.

Service Provider shall mean an FBO or other aeronautical service provider operating under a concession granted by the Airport Commission to provide a limited range of aeronautical services at the Airport.

Taxilane means a portion of an airport apron area, or any other area, designated for use for aircraft to taxi other than on taxiways.

Taxiway means a defined path established for the taxiing of aircraft from one part of the airport to another other than a taxilane or runway.

ARTICLE 2: GENERAL USE OF AIRPORT

Section 2-1. Purpose of rules and regulations

Rules and regulations provided in this document and any amendments (regulations) hereinafter adopted by the Airport Commission are intended to regulate the activities of persons using Smith Reynolds Airport or any part thereof to provide for the safe, orderly and efficient operation of the airport, and apply to all persons using the airport for any reason.

Section 2-2. Conflicting laws, ordinances, regulations and contracts

In any case where a provision of these Rules and Regulations is found to be in conflict with any other provision of these regulations or in conflict with a provision of any federal, state or local law or regulation pertaining to the Airport and to persons on the Airport, the applicable federal, state or local law or regulation shall override the conflicting Rule or Regulation.

Section 2-3. Responsible party

Any person accessing the airport shall be responsible for its actions and all actions of its officers, employees, agents, or invitees while on the Airport.

Section 2-4. Closing of airport

In the event the Airport Director believes the conditions of the airport are unsafe for landing or takeoffs, it shall be within the Director's authority to close the entire airport or any part thereof. The closing of the Airport shall be in accordance with all required procedures such as notifying the FAA and issuing a NOTAM.

Section 2-5. Aircraft parking

- (a) No person shall taxi to, park, leave parked, or leave any aircraft at any location upon the Airport except an aircraft parking and storage area either leased or rented to such person or designated by the Airport Commission or an FBO as an itinerant aircraft parking area.
- (b) If any aircraft is parked in violation of this section or, in the determination of the Airport Director, presents an operational or safety concern in any area of the airport, the Airport Director may cause the aircraft, at the owner's or operator's expense, to be moved. The Airport Commission shall not be liable for any damages which may result from the relocation of the aircraft except any damages that are caused by an act that is determined by a court of competent jurisdiction to have been intended to damage the aircraft or the gross negligence of the agent or employee of the Airport Commission that moves the aircraft.
- (c) The owner of the offending aircraft shall be solely responsible for any damages which may result as a result of the relocation and any fixed base service provider that assists the Airport in the moving of the aircraft will not be liable for any damage unless such is the result of gross negligence.

Section 2-6. Aircraft Storage Hangars

(a) Aircraft Storage Hangars are large hangars capable of storing more than one aircraft and shall only be used for the following purposes:

- 1. Storage and parking of aircraft and associated aircraft equipment and supplies. Aircraft parked in hangars shall be parked in a manner so as to be completely contained in the aircraft parking space designated for such aircraft within such hangar and not obstruct adjacent aircraft parking and storage areas or taxiways, except for purposes of immediate and temporary staging and fueling of such aircraft.
- 2. Parking of vehicles of the owner, operator or passenger of such aircraft while the aircraft not in the hangar.

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

- 1. No preventive aircraft maintenance, major aircraft maintenance, repair or alterations, or automotive maintenance and repairs shall be performed in Aircraft Storage Hangars except by the owner or legal operator of the aircraft, unless otherwise approved in writing by the Airport Commission. This restriction shall not apply to hangars that are rated for maintenance activities.
- 2. Oily rags, oil wastes, rags and other rubbish and trash may be stored only in containers with self-closing, tight-fitting lids as approved by the Airport Director.

(c) Aircraft hangars shall be subject to annual and periodic inspections by the Airport Director to ensure compliance with all applicable laws, ordinances and these regulations.

Section 2-7. Aircraft T-hangars

(a) Aircraft T-hangars are small, one-aircraft hangars intended for exclusive storage of a particular aircraft and shall only be used for the following purposes:

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

2. Parking of vehicles while the T-hangar tenants aircraft is not in the hangar.

3. Use of aircraft storage hangars shall be subject to the following restrictions:

(a) No major aircraft maintenance, repair or alterations, or automotive maintenance and repairs shall be performed in T-Hangars. Preventive aircraft maintenance may be performed by the T-hangar tenant on aircraft owned or operated by the tenant.

(b) No commercial maintenance activities shall be conducted by tenants in the T-hangar. This does not preclude a tenant from inviting certified maintenance personnel to perform preventative maintenance work in the T-hangar. Any such work must be performed within the confines of the T-Hangar and any adjacent apron rented or leased from the Airport Commission for the exclusive use of such tenant and not interfere with the operation of adjacent leaseholders.

(c) Batteries shall only be charged while the Service Provider or tenant is in attendance and the aircraft is in an unenclosed space with the written permission of the Airport Commission. Aircraft batteries shall not be connected to a charger when installed in an aircraft located inside or partially inside a T- hangar.

Section 2-8. Aircraft tiedowns

Aircraft tiedowns are anchors embedded in the tarmac for the purpose of securing aircraft parked on the apron from taking flight and moving from high winds. Tiedowns shall only be used for the following purposes:

(a) Storage and parking of the aircraft assigned to such tiedown by an FBO, Aircraft Storage Hangar Lessee or the Airport Commission. Such aircraft shall be securely anchored to the tarmac and parked in a manner so as to be completely contained within the aircraft parking space assigned to it and not obstruct adjacent aircraft parking and storage areas or taxilanes, except for purposes of immediate and temporary staging and fueling of such aircraft.

(b) Conducting preventive aircraft maintenance on the aircraft pursuant to written permission of the Airport Commission or the lessee of the apron on which the tiedown is located. Any such maintenance shall be performed in accordance with applicable regulations.

Section 2-9. Aircraft washing and polishing

All washing of Based Aircraft shall be done in accordance with posted rules and all Airport Commission federal, state, county and local law. Chemicals harmful to the environment may not

be used. Based Aircraft may be washed inside an Aircraft Storage Hangar or T-Hangar with soaps, solvents, or degreasers only if the hangar is equipped with a drain that is approved to handle the chemicals, including an oil/water separator. Itinerant aircraft may be washed only by a Service or other person to whom the Airport commission has conveyed the permission to wash aircraft on the Airport

Section 2-10. Storm Water Pollution Prevention

The Airport is subject to federal storm water regulations, 40 C.F.R. Part 122 for “vehicle maintenance shops” (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication), equipment cleaning operations and/or deicing operations that occur at the Airport as defined in these regulations and, if applicable, state storm water regulations. No person shall conduct any activity on the Airport which could result in the violation of these regulations.

Section 2-11. Ground Vehicle Operations

The airport access roads and movement areas shall only be used by authorized vehicles, which include all airport administration vehicles, fixed base Service Provider fuel trucks, and other vehicles. All vehicles must be equipped with a beacon for daylight and nighttime operations. All persons operating any vehicles on the movement areas must attend a ground vehicle training class that is provided by the Airport Commission. No ground vehicles shall be operated in such a way or at locations on the Airport to interfere with the proper functioning of navigational equipment.

Section 2-12. Cigarette, Pipe and Cigar Smoking areas

No smoking shall be permitted except in areas designated by the Airport Commission for smoking.

Section 2-13. Restricted areas

(a) No person shall enter the airside area, except as necessary for the lawful use of an aircraft therein, or to conduct a permitted business activity.

(b) No person shall enter any area posted as “Access Restricted – No Entry” by Order of the Airport Commission of Forsyth County, except with the consent of the Airport Director.

Section 2-14. Access codes/devices

Persons who have been provided either a code or device for the purpose of obtaining access to the airside area through a public entry point, shall only use airport-issued codes/devices and shall not divulge, duplicate, or otherwise distribute the same to any other person, unless otherwise approved in writing by the Airport Director. Violation of this regulation may result in the loss of access privileges. It is not a violation of this section for the person to whom the access code has been given to provide the access code to his or her employees who it authorizes to enter the restricted area. .

Section 2-15. Self-services

(a) Owners and operators of Based Aircraft are permitted to fuel, wash, repair, or otherwise service their own aircraft subject to the lease or permit pursuant to which they base their aircraft at the Airport, provided there is no attempt to perform such services for others and further

provided that such right is conditioned upon compliance with these regulations and all applicable laws.

(b) An Based Aircraft owner or operator may hire an individual to provide, under the direction and supervision of the aircraft owner or operator, services only on the owner's or operator's Based Aircraft. Such services may only be provided by a direct employee of the Based Aircraft owner or a technical specialist.

Section 2-16. Maintenance of premises

All persons using the airport refrain from littering or trashing the Airport. All persons having possession, control or use of any portions of the airport shall at all times maintain such premises in clean, serviceable, safe and operable condition and repair unless the lease, sub-lease or permit by which they occupy the premises excuses them from such maintenance or repair..

Section 2-17. Waste containers and disposal

All airport tenants, users, or visitors shall dispose of all waste in the appropriate waste containers. No petroleum products, industrial waste matter or other hazardous materials shall be dumped or otherwise disposed of in waste containers or elsewhere on the Airport except in accordance with local, county, state and federal law. Any hazardous material brought onto the Airport by any person shall be the responsibility of such person under all applicable laws.

Section 2-18. Storage

No person shall store or stock materials or equipment at any location on the Airport except in areas designated for such storage and use by the Airport Commission or their landlord. All materials or equipment permissibly stored in approved areas must also be stored in such a manner as to not be unsightly or constitute a hazard to personnel or property, as determined by the Airport Director.

Section 2-19. Storage, transfer and cleanup charges

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

Section 2-20. Model aircraft, kites, balloons, etc.

No person shall fly or release a model aircraft, rocket, kite, balloon, parachute, etc., on the airport except with the express written permission of and in strict compliance with the conditions of such activity imposed by the Airport Director.

Section 2-21. Advertisements

No person shall post, distribute or display signs, advertisements, circulars, printed or written matter in any portions of the Airport other than their leased or assigned premises without written permission from the Airport Director. All outdoor signs must be approved in writing by the Airport Director prior to installation.

Section 2-22. Animals

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

Section 2-23. Property damage, injurious or detrimental activities

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

Section 2-24. Alteration of airport property

No person shall make alterations that would normally require a building permit to any signs, buildings, aircraft parking and storage areas, leased areas or other airport property, nor erect any signs, buildings or other structures, except in accordance with terms of their lease with the Airport Commission or with the prior written permission of the Airport Director. Such persons shall comply with all building codes and permit procedures of the Airport Commission of Forsyth County and shall deliver to the Airport Director as-built plans upon completion.

Section 2-25. Abandoned property

No person shall leave any property on the Airport property or in any building on the airport in excess of 30 days without the Airport Director's or its lessee's permission. Such property left in excess of thirty days will be deemed to be abandoned and may be impounded by the police having jurisdiction over the Airport.

ARTICLE 3: RULES REGARDING OPERATION OF AIRCRAFT

Section 3-1. Landing and takeoff of aircraft

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

(b) Landing aircraft shall taxi ahead to the nearest turn-off and clear the runway as soon as practical and, consistent with safety and the air traffic control tower's instruction..

Section 3-2. Disabled aircraft

Aircraft owners and pilots shall be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or directed by the Airport Director or the Federal Aviation Administration to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the Airport Director may cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The Airport Commission of Forsyth County shall not be responsible for damage to disabled aircraft

removed by the owner, the pilot, or other persons. The owner of the offending aircraft is liable for any damage that occurs in the removal of the aircraft unless it is found to be gross negligence.

Section 3-3. Negligent operation of aircraft

No aircraft shall be operated at the Airport in a careless, negligent or reckless manner, or in disregard of the rights and safety of others. In addition, no aircraft should be operated by any person that would be prohibited by law from operating an automobile on the public streets due to alcohol or drug influence or impairment, or at a speed or in a manner which endangers, or is likely to endanger, persons or property.

Section 3-4. Running of aircraft engines

Aircraft engines shall only be run at idle except as may be necessary for safe taxiing operations, taking off, landing, preflight testing, and maintenance testing. All engine run-ups for maintenance testing purposes shall be performed in accordance with section 3-5 of these regulations. At no time shall an aircraft engine be operated while the aircraft is in a hangar.

Section 3-5. Aircraft engine run-ups.

Maintenance and testing engine run-ups shall be conducted between 7am and 8pm at the designated run up areas. Given the close proximity of noise sensitive areas, it is the responsibility of all airport users to limit engine run-ups that are absolutely critical

Section 3-6. Exhaust and propeller blast

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

Section 3-7. Taxiing of aircraft

All aircraft shall be taxied in a manner so as to avoid a collision with other aircraft, persons or objects. No person shall taxi an aircraft except on areas designated for taxiing. If it is impossible to taxi aircraft in compliance with this section, then the engine must be shut off and the aircraft towed to the new location.

Section 3-8. Common air traffic advisory frequency

During hours when the airport traffic control tower is not in operation, aircraft Service Providers shall utilize the common air traffic advisory frequency, 123.75 MHz, to broadcast their intentions.

Section 3-9. Aircraft accident reports

Any persons involved in an aircraft accident in which Airport Commission property is damaged or which occurs on the Movement Area and for which a report is required by a regulatory agency, shall make a full report of the accident to the Airport Director within forty-eight (48) hours of the accident. The report shall include, at a minimum, the names and addresses of the persons involved, and a description of the accident and its cause as well as the property that was damaged.

Section 3-10. 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, except under the specific direction of the Airport Director in an emergency.

Section 3-11. Helicopter Operation

All based helicopter Service Providers shall have an identified object free area Final Approach and Takeoff Area (FATO) available for helicopter landings and takeoffs. A FATO may have any shape provided that its least dimension, i.e., length, width, or diameter, is not less than 1.5 times the overall length of the design helicopter, per the latest edition of Advisory Circular 150/5390-2. A safety area surrounds the FATO. Its recommended width is one-third of the design helicopter, but not less than 10 feet. The FATO and the safety area should be free of objects, including but not limited to, other helicopters, aircraft, buildings, fences, and vehicles that could be struck by the main or tail rotor. No helicopters, whether based or transient, shall operate within twenty-five feet of any building, hangar, or light aircraft.

ARTICLE 4: VEHICLES, PEDESTRIANS, ETC.

Section 4-1. General requirements

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

(b) Vehicles shall only be operated by persons who have attended the ground vehicle training course provided by the airport.

(c) All vehicles shall yield right of way to aircraft in motion and emergency vehicles.

(d) No vehicles shall pass closer than one-hundred feet to the rear of taxiing aircraft.

(e) No vehicle shall approach closer than one-hundred feet to any aircraft whose engines are running, excluding ground service and emergency vehicles.

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

Section 4-2. Licensing, registration and insurance

(a) No person shall operate a vehicle of any kind on the airport without a valid state operator's license with the exception of ground support equipment.

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

(c) This restriction does not apply to those vehicles which are operated on the Service Provider's ramp area and under the Service Provider's positive control.

Section 4-3. Control of vehicles

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

Section 4-4. Speed limits

All vehicles shall be operated in strict compliance with all speed limits at the airport. The maximum speed limit for all vehicles in the airside area, with the exception of authorized municipal vehicles in the performance their official duties, is fifteen (15) miles per hour or less if conditions warrant in order to ensure safe operation.

Section 4-5. Vehicles operating on runways and taxiways

(a) Any vehicle authorized to operate on the airport runway or taxiways shall display a beacon that complies with latest edition of FAA Advisory Circular 150/5210-5 and is visible to the air traffic control tower personnel. Exceptions to this rule must be authorized in writing by the Airport Director.

(b) All vehicles that are authorized to operate in the movement area must be equipped with a two-way aviation radio, receive a clearance from, and remain in continuous communications with the airport traffic controllers while the tower is in operation. The installation of a two-way radio does not, in and of itself, authorize the operation of vehicles on runway or taxiways without the operator attending a vehicle training course.

Section 4-6. Authority to remove vehicles

The Airport Director may cause to be removed from any area of the airport any vehicle which is disabled, abandoned, parked in violation of these regulations, or which presents an operational problem to any area of the airport, at the operator's expense and without liability for damage which may result in the course of such movement.

Section 4-7. Scooters and miscellaneous vehicles

No person shall use at the airport any go-cart, go-ped, skateboard, rollerblade, all terrain vehicle or other vehicle not licensed or otherwise permitted by state law for operation on a public street or highway. This section does not pertain to vehicles used solely for tugging, marshaling, or refueling aircraft, or golf carts used by those who have successfully completed the Ground Vehicle Training Program and been issued a license. On a case by case basis, and with the prior written approval of the Airport Director, other modes of transportation may be used on the airport.

Section 4-8. Motor homes, boats and recreational vehicles

Motor homes, boats, and recreational vehicles shall not be stored anywhere on the airport without the written consent of the Airport Director.

Section 4-9. Careless operation, driving while intoxicated, etc

No vehicle shall be operated at the airport or within any area thereof:

- (a) In a careless, negligent or reckless manner;
- (b) In disregard of the rights and safety of others;
- (c) Without due caution;
- (d) At a speed or in a manner which endangers or is likely to endanger persons or property;
- (e) While the driver would be prohibited by law from operating an automobile upon the public streets of the Airport Commission of Forsyth County due to drug or alcohol impairment or influence;
- (f) If the vehicle is so constructed, equipped or loaded as to endanger or be likely to endanger persons or property, or to result in the load or other materials becoming separated from the vehicle;
- (g) Without operating headlights, tail lights, turn signals, and brake lights during hours of darkness or during inclement weather; or
- (h) In a manner that does not allow the vehicle to be immediately driven or towed away from any nearby aircraft in case of emergency.

Section 4-10. Parking restrictions

- (a) No person shall park or leave any vehicle standing, whether occupied or not, except within a designated parking area.
- (b) Aircraft owners and Service Providers shall only park their vehicles in areas designated for automobile parking or in the aircraft storage and parking space designated for their aircraft.
- (c) Vehicles parked in an aircraft parking and storage area shall be parked in a manner so as to be completely contained in the aircraft parking or storage space and not obstruct adjacent aircraft parking and storage areas, or taxilanes unless for the purposes of immediate and temporary loading, unloading, or staging of an aircraft.

Section 4-11. Volunteer Assistance

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

Section 4-12. Pedestrians in the airside area

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

Section 4-13. Vehicle repair

No person shall clean or make any repairs to vehicles anywhere on the airport, except those minor repairs necessary to remove such vehicles from the airport. This provision does not apply to ground support equipment or vehicles used in the operation of the Service Provider's business, and owned or leased by the Service Provider.

ARTICLE 5: FUELING, FLAMMABLE FLUIDS, AND SAFETY

Section 5-1. Fuel safety

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

Section 5-2. Unauthorized fuel possession and storage

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

Section 5-3. Storage of aircraft fuel trucks, trailers and other aircraft refueling Devices

(a) Aircraft refueling vehicles, other moveable aircraft fuel containers and refueling devices shall be stored outside and not less than fifty feet from a building or such other distance as shall be designated or approved by Airport Director.

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

(c) No aircraft refueling vehicle, aircraft fuel container, or other aircraft refueling device, empty or otherwise, shall be brought into, kept or stored within any building at the airport unless the building is used exclusively for that purpose. This section does not apply to vehicle fuel cans with a capacity of not more than five gallons, provided no more than one such can may be located within a single vehicle, and not more than two such cans in any hangar.

Section 5-4. Aircraft fueling locations

All aircraft fueling shall be performed outdoors.

Section 5-5. Maintenance of fuel servicing vehicles

Maintenance and servicing of aircraft fuel servicing vehicles shall be performed outdoors or in a building approved for that purpose by the fire department.

Section 5-6. Removal of gas, oil, grease, etc

In the event of spillage of gasoline, oil, grease or any material which may be unsightly or detrimental to the airport, the same shall be removed immediately and reported to the Airport Commission. The responsibility for the immediate removal of such gasoline, oil, grease or other material shall be assumed by the Person causing the spill or by the tenant or concessionaire responsible for the spill. In the event of spillage in excess of 1 gallon, and the failure of the responsible Person to restore the area to its original safe and environmentally sound status, the

Airport Commission may clean up any material unlawfully spilled, placed or otherwise deposited at the airport and may charge the responsible Person(s) for the cost of the cleanup, any required environmental remediation, and any expenses incurred by, or fines or damages imposed on, the Airport Commission as a result thereof. Such an event may constitute grounds for denying access to the airport.

Section 5-7. Fire extinguishers

All Service Providers, tenants, lessees, licensees, and sublessees shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by the Forsyth County Fire Department which can vary based upon location, need, use, and building type. Each fire extinguisher shall carry a suitable tag showing the date of most recent inspection.

Section 5-8. Moveable fuel storage tanks

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

- (a) Fuel trucks constructed, operated and maintained in all respects as required by law.
- (b) Fuel tanks in an operable aircraft.
- (c) Tanks not exceeding one gallon capacity used solely for sampling and testing fuel, engines and fuel handling apparatus.
- (d) Tanks lawfully transporting fuel for immediate dispensing into a fuel storage tank permitted by the Airport Commission of Forsyth County. Such vehicles shall access the airport at a point approved by the Airport Director and remain under escort by a representative of the company receiving the fuel.
- (e) Temporary defueling of aircraft.

Section 5-9. Self-fueling

Except as may be prohibited by other provisions of these regulations and any other applicable law, owners of an Based Aircraft who desires to self-fuel their aircraft, shall apply for a self-fueling permit from the Airport Director. The preceding sentence does not apply to the use of a self-service fuel facility provided by a Fixed Base Operator or Airport Commission of Forsyth County.

- (a) The dispensing of fuel must meet all applicable Airport, State of North Carolina and Federal regulations, including Federal Aviation Administration (FAA) Advisory Circulars, as well as American Society for Testing and Materials (ASTM) D-910 for Avgas and ASTM D-1655 for Jet Fuel, which shall be determined at the time of delivery into the aircraft.
- (b) Mogas may be substituted for Avgas in only those aircraft for which an individual Supplemental Type Certificate (STC) has been approved by the FAA.

(c) Prior to self-fueling of any aircraft, the self fueling permittee (“Permittee”) shall provide to the Airport Director a copy of the FAA’s aircraft registration certificate for that aircraft verifying ownership by the Permittee, or proof of being the lessee of said aircraft.

(d) All Permittees will be governed by a permit issued by the Airport Commission, which is valid for a period of one year. An annual fee will be required for a permit for Mogas, Avgas and Jet Fuel self-fueling.

(e) Jet Fuel may only be dispensed from a mobile fuel tender (fuel truck) with a capacity of at least 2,000 gallons. Avgas may only be dispensed from a mobile fuel tender with a capacity of at least 1,000 gallons. Fuel trucks may not remain parked on the airport when not engaged in refueling operations, unless authorized in writing by the Airport Director.

(f) Permittees or their designees shall maintain a log of the type and amount of fuel dispensed into their aircraft, with said log to be available for review by the Airport Commission upon request. Permittee shall report the type and amount of fuel dispensed during each calendar month and submit such report and the appropriate fuel flowage fees to the Airport Commission on or before the 10th day of each subsequent month. The fuel flowage fee for self-fueling by private and corporate aircraft owners and lessees who do and do not have a lease agreement with the Airport Commission as of September 1, 2010, shall be \$0.10 per gallon; however, this fee is subject to change at the discretion of the Airport Commission.

(g) Permittee shall be responsible for the payment of the appropriate federal and state taxes on aviation fuels, and for all reports required by the Internal Revenue Service, and shall comply with all applicable federal statutes and regulations, including, but not limited to, those promulgated by the Federal Aviation Administration.

(h) Permittees shall obtain and keep in effect during the term of their permit and/or operations, an insurance policy which provides coverage for General Liability (including Premises and Property Damage). The Permittee shall also furnish the Airport Director with a certificate from the Permittee’s insurance carrier showing such insurance to be in full force and effect.

(i) Permittees or designees who do not have written permission from a FBO which allows the user to refuel on the FBO’s leased premises shall coordinate with and receive written permission from the Airport Director for the location of, and access routes to an alternative fueling location, if such location has been designated.

In addition to the preceding self fueling regulations, the following general rules shall govern the refueling, defueling, oil service and sumping of aircraft, and the placing of fuels in storage tanks or dispensers:

1. No aircraft shall be refueled, defueled or oil serviced while aircraft engines are running, or aircraft is being warmed by application of heat and/or while such aircraft is in a hangar. Aircraft shall be refueled on hard surface areas only, and only in areas approved by the Airport Director.

2. Prior to the fuel servicing of any aircraft, it and the fuel dispensing equipment shall be grounded / bonded to a point or points of zero electrical potential in order to prevent the possibility of static ignition of volatile liquids.
3. All equipment used to store or deliver fuel to aircraft or vehicles shall be inspected by a qualified representative of the Airport Commission on a semi-annual basis. Airport Commission employees are authorized to require and enforce the immediate cessation of fuel service operations under conditions which they deem jeopardizes public safety. All other situations which violate any provisions contained herein shall be cured by the operator in a timely manner, as determined by the Airport Director.
4. Fueling pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be UL approved where applicable and will be kept in first class condition at all times.
5. Fuel pumps, shall be powered and the flow shall be controlled by a deadman flow control in the nozzle. Nozzles shall have a cable with a plug or clip for bonding to the aircraft.
6. Fuel systems shall have a means for quickly and completely stopping fuel flow in the event of an emergency. Fuel dispensing containers shall have a valve mechanism such that water or other contaminants can be drained from the lowest portion of the tank. An in-line filtration system utilizing a 5-micron or less fuel filter element shall be included in the dispensing system.
7. When a malfunction of the refueling equipment is detected, all refueling operations shall cease immediately and the malfunctions or irregularity detected on or within the aircraft being serviced will be brought to the attention of the aircraft owner or operator immediately. Any malfunctions or irregularities detected on or within the fuel dispensing equipment shall be corrected before the use of such equipment is resumed.
8. Crews engaged in the fueling and defueling of aircraft shall exercise extreme caution to prevent spills. When a spill of more than five gallon occurs, servicing will cease, the Airport Commission of Forsyth County will be notified immediately, and spills will be removed or absorbed with suitable material dependent upon the nature of the spill and in conformance with all local state and federal rules.
9. During fuel handling operations in connection with any aircraft, no less than two CO2 or approved dry chemical fire extinguishers of ten pounds or larger shall be immediately available for use in connection therewith.
10. No person shall perform or allow performance of any refueling activity when lightning is observed within five miles of the Airport or during an electrical storm.
11. No person shall use any material or equipment during fueling and defueling operations which is likely to cause a spark or ignition.
12. No person shall start the engine of an aircraft when there is a flammable substance on the ground under or around the aircraft.

13. All, hoses, funnels and appurtenances used in fueling and defueling operations shall be equipped with a grounding/bonding device to prevent ignition of volatile liquids. Furthermore, funnels shall be metal and have a capacity of not less than two gallons to reduce the risk of spillage.

14. No aircraft shall be fueled or defueled while passengers are on board the aircraft unless a passenger loading ramp is in place, the aircraft door is open, and a cabin attendant is present at or near the door.

15. No airborne radar equipment shall be operated or ground tested on any area wherein the directional beam of high intensity radar is within 300 feet, or low intensity radar (less than 50KW output) is within 100 feet of another operation or aircraft refueling truck.

16. During fueling and defueling, fuel handling devices shall be placed so as to be readily removed in the event of fire so as to permit direct driving away from the loading or fueling position.

17. Fuel shall not be transferred from a vehicle fuel system to an aircraft fuel tank or intermediary tank for the purpose of fueling aircraft.

Section 5-10. Vehicle fuel

No person shall possess vehicle fuel on the airport except:

- (a) Within the airport's bulk fuel storage area, also known as the Fuel Farm.
- (b) Within the permanently installed fuel tank of a vehicle for use only by that vehicle;
- (c) Within a moveable container designed for storage of vehicle fuel and having a capacity of not more than five gallons. No more than one moveable container containing vehicle fuel shall be located in a single vehicle. No more than two such containers shall be located in any hangar. No such containers shall be located in an Airport Commission of Forsyth County-owned rental hangar.