



Eagle County Regional Airport Rules and Regulations



Eagle County Regional Airport Rules and Regulations

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SECTION A. – GENERAL

I. Authority

- a. These Eagle County Regional Airport Rules and Regulations (“the Rules and Regulations”) are promulgated under the authority of Colorado Revised Statutes Section 41-4-102 and Section 41-4-106, which grant Eagle County (“County”), through its Board of County Commissioners (“BOCC”), the power to regulate the use of the Eagle County Regional Airport (“Airport”). The Rules and Regulations also are adopted pursuant to the County’s authority as the owner, operator, and proprietor of the Airport and pursuant to the County’s police powers to protect the health, safety, and welfare of all persons within the County. All leases, licenses, permits and other agreements authorizing the use of Airport property and facilities shall require compliance with the Rules and Regulations.
- b. In addition to the Rules and Regulations, all persons on the Airport are subject to all applicable provisions of federal law, laws of the State of Colorado, the Eagle County Code, and the Town of Gypsum Municipal Code. In the event of a conflict between the Eagle County Code and the Town of Gypsum Municipal Code, the Eagle County Code shall exclusively govern aeronautical activities and uses at the Airport, and the Town of Gypsum Municipal Code shall exclusively govern non-aeronautical activities and uses at the Airport.¹ In the event of a conflict between the Rules and Regulations and another provision of the Eagle County Code, the provision that best serves the purposes of the Rules and Regulations shall control.
- c. The privilege of using the Airport and any and all of its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof. The County reserves the right to claim immunity from liability in connection with its operation of the Airport and to assert any other defense available, including without limitation immunity or defenses pursuant to the Colorado Governmental Immunity Act, Colorado Revised Statutes Section 24.10.101 *et seq.*, as the same may be amended from time to time.
- d. References and citations in the Rules and Regulations to ordinances, laws, regulations, policies, standards and guidelines promulgated by Eagle County, the State of Colorado, the United States, and public and private bodies include any amendments as may be adopted after the County’s adoption of the Rules and Regulations.
- e. The Rules and Regulations cancel and supersede all previous rules and regulations governing use of the Airport.
- f. The invalidation of any specific rule or regulation shall not affect the validity of the remainder of the Rules and Regulations.

II. Purpose

- a. In establishing the Rules and Regulations, the County’s goals are to promote the safe, secure and orderly use of the Airport.
- b. The County recognizes the jurisdiction of the federal government, delegated to the Federal Aviation Administration, concerning the licensing and regulation of pilots, air carriers and aircraft; and concerning the navigable airspace. Nothing herein is intended to assert jurisdiction by the

¹ See ¶ 2.H of Annexation Agreement between the Town of Gypsum and the County of Eagle (July 13, 2009).

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County over matters under the exclusive jurisdiction of the federal government, and the provisions hereof shall be interpreted consistent with this purpose.

III. Application and Waiver

- a. The Rules and Regulations shall apply to all users of, and persons on, any portion of the Airport. Provisions hereof concerning the safety and security of the Airport shall apply to all persons within the County.
- b. The County intends for the Rules and Regulations, including amendments, to be applicable to all persons having a lease, permit or agreement with the County to the fullest extent permitted under the lease, permit or agreement, even where the application of the Rules and Regulations may impose a new or different obligation than existed at the time of execution of the lease, permit or agreement.
- c. The Aviation Director may waive all or any portion of the Rules and Regulations for the benefit of any government or government agency performing public or emergency services, including for example and without limitation, law enforcement, disaster relief, search and rescue, fire prevention and firefighting, but only to the extent that the Aviation Director determines that any such waiver will not derogate the safety of Airport operations. Without limitation, the Aviation Director may waive application of provisions of the Rules and Regulations as to the operation and development of the High-Altitude Army National Guard Aviation Training Site (HAATS).

IV. Administration

- a. The Aviation Director has primary responsibility for the interpretation and application of the Rules and Regulations and is authorized to issue citations, directives and interpretive guidance in conformity with the Rules and Regulations. The Rules and Regulations and summaries of the Rules and Regulations or portions thereof shall be made available upon request in electronic or hard copy format.
- b. The County Attorney and County employees assigned to the Airport are authorized to assist in the application and implementation of the Rules and Regulations, principally through communications with Airport users on the content and proper interpretation of the Rules and Regulations.
- c. Law enforcement officers of the Eagle County Sheriff's Office are authorized to detain and remove individuals for violation of the Rules and Regulations, as provided herein, or other provisions of the Eagle County Code and Town of Gypsum Municipal Code.
- d. The Transportation Security Administration ("TSA") has primary responsibility for the screening of passengers and property at the Airport, and for approving the Airport security program pursuant to 49 C.F.R. Part 1542. The TSA is not responsible for the implementation and enforcement of the Rules and Regulations.

V. Commercial Activities and Construction on the Airport

- a. All commercial aeronautical activities conducted on the Airport must be approved by the BOCC or the Eagle County Air Terminal ("ECAT") Board by means of a written agreement and shall be performed in accordance with the Eagle County Regional Airport Minimum Standards and the Rules and Regulations.
- b. All commercial non-aeronautical activities conducted on the Airport must be performed in accordance with the Rules and Regulations.

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- c. All written agreements for the provision of commercial aeronautical and commercial non-aeronautical activities shall prohibit sublease, assignment and subcontracting for the provisions of commercial services, products and services without the written approval of the BOCC or ECAT Board.
- d. Any construction or alteration taking place on the Airport shall be performed in compliance with FAA, State of Colorado, Eagle County, and Town of Gypsum requirements, standards and guidelines, including without limitation the Interior and Tenant Design Guidelines for the Terminal Building Development Program, available from Airport Administration. No construction requiring a building, earth-moving or similar permit shall take place on the Airport without approved construction plans; proper permits; and written approval by the Aviation Director, including designation of a construction start date and construction schedule.
- e. Any construction or other commercial or non-commercial activities on the Airport that are determined by the FAA to constitute an obstruction or hazard to air navigation or that would, according to FAA standards, constitute an attractant to wildlife are prohibited without prior written permission of the Aviation Director.
- f. Any construction or alteration on the Airport shall be designed so as to conform, as applicable, to the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*) and/or the Air Carrier Access Act (49 U.S.C. § 41705) and implementing regulations and guidelines. No person shall be denied access to the Airport on the basis of handicap or disability. Any person who believes that they were denied access or discriminated against on the basis of a handicap or disability may file a complaint with the Aviation Director in accordance with the appeal procedures under Section J hereof.

SECTION B. – RATES AND CHARGES

I. Generally

- a. The County and ECAT reserve the right to impose rates and charges for use of the Airport for the following purposes: to compensate the County and ECAT for costs to operate, maintain and develop the Airport; to make the Airport as self-sustaining as possible; to compensate the County and ECAT for the privilege of conducting commercial activities on and deriving revenue from the Airport; and to derive a reasonable rate of return from the use of Airport facilities.
- b. The County and ECAT may impose rates and charges, including, but not limited to: landing fees, terminal fees, passenger facility charges, fuel flowage fees, rent for County property and facilities, parking fees, access fees, concession and privilege fees, and permit and administrative fees.
- c. The County's and ECAT's imposition of any and all such rates and charges shall not affect a person's obligation to pay any taxes as may be assessed by an authorized taxing jurisdiction, including without limitation possessory interest, sales and fuel taxes.
- d. The County and ECAT reserve the right to review or approve the fees charged by persons providing products and services to the public at the Airport, including the right to establish by policy or contract limits on prices charged by airport terminal concessions. The foregoing reservation does not apply to the fees charged by commercial airlines.

II. Adoption and Administration

- a. The BOCC and ECAT may adopt and direct publication of a schedule or schedules of rates and charges. The rates and charges may be adjusted from time to time by the adoption and

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publication of a new schedule. Neither the adoption nor amendment of the schedule of rates and charges shall require an amendment to the Rules and Regulations.

- b. All persons on the Airport will be liable to pay the then-current rates and charges applicable to their use of, and activities on, the Airport, except in the event that a rate or charge is established by a lease, permit or other agreement with the County or ECAT, and such lease, permit or other agreement does not permit adjustment of the rates and charges by the means provided herein.

SECTION C. – PERSONAL CONDUCT

I. Generally

- a. No person shall obstruct, impair or interfere with the safe, orderly and efficient use of the Airport by any other person, vehicle or aircraft.
- b. No person shall interfere with the safe operation of an aircraft landing at, taking off from, or operating on the Airport.
- c. No person shall make, possess, use, offer for sale, pass, or deliver any forged or impermissibly altered pass, permit, identification card, sign, or other authorization purporting to be issued by or on behalf of the County or the Aviation Director.
- d. No person shall commit any disorderly, obscene, or indecent act on the Airport.
- e. In accordance with Colorado law, no person shall engage in, conduct, aid in, or abet any form of gambling on the Airport.
- f. No person may abandon personal property, ground vehicles, or aircraft on the Airport. Personal property found in public areas of the Airport shall be turned over to Airport Administration. Articles unclaimed by the owner within 90 days may be legally disposed of upon authorization from the Aviation Director.
- g. No person may consume alcoholic beverages in the Terminal, except in those areas designated for the sale and/or consumption of alcohol by the Aviation Director and licensed in accordance with the Town of Gypsum Liquor Code.
- h. In accordance with Eagle County Ordinance No. 06-01, smoking is prohibited in all buildings and vehicles owned by Eagle County, including the Terminal, hangars, and all buildings owned by or leased to an FBO or other provider of commercial aeronautical or commercial non-aeronautical services.
- i. In accordance with Eagle County Resolution No. 2013-15, no person shall consume, possess, transfer, display, sell or grow marijuana and marijuana accessories on the Airport. Violations of this prohibition shall be punishable as provided in Resolution No. 2013-15.
- j. No person shall operate a sound amplification system on the Airport without the written permission of the Aviation Director. The foregoing restriction does not apply to the use of the public announcement system in the Terminal or the use of individual gate announcement systems by airlines to facilitate the boarding of passengers on commercial service aircraft, subject to amplification limits established by the Aviation Director.
- k. No person shall throw, deposit, place or leave any rubbish of any nature on or within the Airport, except in designated receptacles.

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II. Pedestrian Access

- a. No person may travel on the Airport other than on roads, sidewalks or other marked rights-of-way provided for such purpose.
- b. No person shall prevent or restrict any other person's passage to, from and within the Airport, except for authorized conduct of federal, state and local law enforcement officers, TSA officers, and County employees.
- c. No person shall loiter on the Airport or in any building on the Airport for a period of time longer than reasonably necessary to transact such business as the person may have on the Airport, except that nothing will be deemed to prohibit any person from remaining in the Terminal in the event of a delayed departure or for the purpose of meeting arriving or departing passengers. No person shall be permitted to remain overnight in the Terminal, except as authorized by the Aviation Director.
- d. Access to the Security Identification Display Area ("SIDA"), Sterile Area and Airport Operations Area ("AOA") must conform to the requirements of Section I (Security). Any person who, without authority, enters the SIDA, Sterile Area or AOA shall, in addition to other penalties, be considered to be trespassing.
- e. Pedestrians are permitted in the Movement Area and Safety Areas only if necessary for Airport operations and only if authorized by the Aviation Director or his/her designee or escorted by an authorized person.
- f. When the Airport Traffic Control Tower is in operation, pedestrians in the Movement Area and Safety Areas must:
 - 1. maintain two-way radio communications with the tower; or
 - 2. be accompanied by an escort who has two-way radio communications with tower; or
 - 3. comply with signs, signals, and other information provided by the Operations Manager or his/her designee to guide movement of pedestrians in the Movement Area and Safety Areas.
- g. When the Airport Traffic Control Tower is not in operation, pedestrians in the Movement Area or Safety Areas must maintain two-way radio communications with the Operations Manager or his/her designee or comply with signs, signals and other information provided by the Operations Manager or his/her designee.
- h. Any Person working in the SIDA must wear high visibility clothing, including a safety vest with reflective striping or other American National Standards Institute Class II high visibility garment, throughout the period working in the SIDA.

III. Animals

- a. Domestic pets and service animals in the Terminal must be restrained by a leash, harness, container or by effective and responsive voice command. The Aviation Director may issue a directive to further restrict or prohibit animals in the Terminal, except animals in transit, service animals and animals used in law enforcement, upon finding that such restriction or prohibition is necessary in the interests of the Airport and Airport users.
- b. The Aviation Director may designate one or more pet relief areas in the immediate vicinity of the Terminal and, if so designated, all persons shall abide by the designation.

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- c. No person shall enter the AOA with an animal unless the animal is restrained by a leash, harness or container at all times, except that supervised animals used in law enforcement, search and rescue, and wildlife management may be permitted in the AOA without actual physical control.
- d. No person shall hunt, pursue, trap, catch, injure or kill any animal on the Airport, except for purposes of wildlife management in accordance with a wildlife hazard management plan or as authorized by the Aviation Director.
- e. Horseback riding is prohibited within the perimeter security fence.
- f. No person shall feed or encourage the congregation of birds or other animals at the Airport.

IV. Weapons

- a. No person other than a duly authorized federal, state or local law enforcement officer, a federal air marshal, or a pilot participating in the Federal Flight Deck Officer program or successor program shall possess a firearm, rifle, spring or air gun in the Sterile Area or SIDA.
- b. No airline passenger, except a federal air marshal, shall enter the passenger screening area with a weapon or other item prohibited by the TSA. Duly authorized law enforcement officers of the Eagle County Sheriff's Office may detain any person violating this provision for questioning, confiscate the weapon or prohibited item, allow the person to voluntarily withdraw from screening, or allow the person to check or ship the weapon or prohibited item. These actions may be in addition to any civil penalties imposed by TSA for the same conduct.
- c. No person other than persons noted in subsection (a) above may carry a concealed firearm on the Airport outside the Sterile Area or SIDA except as permitted by Title 18, Article 12, Part 2 of the Colorado Revised Statutes.
- d. No person other than persons noted in subsection (a) above shall fire or discharge any firearm, rifle, spring or air gun of any description or shoot any tipped arrows on the Airport or onto the Airport. The foregoing restrictions on discharging firearms do not apply to individuals engaged in wildlife management authorized by a wildlife hazard management plan or explicitly by the Aviation Director.
- e. No person shall discharge any laser on the Airport or onto the Airport directed at a law enforcement officer, TSA officer, or aircraft. The intent of this prohibition is to supplement the requirements of federal law, 18 U.S.C. Section 39A, and FAA regulation, and to provide a mechanism for the County to penalize the improper discharge of lasers. This provision shall be interpreted consistent with the County's intent.
- f. No person shall possess on the Airport any explosive device or weapon, or any hoax device. The foregoing restriction on explosives does not apply to individuals engaged in wildlife management authorized by a wildlife hazard management plan or explicitly by the Aviation Director and further does not apply to explosive devices used in manufacturing, maintaining or operating aircraft. For purposes of the Rules and Regulations, a hoax device shall include any object that would cause a person to reasonably believe that the object is or contains a destructive, incendiary or explosive device.
- g. The requirements of this subsection are subject to the adoption of more restrictive requirements as may be imposed by the TSA or by the County in a TSA-approved Airport Security Program, in which event the more restrictive requirements shall apply.

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V. Signs and Advertisements

- a. The Aviation Director may post signs, including electronic signs, and authorize aural announcements on the Airport to put users thereof on notice of matters contained herein and of emergency orders promulgated hereunder.
- b. All persons shall observe and obey posted signs governing activities on the Airport and the direction of law enforcement officers, TSA officers, and County employees assigned to the Airport.
- c. No person shall post or distribute written advertisements, newspapers, notices, circulars or handbills in the Terminal without the prior written permission of the Aviation Director.
- d. No person shall install a sign on or within the Terminal or on the exterior of a building or facility on the Airport without prior written approval of the Aviation Director and conformance with the sign standards for the Airport imposed by the County.
- e. All signs installed on the Airport shall meet the requirements and standards for signs imposed by the Town of Gypsum.

VI. Commercial Photography and Video

- a. No person shall take still photographs, make audio recordings, or record video at the Airport for commercial purposes without written permission from and in the manner authorized by the Aviation Director, except that members of the television and print news media may cover the news in authorized areas of the Airport.
- b. No person shall take still photographs or record video of access control readers, security measures or security doors within or leading into or out of a restricted area.
- c. No person shall take still photographs, make audio recordings, or record video of TSA officers or law enforcement officers in such manner as to interfere with the officer's official duties or that may compromise current or future Airport security or law enforcement functions.

VII. Solicitation

- a. No person shall solicit for the immediate receipt of funds on the Airport.

VIII. Assembly and Demonstration

- a. No person shall engage in picketing, marching and demonstrating on the Airport for any reason without prior written permission by the Aviation Director. If granted, such written permission shall specify the area of the Airport on which picketing, marching or demonstrating shall be permitted, the date and time such activity shall be permitted, and any other reasonable conditions that the Aviation Director may deem necessary for the safety of persons and property or for the efficient operation and security of the Airport.
- b. All authorized picketing, marching and demonstrating shall be conducted (i) in a peaceful and orderly manner; (ii) without physical harm, molestation, threat or harassment of any person; (iii) without obscenities, violence, breach of the peace, or other unlawful conduct; (iv) without obstructing the use of the Airport by others; (v) without hindrance to or interference with the proper, safe, orderly and efficient access to/from, and operation of, the Airport and activities conducted thereon; and (vi) in strict conformance with any operating procedures governing such

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activities on the Airport and the direction and conditions prescribed in writing by the Aviation Director.

IX. Damage to Airport

- a. No person shall intentionally cause damage to, remove or alter any physical property of the Airport, without prior written approval of the Aviation Director.
- b. Any person causing damage to any physical property shall immediately notify a law enforcement officer or Airport Administration.
- c. Any person causing damage to any physical property shall be fully liable to the County or ECAT for repair of any such damage, in addition to any other penalties prescribed herein.

X. Residential Use

- a. No building or facility on the Airport shall be used for residential use. The foregoing prohibition shall not apply to flight crew quarters, pilot resting facilities, and similar facilities designed and used for temporary occupancy, and further shall not apply to any parcels on the Airport used for residential purposes at the time of adoption of the Rules and Regulations and approved for such use by the FAA.
- b. No person shall taxi an aircraft between any location on the Airport and any off-Airport property used for residential purposes.
- c. Camping is not permitted on the Airport, except as may be authorized by the Aviation Director.

XI. Non-aeronautical Property Storage

- a. No hangar, T-hangar or similar structure on the Airport used for the storage of or use by aircraft, and exterior areas surrounding any such structure, shall be used for the storage of vehicles or property not related to the use, operation or maintenance of aircraft, without the prior written permission of the Aviation Director. This prohibition shall include, without limitation, the storage of automobiles, recreational vehicles, boats, personal items, and non-airworthy aircraft. This prohibition shall not preclude the storage of ground vehicles on a temporary basis while the occupant is traveling in an aircraft stored in the structure. At a minimum, an applicant shall demonstrate to the Aviation Director's satisfaction that the area to be used is excess to the person's reasonable needs for aeronautical use of the structure and will not derogate the safe and efficient use of the structure for aeronautical activities.
- b. The Aviation Director or his/her designee shall have the right of inspection to ensure compliance with this provision, unless explicitly precluded by a lease, license, contract or other agreement.
- c. Any prohibited item shall be removed upon reasonable notice by the Aviation Director, and, if not removed as ordered, shall be subject to removal by the County at the responsible party's expense.

SECTION D. – AIRCRAFT OPERATIONS

I. Generally

- a. The operation of aircraft on the Airport shall be conducted by licensed pilots in conformity with applicable FAA regulations, including without limitation Part 91, Part 121 and Part 135; directives and orders of the Control Tower; TSA regulations; and the Rules and Regulations.

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- b. All aircraft operating at the Airport shall display on board the aircraft a valid airworthiness certificate as required and issued by the FAA or appropriate foreign government, and further shall display on the exterior of the aircraft a valid registration number issued by the FAA or appropriate foreign government. All persons operating aircraft on the Airport shall possess an appropriate certificate or license issued by the FAA or appropriate foreign government. Upon request of the FAA, National Transportation Security Board, federal, state or local law enforcement officers, or TSA, the aircraft operator shall produce an operator's license, an airman certificate, a medical certificate and photo identification.
- c. No person may operate aircraft at the Airport in a reckless or negligent manner; in disregard of the rights and safety of others; without due caution and circumspection; or at a speed or in a manner which endangers, or is likely to endanger, persons or property. No person shall operate aircraft constructed, equipped or loaded in such a manner as to endanger, or to be likely to endanger, persons or property.
- d. The Aviation Director shall prohibit aircraft operations upon determining that continued operations would be unsafe in the conditions present at the time, including without limitation aircraft incidents and accidents and certain airfield surface conditions, as specified in a letter of agreement between the County and the Airport Traffic Control Tower. The Aviation Director may, with FAA approval, limit or prohibit aircraft operations at the Airport in connection with a special event. The Aviation Director shall issue a NOTAM, or request that the Airport Traffic Control Tower do so, to close a portion of or the entire Airport or to terminate or restrict aircraft activity on the Airport.

II. Parking and Ground Movement of Aircraft

- a. Aircraft operators shall obey all pavement markings, signage, and lighted signals.
- b. Positioning, starting, or taxiing of aircraft shall be done in such a manner so as not to cause jet blast and prop wash that may result in injury to persons or damage to property.
- c. Aircraft shall not be started or taxied within any structure on the Airport, except as may be required in aircraft manufacturing.
- d. Aircraft shall be parked only in those areas designated for such purpose by the County or Aviation Director and shall not block taxi lanes or obstruct access to hangars or parked aircraft.
- e. Aircraft operators shall ensure that aircraft are properly secured when parked.
- f. Passengers and cargo shall be enplaned/deplaned only in areas designated by the County or Aviation Director.
- g. Run-up of jet, turboprop or piston engines shall be performed only in the areas designated for such purpose by the County, Aviation Director or the Airport Traffic Control Tower.
- h. No aircraft shall be left unattended on the Airport unless it is in a hangar or adequately locked and secured.
- i. Fixed wing aircraft taking off or landing at the Airport shall do so only from designated runways and in full compliance with FAA regulations.
- j. No helicopter shall be operated within fifty feet of any building, and helicopters shall operate only from areas approved by the Aviation Director.

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- k. Non-airworthy aircraft shall not be permitted within the tie-down or ramp areas, except in connection with aircraft manufacturing, repair or refurbishment.
- l. Abandoned Aircraft are prohibited on the Airport. The Aviation Director may remove Abandoned Aircraft at the sole risk and expense of the aircraft owner.
- m. The operator of any aircraft involved in an accident on the Airport, regardless of whether it results in personal injury or property damage, must immediately notify Airport Administration, and make a prompt and complete report concerning the same, in addition to any and all other notifications and reports required to be made to other federal, state and local authorities.
- n. An aircraft involved in an accident on the Airport shall not be removed from the scene of the accident until authorized by the Aviation Director, who shall receive removal authorization from the FAA Regional Operations Center or National Transportation Safety Board, when applicable, and/or the Federal Bureau of Investigation if criminal activity is implicated, except as may be necessary for exigent safety reasons. Once authorization for removal has been issued, the aircraft owner, pilot or authorized insurance company shall make arrangements to have the aircraft moved immediately. If removal is not completed within a reasonable amount of time, the Aviation Director may have the aircraft removed at the owner's sole risk and expense.

III. Maintenance, Cleaning and Painting

- a. Aircraft maintenance is permitted only in areas designated by the County. Aircraft maintenance within hangars shall be limited to that specifically permitted by the building type rating established in the Town of Gypsum and in compliance with the directives of the Gypsum Fire Protection District Fire Marshal.
- b. Aircraft cleaning shall be performed only in the areas and in the manner prescribed by the Aviation Director and in compliance with the Airport Stormwater Management Plan.
- c. Aircraft painting shall be performed only in areas and in the manner prescribed by the Aviation Director.
- d. The provision of aircraft maintenance, cleaning and painting for commercial purposes further shall be subject to the Airport Minimum Standards.

IV. Weight Limits

- a. No aircraft having a maximum gross takeoff weight, as certified by the aircraft manufacturer and including passengers, cargo, fuel, and equipment, in excess of the weight-bearing capacity of the airfield pavements, as identified in the Airport/Facility Directory, shall land, take off, or taxi at the Airport without prior permission of the Aviation Director.
- b. Any person constructing pavements on the Airport intended to accommodate aircraft shall build and maintain the pavements to support aircraft at the weights identified in the Airport/Facility Directory or such other pavement strength as may be approved by the Aviation Director.

V. Limits on Aeronautical Activities

- a. The following types of aircraft and other aerial devices may not be operated to, from or at the Airport without the prior written authorization from the Aviation Director:
 - 1. Ultralight aircraft.

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2. Model aircraft and unmanned aerial vehicles or systems.
3. Kites, tethered or non-tethered balloons, rockets and similar aerial devices.
- b. Use of any portion of the Airport as a designated drop zone for parachute jumping or skydiving shall be prohibited without the prior written approval of the Aviation Director and the Airport Traffic Control Tower, and further shall require a lease or permit authorizing use of the designated portion of the Airport for a drop zone.
- c. The Aviation Director may seek review by the FAA upon receipt of an application to conduct one of the foregoing aeronautical activities or any other aeronautical activity not being conducted at the Airport at the time of application. In the event that the Aviation Director grants approval to conduct an aeronautical activity, the Director's approval shall be in the form of a directive authorizing the applicant and other similarly-situated entities the right to conduct the aeronautical activity and prescribing specific conditions on use of the Airport for the aeronautical activity. The authorized aeronautical activity shall be conducted in conformity with such directive, all applicable requirements contained in FAA regulations, and any other conditions as may be imposed by the Airport Traffic Control Tower.

VI. Self-Servicing

- a. All persons have the right to service an aircraft that the person owns or aircraft that the person has under their exclusive use and operational control pursuant to a long-term lease or similar agreement manifesting that the aircraft is within the person's care, custody and control. The right to self-service includes the right to tie down, adjust, repair, refuel, clean, and otherwise service an aircraft.
- b. Each person self-servicing an aircraft shall have the requisite training and/or certification as may be required by the Rules and Regulations and FAA regulations. Licensed pilots are permitted to perform preventive maintenance on the Airport in accordance with 14 C.F.R. Part 43.
- c. Self-fueling is subject to the requirements of Subsection IX hereof.
- d. The County does not recognize aircraft managers, co-ops or hangar associations to be the owner or lessee of an aircraft, and each such entity therefore is not permitted to self-service. Flying clubs and companies engaged in fractional aircraft ownership operations pursuant to 14 C.F.R. Part 91 that are the owner or lessee of an aircraft are permitted to self-service, in accordance with federal law. Aircraft manufacturers are permitted to self-service aircraft prior to delivery and while the aircraft is under the manufacturer's care, custody and control. Airlines are permitted to self-service aircraft that may be owned or leased by an air carrier with a separate legal identity from the airline and providing scheduled passenger service at the Airport in accordance with a contract or agreement with the airline. Contractors to the United States Forest Service are permitted to service aircraft engaged in wild-land firefighting.
- e. Self-servicing shall be performed only by the aircraft owner, operator or lessee or employees of the owner, operator or lessee. The Aviation Director may require proof of employment, such as a copy of the employee's W-2 Statement.
- f. No person shall be required to self-service. Airport users may purchase products and services from the County or a duly authorized commercial aeronautical service provider.

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SECTION E. – FUELING

I. Generally

- a. All fuel handling and dispensing on the Airport shall be performed in compliance with the following, as each of the same may be amended or superseded:
 1. 40 C.F.R. Part 112, *Oil Pollution Prevention*
 2. FAA Advisory Circular 150/5230-4, *Aircraft Fuel Storage, Handling and Dispensing on Airports*
 3. FAA Advisory Circular 00-34A, *Aircraft Ground Handling and Servicing*
 4. National Fire Prevention Association (NFPA)'s Code No. 407, *Standard for Aircraft Fuel Servicing*; and Code No. 30, *Flammable and Combustible Liquids Code*
 5. NFPA 385, *Standard for Tank Vehicles for Flammable and Combustible Liquids*
 6. NFPA 10, *Standard for Portable Fire Extinguishers*
 7. Air Transport Association Specification 103, *Standards for Jet Fuel Quality*
 8. Underwriters Laboratories 2085, *Protected Aboveground Tanks for Flammable and Combustible Liquids*
 9. Town of Gypsum Fire Code
- b. Only the County and duly authorized Fixed Base Operators shall be permitted to engage in the sale of aviation fuel and lubricants to the public at large at the Airport.
- c. The terms "Fueler," "Permittee," "Self-Fueling" and "Commercial Self-Service Fueling" as used in this section are defined terms. Definitions are provided in Section K of these Rules and Regulations.

II. Fuel Flowage Fee

- a. To compensate the County for the use of the Airport, each Fueler shall pay the County a fuel flowage fee as designated in a lease, self-fueling permit or agreement for each gallon of aviation fuel (AvGas or Jet-A) dispensed in the prior month. Each Fueler shall, on or before the tenth day of each month, submit payment to the County for all fuel dispensed during the prior month. The County may waive the obligation to pay a fuel flowage fee for an entity, and all similarly situated entities, required to compensate the County or ECAT for the same category of costs by other means.
- b. Each Fueler shall submit to the County a statement which sets forth the total number of gallons of fuel dispensed during the preceding month.
- c. The County may, from time to time, require gallons supplied to the Fueler be verified by the company which supplies and delivers fuel to Fueler.
- d. The County shall have the right to increase the fuel flowage fee rate from time to time. The County shall notify each Fueler in writing of the County's intent to increase the then prevailing fuel

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flowage fee rate, indicating the new rate proposed and the date such rate is scheduled to go into effect, at least 30 days prior to the proposed effective date. Prior to the new rate going into effect, any Fueler may submit written comments or objections to the proposed new rates for review and consideration by the BOCC. The County may, but shall not be required to, adjust the new rates based upon the comments or objections of any Fueler, and the new rates adopted by the County shall be final.

- e. Each Fueler shall be liable to pay the then-current fuel flowage fee, except in the event that a fuel flowage fee rate is established by a lease, permit or other agreement with the County or ECAT, and such, lease, permit or other agreement does not permit adjustment of the fuel flowage fee rate by the means provided herein.

III. Training

- a. Employees of all Fuelers and agents handling aviation fuels at the Airport must be properly trained as required by FAA regulations, currently at 14 C.F.R. § 139.321. Separate fuel safety training programs are required for supervisory training and line service fuel safety training.
- b. At least one supervisor for each Fueler must have completed an FAA authorized aviation fuel training course in fire safety. The individual must be trained prior to initial performance of duties, or enrolled in an authorized aviation fuel training course that will be completed within 90 days of initiating duties, and receive recurrent instruction at least every 24 consecutive calendar months.
- c. Line service fuelers must receive initial on-the-job training and recurrent training every 24 consecutive calendar months. Line service fuel safety training may be provided by a supervisor who has completed an FAA authorized supervisory fuel safety training course or an authorized fuel safety training program. Training for employees may also be completed through the use of an approved line service fuel safety course.
- d. Fuelers must maintain a copy of the certificate of completion for any supervisors or employees completing the required fuel safety training for 12 consecutive calendar months. Certificates shall comply with applicable FAA requirements, currently at Advisory Circular 150/5230-4B at Chapter 4, Section 3.
- e. Fuelers must provide to Airport Administration a written confirmation once every 12 consecutive calendar months that the training required by FAA regulations, currently at 14 C.F.R. § 139.321(e), has been completed.

IV. Fueling Operations

- a. Fuelers shall observe and comply with all applicable federal, state, and local laws, ordinances, rules and regulations concerning the storage, handling, and dispensing of aviation fuel at the Airport.
- b. No aircraft shall be fueled while one or more of its engines are running, except when accomplished under appropriate and safe procedures approved by the FAA. Aircraft Rescue and Firefighting ("ARFF") shall be notified and be on stand-by during any aircraft fueling with an aircraft engine running, other than the auxiliary power unit, as approved by the aircraft manufacturer.
- c. No aircraft shall be fueled or defueled while passengers are on board, unless a passenger loading ramp is in place at the cabin door, the door is in the open position, and an attendant is present at or near the door.

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- d. All fueling operations shall be conducted at least fifty feet from any hangar or building, and fueling trucks must be pointed away from fueled aircraft and have a clear route of egress in the case of emergency.
- e. Trained personnel shall be present during the entire fueling operation of an air carrier aircraft in accordance with FAA requirements, currently at 14 C.F.R. Section 139.321.
- f. No aircraft shall be fueled or defueled while inside any building, hangar, or enclosed space, unless approved in writing by the Aviation Director prior to the fueling operations. If approved, ARFF shall be notified and be on stand-by during fueling or defueling.
- g. No aircraft shall be fueled or defueled if an electrical storm is in progress within 3 miles of the Airport.
- h. Fueling and defueling operations shall be conducted with adequate fire extinguishers immediately available. All extinguishers shall be inspected and certified, as required by law, and all Fuelers shall be properly trained on the use of fire extinguishers.
- i. No person shall start any engine of an aircraft if there is any flammable or combustible liquid or other volatile fluid on the ground within fifty feet of the aircraft. The lighting of an open flame, including matches, or any source of ignition is prohibited within 100 feet of any fueling operation.
- j. During fueling and defueling operations, no person shall operate any radio transmitter or receiver in the aircraft being fueled or defueled, switch electrical appliances on or off in such aircraft, or perform any act which may cause a spark within 50 feet of the aircraft.
- k. Fuelers shall provide pumps for dispensing aviation fuels from a fixed location or dispensing truck. These pumps shall be equipped with metering devices that meet all safety standards of the aviation fueling industry and the FAA. The metering devices must be inspected, checked, and certified by appropriate state and local agencies.
- l. All fuel dispensing equipment, hoses, funnels or apparatus used in fueling or defueling shall be maintained in good condition and be properly grounded, in accordance with FAA and NFPA guidelines, and in compliance with the Federal Water Pollution Control Act.
- m. All gasoline powered fueling vehicles intended for use on the Airport must be equipped with anti-spark exhaust systems. The engine exhaust system shall be designed, located and installed so as to minimize the hazard of fire.
- n. All fueling vehicles shall be fitted with the fueling nozzle designed and intended for the fuel dispensed from the vehicle.
- o. All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a bonding device to prevent ignition of volatile liquids. During fueling or defueling, the aircraft and the dispensing apparatus shall be bonded in order to equalize voltage potential.
- p. Fuelers shall provide for the adequate handling and disposal of all trash, waste, petroleum products, and other hazardous materials, including but not limited to, used oil, solvents, and other waste in accordance with federal, state and local laws.
- q. Automotive fuels, also known as Mogas, shall be dispensed only into aircraft certified for use of such fuels. Mogas may be stored and dispensed only in connection with self-fueling and shall not be offered for sale on a commercial basis at the Airport. The storage and dispensing of Mogas shall be subject to all other requirements of this Section E of the Rules and Regulations.

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- r. Motor vehicles and other equipment shall be fueled on the Airport only from approved locations and dispensing devices.
- s. The transfer of fuel from one fueling vehicle to another is prohibited on the Airport, except as may be approved in writing by the Aviation Director and upon notification of ARFF.
- t. No fuel vehicle designed for, or that is employed in, the transportation of fuel, shall be operated on a taxiway or runway at any time without express prior permission from the Aviation Director to operate that vehicle at that place and at that time.
- u. Only those fueling vehicles that are actively engaged in fueling aircraft are permitted to park on the Terminal ramp. Fueling vehicles are authorized to park on the Terminal ramp no earlier than one hour prior to the scheduled aircraft arrival time and shall be removed from the Terminal ramp immediately following fueling operations. The number of fueling vehicles permitted to park in designated areas on the Terminal ramp shall be determined and assigned by Aviation Director.

V. Fuel Storage Facilities

- a. The storage of aviation fuel is permitted only in the area(s) of the Airport as may be designated by the County. No other method of fuel storage shall be permitted at the Airport. The County reserves the right to designate one or more Airport Fuel Farm locations and require that all fuel storage facilities installed after such designation are located in the Airport Fuel Farm.
- b. Each Fueler is required to maintain a fuel storage facility, within the Airport Fuel Farm or other authorized location, with a minimum capacity of 1,000 gallons or such other minimum capacity as may be prescribed by the Airport Minimum Standards, whichever is greater.
- c. All fuel storage tanks installed or constructed on the Airport shall be above ground level, except as may be approved in writing by the Aviation Director upon demonstration that an underground fuel storage tank is consistent with federal and Colorado law and regulation and NFPA guidelines.
- d. Construction or alteration of fuel storage facilities may be undertaken only if approved in writing by the Aviation Director, and shall meet all safety standards of the aviation fueling industry and the FAA.
- e. All fuel storage facilities and mobile fueling vehicles shall be identified by the type of fuel and fuel octane stored when applicable, in addition to any other marking or placards required by federal, state or local law and fitted with the nozzle designed and intended for the fuel stored in and dispensed from the fuel storage facility or mobile fueling vehicle.
- f. Mobile fueling vehicles shall not be parked or stored less than 50 feet from any aircraft or structure, except during fueling or defueling of a parked aircraft, and further shall not be parked or stored less than 10 feet from any other vehicle or equipment, unless alternate arrangements and conditions on parking mobile fueling vehicles are approved in writing by the Aviation Director.
- g. In the event of extreme low temperatures, mobile fueling vehicles may be stored in heated hangars when not in use if the hangar has a fully functioning fire sprinkler protection system and if approved in writing by the Aviation Director. ARFF shall be notified prior to storing any mobile fueling vehicle in a heated hangar and provided with the number of vehicles to be stored in this manner.
- h. Fuelers shall inspect and maintain fuel storage facilities, fueling equipment and mobile fueling vehicles in good condition.

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- i. Newly constructed or installed fuel storage facilities shall be subject to inspection by the County prior to use for fuel storage.
- j. A Fueler authorized to receive, store, and dispense aviation fuels shall have adequate procedures for sampling and testing of fuels. All tests and test schedules shall be performed in accordance with applicable regulations and industry standards. Fuelers are solely responsible for ensuring the quality of the fuel.
- k. At least fourteen days before beginning use of a fuel storage facility, Fueler shall provide to the County a written copy of a plan addressing proper fueling procedures, training of personnel, quality assurance and quality control procedures, record keeping, marking and labeling of fueling equipment and the fuel storage facility, and emergency response procedures. Fueler shall also provide to the County a Spill Prevention, Control and Countermeasure Plan ("SPCC Plan") that meets all applicable regulatory requirements for fuel storage and fueling activities, in the event that the County's SPCC Plan for the Airport does not cover Fueler's intended fuel storage facility and operations. Fueler is responsible for determining whether the County's SPCC Plan covers Fueler's intended fuel storage facility and operations. An updated plan and SPCC Plan, if required, must be submitted at least fifteen (15) days prior to any planned change in operation. Fuel may not be stored in or dispensed from any fuel storage facility unless and until the Aviation Director has approved the plan and any SPCC Plan.
- l. Fuelers shall be responsible for and oversee the safe transfer of all fuel from fuel suppliers to a Fueler's fuel storage facility, including by ensuring that the fueling vehicle driver remains with the vehicle at all times when fuel is being transferred.

VI. Inspections

- a. The County and other appropriate governmental agencies may inspect a Fueler's fuel storage facilities, dispensing equipment, and vehicles from time to time to ensure compliance with all safety standards. A record of those inspections shall be retained by Fueler for at least twenty-four months. When discrepancies are noted, Fueler shall immediately take corrective action to remedy the situation. The failure to take corrective action to remedy the situation may result in the termination of any and all privileges to operate at the Airport. A written report of corrective actions taken shall be submitted to the Aviation Director within fourteen days of the observed discrepancy.

VII. Fuel Spills

- a. Fuelers shall prepare and file with the Environmental Protection Agency (EPA) a Spill Prevention Control and Countermeasure (SPCC) Plan, if the County's SPCC Plan for the Airport does not cover Fueler's fueling operations. Fuelers shall provide to the Aviation Director a copy of their approved SPCC Plan or written demonstration that Fueler's fueling operations are covered by the County's SPCC Plan for the Airport.
- b. Fuelers shall provide adequate procedures to prevent and limit fuel spills and shall develop fuel spill contingency plans including notification and clean-up procedures.
- c. Fuelers shall maintain and have readily available an adequate supply of fuel absorbent materials and other materials to dam, dike or divert a fuel spill. Fuelers shall have, at a minimum, enough materials to respond to a fuel spill of up to 55 gallons and to prevent fuel flowage into storm drains.
- d. In the event of a fuel spill, the following safety procedures will be followed:

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1. Fueler shall immediately notify ARFF or call 911, if ARFF is unavailable. This notification requirement shall apply regardless of the volume of fuel spilled.
2. Fueler shall take immediate action to begin containment and clean-up operations, which shall include the prevention of fuel from entering any storm or silt trench drain.
3. Fuel delivery devices and other vehicles shall not be moved or operated in the vicinity of the spill until containment and clean-up operations have been initiated and the devices and vehicles can be moved or operated without causing further fuel spill or presenting further risk to human health, safety and the environment.
4. A fireguard shall be promptly posted and remain on site until relieved by the Aviation Director or his/her designee.
5. All contaminated absorbent material shall be placed in DOT-approved metal containers and disposed of by the Fueler in compliance with all applicable federal, state and local laws.
6. Where spills occur that are larger than Fueler can adequately handle, Fueler must obtain the clean-up services of an approved hazardous material contractor. ARFF will coordinate the recovery operations with the Fueler and contractor and ensure the safe handling of residual fuel after recovery.
7. In the event that a fuel spill exceeds twenty-five (25) gallons, cannot conclusively be shown to be less than 25 gallons, cannot be cleaned up within twenty-four hours, or makes its way into a waterway, Fueler shall report the spill to the Colorado Department of Labor and Employment or the Colorado Department of Public Health and Environment (outside normal working hours). Nothing herein shall excuse Fueler's noncompliance with reporting or response requirements under Colorado law and regulation.
8. Fueler shall be liable for all costs associated with the control, containment, clean-up, disposal and any damages that result from the spill or clean-up operations. If Fueler fails to promptly undertake remediation activities in response to a spill or discharge, the County may, but is not obligated to, perform such remediation. Any costs incurred by the County associated with assessment and cleanup of the spill will be billed to Fueler, payable within thirty days.
9. Copies of all reports submitted to any federal, state, or local agency relating to such spill shall be provided to the Aviation Director at the time submitted to such agency.

VIII. Commercial Self-Service Fueling

- a. The County or an authorized Fixed Base Operator shall be permitted to install and maintain a fuel storage and dispensing facility for Commercial Self-Service Fueling at a location or locations designated by the County.
- b. No entity, other than the County, shall provide Commercial Self-Service Fueling without also providing attended commercial fueling at the Airport.
- c. Commercial Self-Service Fueling shall be subject to the requirements herein for fueling, including payment of fuel flowage fees, training, fueling operations, fuel storage, inspection, fuel spill response, and further shall be subject to applicable requirements of the Airport Minimum Standards.
- d. Commercial Self-Service Fueling shall be subject to the following additional requirements:

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1. The facility shall be constructed on concrete rigid pavement or flexible asphalt surface, and include above ground double wall tank(s), fueling terminal, metering system, emergency shut-off, lighting and protective enclosures, using pipe bollards or other suitable protection.
2. The facility shall include a control device that prevents unauthorized fuel dispensing.
3. The facility shall be available for use 24 hours a day, seven days a week.
4. The responsible entity shall provide ladders to service aircraft, a properly serviced fire extinguisher, meeting NFPA 10 standards; easily recognizable markings to indicate the type of fuel; and placard instructions on the use of the facility, emergency telephone numbers and emergency procedures.
5. The responsible entity shall inspect the facility daily and have trained personnel during normal hours of operation, as required by the Airport Minimum Standards, available to answer questions, provide other assistance, and respond to fuel spills from the facility.

IX. Self-Fueling

- a. No person shall engage in self-fueling unless and until a self-fueling permit authorizing such activity has been obtained from the County.
- b. To obtain a self-fueling permit, an applicant must provide evidence of ownership or lease for every aircraft for which self-fueling privileges are requested.
- c. To obtain a self-fueling permit, an applicant must provide evidence that it is a tenant at the Airport pursuant to a lease or sub-lease and, in the event the applicant is a sub-lessee, must further provide evidence that the lessee expressly has authorized the applicant to self-fuel on the leasehold.
- d. Permittee shall procure and deliver to the County, with the application for a self-fueling permit, a current, original Certificate of Insurance acceptable to the County showing insurance coverage for the duration of the self-fueling permit for at least the amounts specified by the County Attorney. All insurance policies shall name the County as an additional insured, and, shall not be subject to cancellation or change except after thirty days prior written notice of such cancellation or change to the County by the carrier.
- e. The term of a self-fueling permit shall be no longer than one year and shall be subject to renewal.
- f. Permittee may only fuel aircraft identified on the self-fueling permit. No other aircraft may be fueled by Permittee.
- g. Permittee shall ensure that only persons employed by Permittee are involved in dispensing fuel and that all employees handling fuel are trained in accordance with Section III (Training) above. Permittee shall submit to the County evidence of training in safety procedures received by each person who will conduct aviation fuel dispensing operations and shall provide to the Aviation Director documentation verifying all required certifications and required recurrent training before self-fueling activities may take place.
- h. Permittee shall dispense aviation fuel only on Permittee's leasehold.
- i. Permittee shall equip each mobile fueling vehicle with at least one, 20-pound, Class B/C fire extinguisher mounted on the outside of the vehicle.

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- j. Fueling vehicles shall not be permitted to park inside any structure on the Airport unless approved in writing by the Aviation Director and ARFF is notified of the parking arrangement. Additional conditions on the parking of fueling vehicles may be prescribed in the self-fueling permit.
- k. Each Permittee shall meet with ARFF personnel to discuss fueling fire safety and associated safety procedures before the first time fuel is dispensed by Permittee.
- l. The Aviation Director and/or designee shall have the right to conduct fire safety inspections upon reasonable notice to Permittee any time during the term of a self-fueling permit.
- m. Permittee may terminate the self-fueling permit upon written notice to the County.
- n. Permittee shall agree to assume liability in connection with fuel storage, handling and dispensing, and to indemnify, hold harmless and defend the County, on terms prescribed by the self-fueling permit.
- o. A self-fueling permit is not assignable or transferable. Permittee shall not enter into any agreement to transfer any of Permittee's privileges under the self-fueling permit whereby other persons share in the privileges or services authorized by the self-fueling permit.

SECTION F. – VEHICLE TRAFFIC

I. Ground Vehicles Generally

- a. All ground vehicle drivers on the Airport shall comply fully with the State of Colorado motor vehicle laws, the Rules and Regulations, and instructions issued by the Aviation Director, Airport staff or law enforcement officers.
- b. No person shall operate a vehicle on the Airport in a reckless or careless manner or in a manner that would endanger his or her person or property or the safety of another's person or property.
- c. No person shall operate any motor vehicle on the Airport faster than the prescribed speed limit.
- d. No person shall operate a motor vehicle on the Airport while under the influence of alcohol or any other drug that impairs, or may impair, the operator's abilities.
- e. Abandoned Vehicles are prohibited on the Airport and may be removed at the request of the Aviation Director at the sole risk and expense of the vehicle owner.
- f. Commercial ground transportation shall be conducted in accordance with the Airport Ground Transportation Rules and Regulations and a written agreement, where applicable.

II. Ground Vehicle Parking

- a. No person shall park or leave standing any vehicle, whether occupied or not, on the Airport except within designated parking areas or loading areas.
- b. The Aviation Director shall cause signs to be placed and maintained that designate all general and reserved loading zones, reserved parking areas and public parking areas, including, but not limited to, those designated for exclusive use of car rental agencies and companies operating at or from the Airport. No parking areas shall be designated in areas on and along drives and roadways or in such other areas on Airport property as deemed necessary by the Aviation

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Director for the safe, efficient and convenient operation of the Airport. All Airport tenant employees must park in their assigned areas.

- c. The Aviation Director may remove or cause to be removed any vehicle that is illegally parked, disabled or abandoned; that impedes Airport operations or the orderly flow of traffic; or that creates a potential security threat. Any vehicle parked in areas of the public parking lot assigned for exclusive use of car rental agencies or companies and clearly indicated as such by signs may be removed or caused to be removed by order of the Aviation Director.
- d. The owner or operator of any such vehicle removed under this section shall be liable for payment of towing and storage and other applicable charges and any such vehicle shall be released to the owner or operator thereof only upon proper identification of the person making claim and payment of towing and storage and other applicable charges. Neither the County nor any of its agents shall be liable for damage to any vehicle resulting from the act of removal.

III. Ground Vehicles in the AOA

- a. No person shall operate any vehicle in the AOA that is overloaded or carrying more passengers than for which it is designed.
- b. No person shall ride on the running board or stand up in the body of a moving vehicle.
- c. No person shall ride with arms or legs protruding from the body of a vehicle except when it is designed for such use.
- d. All operators of vehicles in the AOA shall ensure that no Foreign Object Debris leaves the vehicle.
- e. Ground vehicles in the AOA shall yield the right-of-way to, in order, aircraft, pedestrians, emergency vehicles and equipment, and snow removal vehicles and equipment.
- f. No vehicle shall operate in close proximity to an aircraft so as to create a hazard or interfere with the safe operation of the aircraft.
- g. Vehicles shall park in tie-down areas only between the tie-down hooks, parallel to aircraft, and in the spaces leased by the vehicle owner.
- h. No vehicle may pass between a parked aircraft and the Terminal, except those vehicles servicing the aircraft, snow removal equipment and emergency equipment.
- i. When approaching taxiing aircraft, ground vehicles shall maintain a distance of at least 25 feet in front and 100 feet behind the aircraft, or, if located less than these distances from a taxiing aircraft, shall stop immediately.

IV. Ground Vehicles in the Movement Area and Safety Areas

- a. Ground vehicles are permitted in the Movement Area and Safety Areas only if necessary for Airport operations and only if registered with and authorized by the Aviation Director upon successful completion of training, a written test and driving test.
- b. Ground vehicle drivers, except for authorized emergency vehicles, shall comply with prescribed speed limits when operating in the Movement Area and Safety Areas.

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- c. All private vehicles authorized to access the Movement Area and Safety Area and doing so on a regular basis shall show proof of insurance naming Eagle County as an additional insured.
- d. Campers, recreational vehicles, boat trailers, and ground vehicle trailers are prohibited in the Movement Area and Safety Areas.
- e. No person may operate a vehicle while in the Movement Area or Safety Areas without a valid state driver's license.
- f. All vehicles permitted access to the Movement Area and Safety Areas shall be equipped with a functioning aeronautical mobile two-way radio operating on the 119.8 MHZ and 121.8 MHZ, or on such other frequencies as required by the Aviation Director. All such vehicles shall be further equipped with an operable amber rotating beacon, 36"x36" orange and white checkered flag, or other equipment as required by the County or the FAA.
- g. A vehicle operator shall not cross from the solid-line side of the runway hold short lines without first obtaining clearance from the Airport Traffic Control Tower.
- h. Two-way radio communication with the Airport Traffic Control Tower is required of all authorized vehicles traversing or operating in the Movement Area and Safety Areas, unless the motor vehicle is being escorted by an authorized motor vehicle maintaining two-way radio communication with the tower.
- i. When the Airport Traffic Control Tower is not in operation, operators of ground vehicles shall carry a radio tuned to the Airport's Universal Communication (UNICOM) or Common Traffic Advisory Frequency (CTAF), and shall make an announcement on the radio before entering runways or taxiways.
- j. When the Airport Traffic Control Tower is not in operation, all ground vehicles operating in the Movement Area and Safety Areas shall turn on their rotating beacon, after sunset and before sunrise, or display a flag, during daylight hours.

SECTION G. – FIRE PREVENTION AND ENVIRONMENTAL MANAGEMENT

I. Fire Prevention

- a. Open flame operations on the Airport are prohibited unless expressly authorized by the Aviation Director.
- b. Open flames, smoking, matches, and lighters are prohibited within 50 feet of any aircraft and within 100 feet of any fuel storage area, fuel truck, or aircraft being fueled or defueled.
- c. The use and storage of all flammable and hazardous liquids and materials shall be in compliance with the federal, state and local laws and ordinances, and the Airport Storm Water Management Plan.
- d. The placement of any hazardous materials storage container, locker structure or bin on the Airport shall comply with NFPA 1 (Fire Code) and be approved by the Aviation Director, as to type, placement, size, and color.
- e. All heating equipment and fuel burning appliances installed on the Airport shall conform to the International Building Code and NFPA 1 (Fire Code), and comply with any additional requirements imposed by the Fire Marshal.

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- f. Hangar floors shall be kept free from accumulation of oil, grease, flammable liquids, rags, or other waste materials.
- g. All empty oil, paint and varnish cans, bottles or other containers shall be disposed of in an appropriate and timely manner and shall not remain on the floor, wall stringers, or overhead storage areas of the hangars or other buildings.
- h. Drip pans shall be placed under engines of stored aircraft and shall be maintained so as to prevent accumulations of liquid in the pans.

II. Sanitation and Hazardous Waste Management

- a. All persons on the Airport shall be responsible for compliance with federal, state and local laws concerning the use, handling, treatment, storage, discharge, disposal or transportation of hazardous materials. These laws include, without limitation, the Resource Conservation and Recovery Act; the Comprehensive Environmental Response, Compensation and Liability Act; the Toxic Substances Control Act; and the Colorado Hazardous Waste Management Act.
- b. No person shall use, handle, treat, store, or transport hazardous materials on or at the Airport except as reasonably necessary in the ordinary course of the person's authorized activities on the Airport and only if such hazardous materials are properly labeled and contained, and notice of and a copy of the Material Safety Data Sheet is provided to Airport Administration for each such hazardous material.
- c. No person shall use, handle, treat, store, or transport hazardous materials at, in or on the Airport at such time or place or in such manner or condition as to create an unreasonable risk of harm to persons, property or the environment.
- d. All persons whose duties and responsibilities involve the handling and storing of hazardous substances and materials must have received proper training, as prescribed by the Occupational Health and Safety Administration.
- e. No person shall discharge, dispose or release any hazardous materials, wastes or substances on the Airport or surrounding air, lands or waters. In the event of a release, the responsible party promptly shall notify the ARFF, call 911 (if ARFF is unavailable), and notify any federal or state agency, as applicable. Fuel spills shall be addressed as provided in Section E(VII).
- f. Responsible persons shall be liable for the cost to remediate the release of any hazardous substances on the Airport. If the responsible person fails to promptly undertake remediation activities in response to the release of any hazardous substance, the County may, but is not obligated to, perform such remediation. Any costs incurred by the County associated with assessment and cleanup of the release will be billed to the responsible person, payable within 30 days.
- g. Hazardous waste generated in connection with the cleanup of a release of hazardous substances shall promptly be removed and disposed appropriately. Absorbent material used in connection with the cleanup shall not be left to sit longer than necessary.
- h. All persons shall fully comply with the Airport Storm Water Management Plan and National Pollutant Discharge Elimination System (NPDES) Permit.
- i. The storage of waste materials and trash at the Airport is prohibited unless placed in receptacles provided for such purposes.

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- j. All outdoor trash or garbage containers shall be covered. Such containers shall be located only in those areas approved for such use by the Aviation Director.
- k. All operators using commercial trash receptacles shall be responsible for the cleanliness of the trash collection site.
- l. All vehicles used for hauling trash, dirt, or other refuse materials on the Airport shall be constructed so as to prevent their contents from dropping, shifting, leaking or escaping.
- m. No person or entity shall dispose of any fill or building materials or any other discarded or waste materials on the Airport except as approved in writing by the Aviation Director.
- n. No person may burn refuse at the Airport.
- o. Lubricating oils and hazardous liquids shall be disposed of in compliance with the Airport Storm Water Management Plan, and federal, state, and local law.
- p. No fuels, oils, dopes, paints, solvents, acids, or any other hazardous liquids shall be disposed of or dumped in drains, on ramp areas, catch basins or ditches or elsewhere on the Airport.
- q. Any solid or liquid material, which may be spilled at the Airport, shall immediately be cleaned up by the person responsible for such spillage.
- r. The County shall have the right at any time to access any portion of the Airport for the purpose of conducting inspections, sampling and other testing to determine the nature and extent of contamination on or under the property.

SECTION H. – FLYING CLUBS

I. Flying Club Regulations

- a. Each member of a Flying Club must be a bona fide owner of an equal share of the club's aircraft or an equal stockholder in the Flying Club.
- b. A Flying Club may not derive greater revenues from the use of its aircraft than the amount necessary for the actual operation, maintenance and replacement of its aircraft.
- c. Each Flying Club shall file and keep current with the Aviation Director the following:
 - 1. A current list of members, along with a demonstration that each member owns an equal property interest in the assets of the club.
 - 2. Copies of club aircraft registration, or alternate evidence that club aircraft ownership is vested in the name of the flying club or all of its members.
 - 3. A copy of the prior year's tax return, or alternate evidence of the nonprofit or not-for-profit status of the Flying Club.
 - 4. Copies of bylaws, articles of incorporation, operating rules, membership agreements, and the location and address of club's registered office.
 - 5. A roster of officers and directors, including addresses and phone numbers.

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- d. Flying Club aircraft shall not be operated by other than members, and shall not be used by anyone for commercial operations, including flight instruction for compensation, except as consistent with subsection (g)(3) below or as otherwise authorized under the FAA Airport Compliance Manual, FAA Order 5190.6B, as amended if amended.
- e. A Flying Club operating at the Airport shall have the right to self-fuel Flying Club aircraft in accordance with Section E(IX) of the Rules and Regulations.
- f. A Flying Club operating at the Airport shall have the right to self-service Flying Club aircraft in accordance with Section D(VI) of the Rules and Regulations. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a Flying Club may perform maintenance work on aircraft owned by the club. The Flying Club may not become obligated to pay for such maintenance work except that such mechanics may be compensated by credit against payment of dues or flight time.
- g. A Flying Club operating at the Airport shall not be required to meet the Airport Minimum Standards, provided each of the following conditions is met:
 - 1. The Flying Club does not lease or sell any goods or services whatsoever to any person or firm other than a member of such club at the Airport, except that the Flying Club may sell or exchange its capital equipment.
 - 2. The Flying Club specifically does not offer or conduct retail fuel sales, charter, air taxi or aircraft rental operations.
 - 3. The Flying Club does not permit its aircraft to be used for flight instruction for any person, including members of the club when such person pays or becomes obligated to pay for such instruction, except when instruction is given by a lessee based on the airport who provides flight training and the person receiving the training is a member of the Flying Club. Flight instructors who are also club members may not receive payment for instruction except that they may be compensated by credit against payment of dues or flight time.

II. Insurance

- a. Insurance shall be provided and paid for by the Flying Club in the amounts specified in the most current insurance requirements on file with the Aviation Director. Eagle County must be named as an additional insured.
- b. A certificate of insurance will be furnished to the Aviation Director, and ten days advance written notice of any change to the policy shall be given to the Aviation Director.

SECTION I. – SECURITY

I. Generally

- a. All persons on the Airport shall follow security-related federal laws, regulations, and directives, including Transportation Security Administration requirements, while on the Airport.
- b. All persons on the Airport shall follow the direction of on-duty federal, state and local law enforcement officers assigned to the Airport and TSA officers.
- c. The Aviation Director may issue directives and orders to implement the Airport Security Program. The Airport Security Program is considered sensitive security information in accordance with

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federal law and regulation, and no person is entitled to demand or obtain a copy from the Aviation Director.

- d. No person shall leave baggage or articles unattended in or in the vicinity of the Terminal. Unattended baggage and articles are subject to search and may be confiscated or destroyed by the Eagle County Sheriff's Office, TSA, or other law enforcement or government officials or their agents.

II. Passenger and Baggage Screening

- a. No person may enter a Sterile Area of the Airport without submitting to the screening of their person and property by the TSA. This prohibition does not apply to entry into the Sterile Area through doors and access points other than the passenger screening area by appropriately badged persons.
- b. Any person who enters the passenger screening area within the Terminal is subject to search by the TSA, regardless of whether the person declares their intent to withdraw from the screening area.
- c. No person may interfere with the screening of passengers and property by TSA officers.
- d. No passenger shall enter or remain in a Sterile Area having in their possession any items prohibited by the TSA or FAA.

III. Security Identification Display Area (SIDA), Sterile Area, and Air Operations Area (AOA)

- a. All persons who seek access to the SIDA, Sterile Area or AOA must obtain the appropriate badge from Airport Administration or be escorted by appropriate personnel, consistent with the Airport Security Program.
- b. Any person authorized to access the SIDA or Sterile Area must prominently display their badge, above the waist on their outermost garment, at all times. Any person authorized to access the AOA must be able to produce their badge when in the AOA.
- c. It shall be unlawful, and grounds for immediate confiscation, suspension and possible permanent revocation of a badge for any person to:
 - 1. Be in the SIDA, Sterile Area or AOA without an escort or a badge.
 - 2. Permit any other person to use their badge.
 - 3. Wear another person's badge to gain access to or while in these areas.
 - 4. Alter the badge.
- d. If a badge is lost or misplaced, the badgeholder must notify Airport Administration immediately and follow all administrative procedures for reissuance of the badge, including a reissuance fee set by the Aviation Director.
- e. Only persons with unescorted access authority are permitted to escort. Persons who do not have a valid-approved identification badge who wish to enter the SIDA or AOA can only do so while under the escort of a person who has a valid badge for the applicable area.

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- f. Persons who have gained authorized access to the SIDA, Sterile Area or AOA shall ensure that the access door or gate has completely secured or locked behind them before leaving the immediate vicinity of the door or gate, to ensure that no person gains unauthorized access through such door or gate.
- g. Each person shall immediately report malfunctioning or unattended access points to ARFF.

IV. Tampering

- a. No person shall willfully tamper, alter, compromise, move or otherwise affect any security device, sign, closed-circuit television camera, security key pad, electromagnetic locking device or other such implement, or perimeter fence gate or gate tracking device.
- b. No person may place any object within ten (10) feet of the Airport perimeter fence or at any location that would aid in climbing or obscuring visibility of the fence line.
- c. No person shall willfully activate any security device or security alarm, when no threat to security or emergency condition exists.
- d. No person shall block or damage doors, gates or card readers or leave doors or gates open that could permit access to a restricted area by unauthorized persons.

SECTION J. – ENFORCEMENT AND PENALTIES

I. Enforcement

- a. The County shall enforce the Rules and Regulations through graduated administrative mechanisms, to include one or more of the following, separately or in combination: verbal and written warnings, written notices of violation, administrative penalties, revocation of licenses and permits issued by the County, termination of leases and eviction, referral to the District Attorney's Office for criminal prosecution, and removal from the Airport by the Eagle County Sheriff's Office. Any of these mechanisms may be utilized or disregarded, as determined by the Aviation Director, depending on the circumstances
- b. The Aviation Director or his/her designee is authorized to investigate potential violations of the Rules and Regulations, and to utilize any of the mechanisms set forth in Subsection I(a) above, including but not limited to, imposing administrative penalties pursuant to Subsection II below and Appendix A.
- c. County staff assigned to the Airport have the right, at the Aviation Director's instruction, to enter and inspect any and all structures on the Airport, including hangars and premises leased to aeronautical and non-aeronautical commercial users, to ensure safety and compliance with the Rules and Regulations. County staff shall provide a minimum of 24-hours notice prior to inspection of any leased premises, except in emergencies.
- d. The Eagle County Sheriff's Office may detain and remove from the Airport any person presenting a risk to the safety or security of the Airport or persons and property on the Airport.
- e. Notwithstanding the imposition of any penalty hereunder, nothing herein shall prohibit a person from accessing the Airport for the purpose of flying as a ticketed passenger of a commercial air carrier.

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II. Penalties

- a. The Aviation Director is authorized to impose administrative fines and penalties specified in Appendix A for violations of the Rules and Regulations.
- b. Administrative fines and other penalties imposed hereunder shall be in addition to any fines and penalties imposed by the County, ECAT or any other local, state or federal agency for violation of an obligation arising from a source other than the Rules and Regulations.
- c. Violation of the Rules and Regulations may constitute default under a lease, permit or agreement, and the County may pursue termination and eviction in such event.
- d. The County may decline to enter into a lease or other agreement with a person found to have violated the Rules and Regulations.
- e. The Aviation Director may waive the imposition of any penalties prescribed herein upon the successful completion of corrective action by a person who has violated the Rules and Regulations.

III. Administrative Review

- a. The following determinations are subject to administrative review:
 - 1. The imposition of an administrative fine or penalty.
 - 2. Termination of a lease, permit or agreement for violation of the Rules and Regulations and/or the suspension or revocation of privileges at the Airport.
 - 3. The decision not to enter into a lease or other agreement with a person found to have violated the Rules and Regulations.
- b. Any person may seek reconsideration by the Aviation Director of one of the foregoing administrative decisions.
 - 1. The request for reconsideration must be submitted in writing within ten days of receipt of notice of the administrative decision and must identify the reason for the request.
 - 2. The Aviation Director shall review the request, make an initial determination to grant or deny the request, and inform the person in writing of the determination
 - 3. Any person aggrieved by the Aviation Director's initial determination may seek review by the County Manager, by filing a written appeal within ten days of the Aviation Director's initial determination.
 - 4. The County Manager may elect to hear a verbal presentation of the appeal, request a written appeal and submission of documentary evidence, or appoint a hearing officer to hear the appeal. The decision of the County Manager or hearing officer, if appointed, shall be final.

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SECTION K. – DEFINITIONS

- a. **ARFF** – Aircraft Rescue and Fire Fighting.
- b. **Abandoned Aircraft** – Any aircraft left unattended and stationary on the airport property in an inoperable condition and under such circumstances that evidence an intention by the owner/operator to voluntarily surrender, relinquish or disclaim the aircraft. The length of time that an aircraft has remained at the Airport without being used or moved is one factor to be used by the Aviation Director in determining whether the aircraft has been abandoned. An aircraft that has been at the Airport without use for more than 180 days is presumed to be abandoned.
- c. **Abandoned Vehicle** – Any vehicle which has remained stationary on the Airport in excess of 72 hours and is in a condition that would render the vehicle inoperable including but not limited to expired license plates, missing or flat tire, or broken window.
- d. **Airport** – Eagle County Regional Airport.
- e. **Airport Administration** – The County's administrative offices located at the Airport.
- f. **Airport Fuel Farm** – One or more areas of the Airport designated by the County and depicted on the Airport Layout Plan to serve as the consolidated location for all aircraft fuel storage facilities.
- g. **Airport Operations Area or AOA** – The area of the Airport identified in the Airport Security Program that includes the aircraft movement areas, aircraft parking areas, loading ramps, safety areas, and any adjacent areas that are not separated by adequate security systems, measures or procedures. This area does not include the Security Identification Display Area (SIDA).
- h. **Airport Security Program or ASP** – The written plan concerning security at the Eagle County Regional Airport, containing the elements required by 49 C.F.R. Part 1542 and approved by the Transportation Security Administration.
- i. **Aviation Director** – The person hired by the County to administer and direct the operation of the Airport and to enforce the Rules and Regulations, and his/her designee.
- j. **BOCC** – Eagle County Board of County Commissioners.
- k. **Commercial Aeronautical Activity** – Any commercial operation that is related to the operation of Aircraft as prescribed in the Eagle County Regional Airport Minimum Standards for Commercial Aeronautical Activities.
- l. **Commercial Non-Aeronautical Activity** – Any commercial operation not directly related to the operation of Aircraft, e.g. restaurant, rental car, or other concessions.
- m. **Commercial Self-Service Fueling** – Fueling of an aircraft by the pilot using commercial self-service aircraft fuel pumps installed for that purpose.
- n. **ECAT** – Eagle County Air Terminal, a Colorado not-for-profit, public entity formed to lease and operate the Terminal at the Airport.
- o. **Flying Club** – A nonprofit or not-for-profit entity organized for the express purpose of providing its members with the noncommercial use of aircraft for their personal use and enjoyment.

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- p. **Fueler** – A person that is permitted to store, handle and dispense fuel, whether for sale to the public at large or for purposes of self-fueling.
- q. **Maintenance** – Aircraft inspection, overhaul, repair, preservation and replacement of parts, including preventative maintenance, as described in Part 43 of the Federal Aviation Regulations.
- r. **Movement Area** – The runways, taxiways and other areas of the Eagle County Regional Airport that are used for taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas. The Movement Area more specifically includes Runway 7/25, Taxiway A, Taxiways A1, A2, A3, A4, A5, A6, A7, Taxiways C1, C2, Taxiways B3 and B4 from the runway edge north up to the runway hold short line.
- s. **Park** – The standing of a vehicle or aircraft, whether occupied or not, other than very briefly for the purpose of, and while actually engaged in, loading or unloading of property of passengers.
- t. **Permittee** – The owner or exclusive operator of an aircraft authorized to self-fuel pursuant to a self-fueling permit or agreement.
- u. **Run-up** – Aircraft engine operation above normal idle power for a purpose other than initiating taxi.
- v. **Safety Areas** – The runway and taxiways and the surrounding runway safety areas and taxiway safety areas at the Eagle County Regional Airport.
- w. **Security Identification Display Area or SIDA** – The portion of the Airport identified in the Airport Security Program and in which security training, criminal history background check, and identification are required. This area is where aircraft operators and foreign air carriers that have a security program under 49 CFR Part 1544 or 1546 enplane and deplane passengers and sort and load baggage, and any adjacent areas that are not separated by adequate security measures.
- x. **Self-Fueling** – The fueling of an aircraft by the owner of the aircraft, or the owner's employee, using the owner's vehicles, equipment and resources.
- y. **Sterile Area** – The portion of the Terminal identified in the Airport Security Program that provides passenger access to boarding aircraft and to which access generally is controlled by the Transportation Security Administration or by an aircraft operator or a foreign air carrier, through the screening of persons and property. The Sterile Area begins immediately after the passenger screening checkpoints in the Terminal.
- z. **Terminal** – The commercial passenger terminal at the Eagle County Regional Airport.
- aa. **TSA** – The Transportation Security Administration.

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Appendix A: Administrative Fines and Penalties

- I. Unless an alternate penalty is prescribed herein, violations of the Rules and Regulations shall be subject to the following administrative fines:
 - a. First offense - \$100 per violation
 - b. Second offense - \$500 per violation
 - c. Third and additional offenses - \$1,000 per violation

- II. The Aviation Director may impose alternate administrative fines and penalties for violations of the Rules and Regulations, as follows:
 - a. Non-payment of rates and charges in accordance with the published schedule(s) of rates and charges or a lease, permit or other agreement with the County or ECAT may result in termination of a lease, permit or other agreement; eviction from any leased premises; the suspension or revocation of the right or privilege to conduct an aeronautical activity at the Airport; and/or the impoundment or lien on aircraft and property, as may be authorized pursuant to federal and Colorado law.
 - b. Law enforcement officers of the Eagle County Sheriff's Office may (i) remove from an aircraft any person causing or threatening to cause direct injury to any person or damage to property on the Airport, and (ii) detain and remove from the Airport any person presenting an immediate threat to the safety or security of persons or property on the Airport.
 - c. In addition to any other penalties prescribed by the Rules and Regulations or that may be imposed by FAA for the same conduct, the Aviation Director is authorized to restrict access to the Airport by any person who has been found to have violated the provisions hereof governing the safe operation of aircraft on the Airport (Section D(I)) and who, in the judgment of the Aviation Director, presents a real and present danger to the safety of persons or property.
 - d. Penalties for violations of the provisions hereof governing pedestrian access to the Movement Area and Safety Areas (Section C(II)) or the provisions governing ground vehicle access to the Movement Area and Safety Areas (Section F(IV)) shall include written warning, loss of privileges, administrative fines, and training or retraining, according to a schedule of graduated penalties prescribed by the Aviation Director and made available during training, application for a security badge, and upon request.
 - e. In addition to any other penalties prescribed in the Rules and Regulations, the Aviation Director may revoke the privilege of operating a fuel storage facility and equipment in the event any of the following occur:
 - 1. Fueler is in arrears in the payment of the whole or any part of the amounts agreed upon for a period of thirty days after the time the payments become due.
 - 2. Fueler defaults in the performance of any of the fueling-related conditions required in the lease, self-fueling permit or agreement, and the default continues for a period of 30 days after the receipt of written notice from the Aviation Director of the default.

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3. Fueler violates any safety procedure, law, or regulation or requirement enumerated in the Rules and Regulations or the lease, self-fueling permit or agreement.
 4. Fueler causes or allows a lapse in any form of required insurance.
 5. Fueler fails to make timely and accurate reporting records
- f. In addition to any other penalties prescribed in the Rules and Regulations, the Aviation Director may revoke a self-fueling permit upon ten days written notice to the Permittee for any of the following reasons:
1. Non-compliance with any of the Rules and Regulations, the Airport Minimum Standards, and/or County or Town ordinances.
 2. Failure to maintain the required insurance.
 3. Failure to pay any part of the fuel flowage fees due after such payments become due and payable to the County.
 4. Failure to repair any damage to the fuel storage facility within the time specified by the County.
 5. Fueling an aircraft that is not listed on the self-fueling permit.
 6. Aircraft fueling by individuals who are not employees of Permittee.
 7. Discontinuation of fueling operations by Permittee for a period of one hundred eighty (180) days.
 8. Failing to report a fuel spill as required and in the manner required by the Colorado Department of Labor and Employment Division of Oil and Public Safety.
 9. Any violation of Colorado environmental law or regulation concerning fuel storage and dispensing.
- Permittee shall have the opportunity to appeal the revocation of a self-fueling permit in accordance with Section J hereof. Upon revocation, Permittee may not reapply for a self-fueling permit for a period of one year. Revocation after a second violation shall result in Permittee being ineligible to reapply for a self-fueling permit.
- g. In addition to any other penalties prescribed in the Rules and Regulations, the Aviation Director may cause vehicles in violation of the provisions hereof governing the operation of ground vehicles (Section F(I)) to be ticketed or towed. In addition, the Aviation Director may deny access to any ground vehicle if the owner or operator of the vehicle operates the vehicle in a reckless or negligent manner.
- h. The penalty for parking in a reserved area shall be \$10 dollars per offense. The penalty for employees of the Airport or Airport tenants parking outside of their assigned area shall be \$20 per offense.
- i. If an entity is determined to be in violation of the provisions hereof governing Flying Clubs (Section H), the Aviation Director will notify the club in writing of such violations. If the

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club fails to correct these violations in fifteen days, the Aviation Director is authorized to penalize noncompliance in the following manner, depending on the nature and severity of the violation:

1. Terminate a self-fueling permit or agreement and prohibit self-servicing of Flying Club aircraft.
 2. Require Flying Club or club members to apply for the right to conduct a commercial aeronautical activity in accordance with the Airport Minimum Standards.
 3. Require a Flying Club to cease all operations
- j. Penalties for violations of the provisions hereof governing security within the Security Identification Display Area, Sterile Area and Air Operations Area shall include written warning, suspension or revocation of a badge, loss of privileges, and re-training and re-testing, according to a schedule of graduated penalties prescribed by the Aviation Director and made available during training, application for a badge, and upon request.