

AIRPORT RULES AND REGULATIONS

Flagler County Airport (XFL)



Owned and Operated by:
Flagler County Board of County Commissioners

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INTRODUCTION

The owners of Federally obligated airports have the responsibilities for instituting airport Rules and Regulations for the safe operation of the airport and for instituting Minimum Standards to establish the threshold entry criteria for those wishing to provide aeronautical services to the public on their airport.

The Federal Aviation Administration (FAA) contends that it is the prerogative of the airport owner (sponsor) to impose Rules and Regulations for the safe operation and use of its airport. Airport owners, in exchange for Federal funding to assist in developing runways, taxiways, etc, should establish Rules and Regulations, along with Minimum Standards for those wishing to provide aeronautical services on their airport. Both procedures should be fair and equitable for all users of their facilities.

It is the intent of Flagler County to provide the safest possible atmosphere for the conduct of aviation operations for our tenants, guests, residents, students and employees. Failure to abide by these Rules and Regulations may result in expulsion from the airport property.

Flagler County shall exercise full authority over the operation of its airport.

Copies of the Rules and Regulations as well as the Minimum Standards will be available online at the Airport website:

<http://www.flaglercountyairport.com>

SECTION 1.0 DEFINITIONS

Terms used in these rules and regulations are defined below. Words relating to aeronautical practices, processes and equipment will be construed according to their general usage in the aviation industry unless a different meaning is apparent from the context or specifically defined otherwise herein. All other words will be construed according to their common literal meaning.

- a. **Aeronautical Activity** means any activity conducted at the airport which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. These activities include, but are not limited to: air taxi and charter operations, pilot training, aircraft renting, sightseeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, skydiving, ultralight operations, glider operations, aircraft sales, aircraft services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and aircraft storage.
- b. **Aeronautical Services** means any service which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the Airport by a person who has a lease or agreement from the Airport to provide such services.
- c. **Air Operations Area (AOA)** means any area of the Airport used or intended to be used for landing, take off or the surface maneuvering of aircraft.
- d. **Aircraft** means any contrivance designed, invented or used for powered or non-powered flight in the air. For the purpose of this definition, an ultralight vehicle is not included.
- e. **Airport** means Flagler County Airport and all of the property buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport layout Plan, or as it may hereinafter be extended, enlarged or modified.
- f. **Apron or Ramp** means those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.
- g. **Authorized Area** means a specified location, approved by the Airport Manager, as accessible to authorized persons only.
- h. **Commercial Activity** means the exchange, trading, buying, hiring or selling for profit of commodities, goods, services or tangible or intangible property of any kind, or any revenue-producing activity on the Airport.
- i. **Directive** means ministerial instructions and guidance serving to govern and direct operational matters. Directives can be used for both internal and external guidance. All directives will be approved by the Airport Manager or designee.

- j. **FAA** means Federal Aviation Administration.
- k. **FAR** means Federal Aviation Regulation.
- l. **FBO/SASO** are aviation businesses or Fixed Base Operators as defined in the Flagler County Airport Minimum Standards and are duly licensed and authorized by written agreement with the airport owner to provide aeronautical activities and services at the airport under strict compliance with such agreement and pursuant to these regulations and the Airport's Minimum Standards.
- m. **Fire Department** means that fire department having jurisdiction over the Airport.
- n. **FCBCC** means Flagler County Board of County Commissioners
- o. **Flying Club** means a non-profit organization established to promote aviation, develop skills in aeronautics, raise awareness and appreciation of aviation requirements and techniques through ground or flight instructional procedures.
- p. **Fuel** means the aviation petroleum product used to operate piston or jet turbine engines.
- q. **Fuel Operations** means the dispensing of aviation fuel directly into aircraft or dispensing the same from a separate medium such as a fuel truck or self-fueling facility.
- r. **Large Aircraft** is an aircraft of more than 12,500 pounds maximum certified takeoff weight or turboprop and turbojet aircraft.
- s. **Maintenance** means the inspection, overhaul, repair, preservation, and replacement of parts of an aircraft, excluding preventive maintenance.
- t. **Minimum Standards** mean the standards which are established by the Airport owner as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airport.
- u. **Motor Vehicle** means a self-propelled device in, upon or by which a person or property may be transported, carried or otherwise moved from point to point except aircraft or devices moved exclusively upon stationary rails or tracks.
- v. **Movement Area** means the runways, taxiways, and other areas of the Airport which are used for taxiing, hover taxiing, air taxiing, take off, or landing of aircraft, exclusive of loading ramps and aircraft parking areas.
- w. **NFPA** means the National Fire Protection Association.

- x. **NOTAM** means a Notice to Airmen published by the FAA.
- y. **Non-Profit** means activities undertaken for philanthropic, religious, charitable, benevolent, humane, public interest or similar purpose.
- z. **Park** means to let a motor vehicle or aircraft stand or stop in any location whether the operator thereof leaves or remains in such vehicle or aircraft when such standing or stopping is not required by traffic controls or conditions beyond the control of the operator.
- aa. **Person** means any individual, firm, partnership, corporation, company, association, joint stock association or body politic, including any trustee, receiver, committee, assignee or other representative or employee.
- bb. **Policy** means a general principle or plan by which the FCBCC is guided in its management of public affairs. The FCBCC will approve all policies.
- cc. **Preventive Maintenance** means simple or minor preservation operations of aircraft and the replacement of small standard parts not involving complex assembly operations as delineated in Code of Federal Regulation (CFR) Title 14 Part 43.
- dd. **Ramp** - see Apron.
- ee. **Restricted Area** means any area of the Airport designated to prohibit entry or to limit entry or access to specific authorized persons.
- ff. **Small Aircraft** is an aircraft of 12,500 pounds or less maximum certified take-off weight.
- gg. **Solicitation or to Solicit** means to ask, request, implore or plead repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, orally, in writing or otherwise for money or anything of pecuniary value. Solicitation also includes requests to sign a petition.
- hh. **Standard Procedures** mean a specific method or course of action or an established way or order of accomplishing a specific matter. All standard procedures will be approved by the Airport Manager.
- ii. **Through-the-Fence Operations** means the use of Airport property by operators offering an aeronautical activity on land adjacent to, or by aircraft based on land adjacent to, but not part of Airport property.
- jj. **UNICOM** means a non-governmental communication facility which provides airport advisory information.

SECTION 2.0 GENERAL REGULATIONS

All applicable federal, state, and county laws in the Airport's jurisdiction now in existence or hereafter promulgated, and not in conflict with these Rules and Regulations are hereby adopted by reference as part of these Flagler County Airport Rules and Regulations.

2.1 AMENDMENTS AND CORRECTIONS

- a. Amendments, additions, deletions, or corrections to these Rules and Regulations may be initiated by Flagler County Airport (the Airport) as conditions warrant. These Rules and Regulations may be reinforced by a Policy Letter issued by the Airport Manager or Deputy County Administrator that will be regulatory until these rules are amended.
- b. These Rules and Regulations supersede and cancel all previous Rules and Regulations that may have been published for Flagler County Airport.

2.2 COMPLIANCE AND ENFORCEMENT OF RULES AND REGULATIONS

- a. Any permission granted by the FCBCC, directly or indirectly, expressly or by implication otherwise, to any person to enter or to use the Airport or any part thereof, is conditioned upon strict compliance with the FCBCC's Rules and Regulations, Minimum Standards, and any Airport Policy Letters or other directives.
- b. Any permission granted by the FCBCC under these Rules and Regulations is conditioned upon the payment of any and all applicable fees and charges established by the FCBCC.
- c. These Standard Operating Procedures will be enforced by several means. The County Sheriff's Department, the Flagler County Fire and Emergency Rescue Department, the Airport Manager, and the County Administrator will all have authority to enforce these Rules. There will be times when the tenants on the Airport may not agree on the application of certain standards. When this happens, the Airport will strive to do everything possible to come to an amenable agreement. This could include mediation and/or review by the FCBCC.
- d. A violation of these regulations may result in revocation of ramp access privileges, termination of lease agreements, denial of use of airport, and/or prosecution under applicable Federal Laws, State Laws, or County Ordinances.
- e. Voiding of any particular rule or regulation contained herein shall not affect the validity of the remainder of these regulations.

- f. The Airport Manager may prohibit aircraft operations when it is determined that conditions are such that continued operations would be unsafe. The Airport Manager may issue a Notice to Airman (NOTAM) to close any portion of the Airport; or to terminate or restrict any activity thereon.
- g. At the request of any owner or operator of an aircraft, the Airport Manager may have any person removed from an aircraft who creates a nuisance, is a threat to personal property or to an aircraft.

2.3 MINIMUM STANDARD PROCEDURES, EMERGENCY PROCEDURES AND DIRECTIVES

The Airport Manager is the individual with the responsibility and authority for administering these rules and regulations. Any standard procedures or directives issued by the Airport Manager will be considered as policy letters or official interpretations within the Airport Manager's authority. They shall have the full force and effect of implementing these rules and regulations and will be utilized to provide further clarification with these rules and regulations.

- a. When an emergency exists at the Airport; the Airport Manager, or designee, will be empowered to take action within their discretion and judgment that is necessary or desirable to protect the health, welfare and safety of persons and property and to facilitate the operation of the Airport.

During such an emergency; the Airport Manager, or designee, may suspend these Rules and Regulations or any part thereof, at their discretion and judgment and issue oral orders Rules and Regulations as may be deemed necessary.

2.4 FEES AND CHARGES

- a. All fees and charges will be in accordance with the Airport's Rules and Regulations, Flagler County Airport Minimum Standards, and any Airport procedures or other directives or the terms and conditions of the contracts or agreements between the FCBCC and the commercial enterprise. All user fees will be determined by the FCBCC and levied and enforced in accordance with Florida Statue 239.40, Sections (1) and (2).
- b. All Airport related Fees and Charges are provided as a separate document available from the Airport Manager.

2.5 FEDERAL AVIATION REGULATIONS

All activities at Flagler County Airport will be conducted in accordance with applicable FARs to include the Airman's Information Manual. These Rules and Regulations are not intended to replace Federal Regulations or common sense.

2.6 FLYING CLUBS

- a. The details regarding the operation of flying clubs at Flagler County Airport are outlined in the Flagler County Airport Minimum Standards, "Operation of Flying Clubs". These details include the legal entity of the club, rights of the club, maintenance, leasing terms, required documents, exculpatory terms, insurance requirements and a statement of non-profit operation.

2.7 SPECIAL EVENTS, DISPLAYS AND DEMONSTRATIONS

- a. Any person or organization wishing to hold a special event on the Airport, or utilizing Airport property, must first apply for, and be issued a permit by Flagler County, in accordance with Section 21-62 of the Flagler County Code of Ordinances. The Airport Manager may authorize small groups on the Airport for special meetings. Please contact the Airport Manager if guests will exceed the parking spaces allocated to your organization.
- b. Display vehicles and pedestrians, other than those who are tenants of the Airport, will not be allowed on the Airport property unless a special permit has been issued by Flagler County.
- c. The permit application must include the following:
 1. Sponsor's name and address.
 2. Person in charge of the activities.
 3. Map or drawing that shows the display area and parking area.
 4. Hours of operation and security provided.
 5. Who is responsible for clean-up after the event.
 6. Specify whether event is free of charge or admission will be charged.
 7. Specify whether food or beverage vendors will be participating.
 8. Applicant must be able to provide proof of insurance coverage as specified by Flagler County, naming the County as additional insured.
- d. Alcohol and beverage sales conducted on the property on which the special event is being held shall be in accordance with Florida Statutes and Flagler County Code. Furthermore, it is the responsibility of the alcohol licensee to ensure that no open containers of alcohol sold on the premises shall be permitted beyond the designated special event site.
- e. The Special Event permit must be applied for at least ninety (90) days prior to the scheduled event. The County will respond with the necessary requirements that must be met to hold the event. The event will not be held without the permit in hand to show authorities.

2.8 COMMERCIAL PHOTOGRAPHY

No person will take still, motion or sound motion pictures, sound records or recordings of voices on the Airport for commercial purposes without written permission from and in a manner authorized by the Airport Manager. This regulation does not apply to bona fide coverage by the news media conducting business in authorized areas and in accordance with the Airport's policies, minimum standards and any procedures or other directives.

2.9 SOLICITATION

No person will solicit for any purpose on the Airport except airport tenants, soliciting aviation related products or services, that have obtained prior approval from Airport Management or the leaseholder of the property in which the solicitation will be posted.

2.10 POLLS, QUESTIONNAIRES AND SURVEYS

No person will conduct any polls, questionnaires or surveys on the Airport without first obtaining written permission from the Airport Manager.

2.11 PROHIBITED CONDUCT

Notwithstanding any provision in these rules and regulations or permits issued, the following activities are prohibited at the Airport:

- a. Sale or distribution of any items, goods, merchandise or services except when expressly allowed by written agreement with the FCBCC;
- b. Conduct that in any way obstructs, delays or interferes with the free movement of any other person or authorized business of the Airport except by airport staff;
- c. Pinning, tying or attaching any flower or other symbol, insignia, article or object to the clothing, personal belongings or vehicle of any person without consent;
- d. Assaulting or committing a battery on any other person or touching any person without consent;
- e. Use of any noise-making device, sound or voice amplifying apparatus, singing or chanting or any other sound which may reduce the effectiveness or interfere with the business functions of the Airport, except upon approval of the Airport Manager;

- f. Placement of a table, bench, chair, sign, fixture, object or other structure on a public use area of the Airport property unless permitted by the Airport Manager or designee.
- g. Distribution of literature or other goods or the display of signs or other printed matter at the Airport, without having first complied with the provisions of all sections of these Rules and Regulations;
- h. Distribution of literature, other printed matter or the display of signs at the Airport after a permit has been issued pursuant to this section of these Rules and Regulations is terminated or expired;
- i. Intentionally leaving any item intended for distribution unattended;
- j. Any activity which constitutes a danger to persons or property or which interferes with any of the following, except by airport staff: pedestrian or vehicular travel; the entry to or exit from vehicles, doorways or passageways; security procedures; government inspection procedures; or cleaning, maintenance, repair or construction operations;
- k. Any conduct which improperly indicates or represents or attempts to indicate or represent to the public that an individual is a representative of the FCBCC; and
- l. Any conduct which misrepresents the identity of the individual or organization for which the individual is performing the permitted activities.

2.12 COMMERCIAL ACTIVITY, ADVERTISING, DISPLAY AND SPEECH

In compliance with Flagler County Airport's Rules and Regulations, Minimum Standards, and any Airport procedures or other directives no person for any business, commercial or revenue producing purposes, will occupy or rent space, conduct any business, commercial enterprise or activity, post, distribute or display signs, advertisements, circulars, pictures, sketches or drawings or engage in any other forms of commercial speech on the Airport without first obtaining a written contract, permit or other form of written authorization from the Airport Manager.

SECTION 3.0 AERONAUTICAL

3.1 GENERAL

- a. **Interference with Aircraft**
No person may throw, shoot or propel any object nor shine a light or laser in such a manner as to interfere with or endanger the safe operation of any aircraft taking off from, landing at or operating on the Airport or any vehicle operating on the Airport.
- b. **Compliance with Orders**
All aeronautical activities at the Airport must be conducted in compliance with the current applicable FARs and the Airport's Rules and Regulations, policies, directives and Minimum Standards.
- c. **Hold Harmless**
Aircraft owners, pilots, agents or their duly authorized representatives will release or discharge the FCBCC, and its employees of and from liability for any damage which may be suffered by any aircraft and its equipment and for personal injury or death.
- d. **Prohibited Operations and Liability**
 - 1. No person may operate aircraft at the Airport in a careless manner or in disregard of the rights and safety of others.
 - 2. All persons using the Airport will be held liable for any property damage caused by carelessness or negligence on or over the Airport and any aircraft operated, so as to cause such property damage, may be retained in the custody of the FCBCC. The FCBCC may place a lien on said aircraft until all charges for damages are paid. Any person liable for such damage will indemnify fully and save and hold harmless the FCBCC, its board, its officers, and its employees from claims, liabilities and causes of action of every kind, character and nature, and from all costs and fees, including attorney's fees connected therewith and from the expenses of the investigation thereof.
- e. **Denial of Use of Airport**
The Airport Manager or designee has the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to delay or restrict any flight or other aircraft operation, to refuse take off permission, and to deny the use of the Airport or any portion thereof to any specified class of aircraft or any individual or group when necessary to avoid endangering persons or property and to be consistent with the safe and proper operation of the Airport. In the event the Airport Manager or designee believes the condition of the Airport to be unsafe for landings or take offs, it will be within their authority to issue or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any portion thereof.

- f. **Aircraft Accidents or Incidents**
The pilot or operator of any aircraft involved in an accident or incident on the Airport causing personal injury or property damage must, in addition to all other reports required by other agencies, make a prompt and complete report concerning said accident or incident to the Airport Manager. When a written report of an accident or incident is required by FARs, a copy of such report may also be submitted. The report will be filed within forty-eight (48) hours from the time of the accident or incident.
- g. **Disabled Aircraft**
Subject to compliance with appropriate FARs, the aircraft owner will be responsible for the prompt removal of all disabled aircraft and parts of such aircraft at the Airport, as reasonably directed by the Airport Manager. In the event of owner's failure or refusal to comply with such directions, the disabled aircraft or any and all parts thereof may be removed by the Airport Manager at the owner's expense and without liability for damage which may result from such removal.
- h. **Tampering with Aircraft**
No person may interfere or tamper with any aircraft, put in motion such aircraft, use or remove any aircraft, aircraft parts, instruments or tools without positive evidence of permission of the owner.
- i. **Cleaning, Maintenance and Repair of Aircraft**
No person shall clean, paint, wash, polish or otherwise maintain an aircraft, other than in areas approved, and in the manner designated by the Airport Manager.
- j. **Hand Propping of Aircraft**
Pilots are solely responsible for liability resulting from this type of action.
- k. **Certification of Aircraft and Licensing of Pilots**
All aircraft operating at the Airport must exhibit registration markings as described in CFR Title 14, Part 45 and all persons operating such aircraft shall possess an appropriate certificate as described in CFR Title 14, Part 61.
- l. **Registration of Aircraft**
The Airport may require the registration of pilots and aircraft using the Airport and such pilots will comply with the registration requirements.
- m. **Payment of Fees**
The payment of rentals, fees, and charges relating to the use of Airport premises and facilities will be made before take off. In lieu of such payment, satisfactory credit arrangements may be made by the pilot or owner of aircraft with the Airport Manager or the appropriate entity before leaving the Airport.

3.2 AIRPORT OPERATIONAL RESTRICTIONS

- a. Unless contrary to FARs, the FCBCC has the power to restrict the use of the Airport with respect to the following types of operations, including, but not limited to:
 - 1. Touch-and-go flights;
 - 2. Training flights;
 - 3. Experimental flights;
 - 4. Equipment demonstration;
 - 5. Air shows;
 - 6. Maintenance flight checks;
 - 7. Aircraft type;
 - 8. Powerless aircraft;
 - 9. Banner towing,
 - 10. Kites, model airplanes, tethered balloons or other objects constituting a hazard flow on or within the vicinity of the Airport;
 - 11. Parachute jumping over or onto the Airport;
 - 12. Ultralight vehicle activity as defined in 14 CFR §103.1; and
 - 13. Aerobatic activity.

- b. Take Offs and Landings
 - 1. No person may cause an aircraft, other than a helicopter, to land or take off at the Airport, except on a runway. Helicopters may operate from a helipad or other approved location.
 - 2. All aircraft with an operational radio should monitor the appropriate frequency during takeoff, landing and taxiing.
 - 3. Aircraft arriving at the Airport without operable radios shall comply with current procedures outlined in the Airman's Information Manual and appropriate FAA regulations.
 - 4. Persons landing an aircraft at the Airport will make the landing runway available to other aircraft by leaving said runway as promptly as possible, consistent with safety.

5. Any person operating or controlling an aircraft landing at or taking off from the Airport will comply with applicable aircraft noise limits as promulgated by the federal government or the Airport, whichever is the most restrictive.
- c. Preferential Runway Use
To minimize flights over any noise sensitive residential areas outside of the Airport boundary pilots should adhere to the current noise abatement procedures found on the Airport website (www.flaglercountyairport.com). These procedures are subject to change and the Airport Manager may issue directives for preferential runway use at any time.

3.3 AIRCRAFT GROUND RULES

- a. Aircraft Parking
 1. No person may park an aircraft in any area on the Airport except those designated and in the manner prescribed by the Airport Manager. If any person uses unauthorized areas for aircraft parking, the aircraft parked may be removed by or at the direction of Airport Director at the risk and expense of the owner.
 2. Aircraft operators will ensure that aircraft are properly secured when parked as appropriate for the aircraft type.
 3. No aircraft will be left unattended on the Airport unless it is in a hangar or adequately secured.
 4. Articles left in aircraft are the sole responsibility of the aircraft owner/pilot. Theft or vandalism of said articles are not the Airport's responsibility.
- b. Derelict Aircraft
 1. No person may park or store an aircraft in non-flyable condition on Airport property, including leased premises, for a period in excess of ninety (90) days, without written permission from the Airport Manager.
 2. No person will store or retain aircraft parts or components held as inventory anywhere on the Airport, other than in an enclosed authorized facility or in a manner approved by the Airport Manager in writing.
 3. Whenever any aircraft is parked, stored or left in non-flyable condition on the Airport in violation of the provisions of this section, the Airport will notify the owner or operator by certified or registered mail, requiring removal of the aircraft within fifteen (15) days of receipt of the notice. If the owner or operator is unknown or cannot be located, the Airport will conspicuously post and affix such notice to the aircraft, indicating removal of the aircraft within fifteen (15) days from date of posting. Upon the failure of the owner or operator to remove the aircraft within the period provided, the Airport will cause the removal of the aircraft from the Airport.

The owner or operator of any removed aircraft will be liable and responsible for all costs incurred by the Airport, including attorneys' fees, plus a ten (10) percent fee for the removal of said aircraft. The Airport will not be liable for any costs or damage arising out of the disassembly, removal or storage of any aircraft and the owner or operator of the aircraft will indemnify fully and save and hold harmless the FCBCC, and its designees from all claims, liabilities and causes of action of every kind, character and nature and from all costs and fees, connected therewith.

c. Starting and Running Aircraft Engines

1. No aircraft engine may be run at the Airport unless an appropriately rated pilot, a certificated airframe and power plant mechanic, or an individual under supervision of an appropriately rated pilot or a certificated airframe and power plant mechanic qualified to run the engines of that particular type aircraft is at the controls and blocks have been placed in front of the wheels or the aircraft parking brakes are set appropriately.
2. No person may run an engine of an aircraft parked on the Airport in a manner that could cause injury to persons, damage to property or endanger the safety of operation on the Airport.
3. Aircraft engines may be started or operated only in the places and times designated for such purposes by the Airport's policies, Minimum Standards or other directives.
4. Engine run-ups for aircraft maintenance or purposes other than pre-flight will be conducted in designated areas and during designated hours prescribed by directive.
5. No aircraft engine will be run-up or started while under the roofline of a hangar, whether said hangar is enclosed or not.
6. Noise emanating from aircraft engines during normal ground operations must be in compliance with all Airport directives and the most current noise abatement procedures published by the Airport.

d. Aircraft Taxiing

1. No person may taxi an aircraft on the Airport until they have ascertained that there is no danger of collision with any persons or objects.
2. All aircraft will be taxied at a safe and reasonable speed.
3. When taxiing aircraft are converging, the aircraft involved will pass each other bearing to the right, unless otherwise directed by the control tower, if one is available.
4. No aircraft will be taxied into or out of any hangar under its own power.

5. All aircraft being taxied, towed or otherwise moved on the Airport will proceed with navigational lights on during the hours between sunset and sunrise.

3.4 HELICOPTER OPERATIONS

In addition to all other Rules and Regulations set out herein, all helicopters must:

- a. Avoid fixed-wing aircraft traffic patterns and altitudes to the maximum extent possible;
- b. Taxi, tow or otherwise move with rotors turning only if there is a safe distance in all directions from the outer tips of the rotors;
- c. Operate a safe distance from any areas on the Airport where unsecured light aircraft are parked;
- d. After landing, helicopters will go to “flat pitch” as soon as possible to avoid rotor wash;
- e. Rotorcraft operations, other than those required for normal taxi, takeoff and landing require prior approval by Airport Management;
- f. The operator of any rotorcraft is responsible for any damage resulting from propwash generated by said aircraft;

3.5 ULTRALIGHT OPERATIONS

All ultralight aircraft operations shall conform to the rules and procedures delineated in the Flagler County Airport Minimum Standards, *Ultralight Vehicle Operations*.

3.6 USE OF T-HANGARS AND STORAGE HANGARS

Tenants will use their hangar premises in accordance with the Flagler County Airport Minimum Standards and adhere to the following Rules and Regulations requirements:

- a. T-hangars and storage hangars will not be used for any purpose that would constitute a nuisance or interfere in any way with the use and occupancy of other buildings and structures in the neighborhood of the leased premises.
- b. The primary use of T-hangar and unit storage hangars will be storage of aircraft only and items incidental to the operation and preventative maintenance of the stored aircraft as per CFR Title 14, Part 43. Tenants may not use the premises to store materials or other objects foreign to the intended primary use of the premises. Objects foreign to the intended

primary use include but are not limited to: furniture, construction materials, recreational vehicles and watercraft. Other items may, or may not, be deemed acceptable at the discretion of Airport Management.

- c. No items of any nature will be attached to the building, interior or exterior. No aircraft or aircraft component may be suspended or lifted utilizing the building or any component of the building.
- d. No alterations will be made to the hangar structure without written approval by the Airport Manager. Alterations are subject to removal by the Airport at tenants' expense, upon thirty (30) days written notice unless the Airport Manager or designee, determining that safety reasons require the waiving of such notice, for the purpose of repair, construction or other purposes deemed necessary by the Airport.
- e. No flammable material or refuse will be stored or allowed to accumulate in hangars, except that tenants may store not more than five (5) gallons of flammable fluids and a reasonable amount of aircraft lubricants, within the premises, provided that any such storage will be limited to NFPA approved containers or unopened original containers.
- f. Aircraft are not to be washed with running water in hangars when such washing will cause drainage into or through another hangar.
- g. No paint spraying, or spraying of any kind, is permitted, nor is the installation of air compressors for any purpose, except small, portable air compressors and air compressor tanks used to inflate aircraft tires are permitted.
- h. No mechanical maintenance is permitted outside of that prescribed in Subpart (c) of Appendix A to CFR Title 14, Part 43. Any additional maintenance must be approved by the Airport Manager prior to commencement of such efforts.
- i. No tools, equipment or material will be used in the hangars that could constitute a fire hazard.
- j. No smoking in hangars is permitted.
- k. Tenants will exercise reasonable care to keep oil, grease or similar products off the floor.
- l. Tenants will see that electric current and water, if available, is not used excessively. A surcharge will be issued to the tenants account for excessive electrical or water usage, at the discretion of the Airport Manager.
- m. No signs will be erected or painted on the exterior or interior of hangars.
- n. Hangar doors will be kept closed at all times, except when moving aircraft, working on aircraft or when aircraft will be gone for only a short time and at no time will doors be left open at night.

- o. No aircraft or vehicle is to be parked by any hangar, in such a manner as to block access to adjoining hangar spaces or to cause inconveniences to other tenants.
- p. The premises are for the private use of tenant and may not be used for any commercial purpose including, but not limited to, the sale of products or services of any kind, whether or not such sales are transacted for a profit.
- q. Tenants will not be permitted to perform repair service on automobiles or automotive equipment of any kind other than an authorized motorized towing vehicle from or at the premises.

SECTION 4.0 FIRE AND SAFETY

4.1 GENERAL

- a. All persons using the Airport or the facilities of the Airport must exercise the utmost care to guard against fire and injury to persons or property.
- b. All applicable codes, standards and recommended practices in Flagler County, and the NFPA now in existence or hereafter promulgated and not in conflict with these Rules and Regulations, or with the Airport's policies, standard procedures or directives or with FARs, are hereby adopted by reference as part of these Rules and Regulations.

4.2 FUELING OPERATIONS

- a. No aircraft may be fueled or defueled while inside any building or structure.
- b. No person may start the engine of an aircraft on the Airport if there is any gasoline or other volatile fluid on the ground within the vicinity of the aircraft.
- c. Any person, including the owner or operator of aircraft, causing overflowing or spilling of fuel, oil, grease or other contaminants anywhere on the Airport will be responsible for ensuring the immediate cleanup of such spillage. In the event of failure or refusal to comply with such cleanup requirements, the spillage may be cleaned up by the Airport at the responsible party's expense.
- d. Any fuel spillage must be reported immediately to the fire department via telephone by dialing 9-1-1. Details of all spillages must be reported to the Airport Manager. Aircraft fuel delivery devices and other vehicles will not be moved or operated in the vicinity of the spill until the spillage is removed. The person causing the spill will promptly post a fire guard.
- e. If a fire occurs in or near a fuel delivery device while servicing an aircraft, the fire department must be notified immediately by dialing 9-1-1. Fueling must be discontinued immediately and all emergency valves and dome covers must be shut down at once.
- f. No fuel vehicle designed for or employed in the transportation of fuel may be operated on a taxiway or runway at any time without prior permission from the Airport Manager.
- g. No person may operate a radio transmitter or receiver, or switch electrical appliances on or off in an aircraft while it is being fueled or defueled.
- h. Self-fueling at the Airport shall be in compliance with all matters outlined in the Flagler County Airport Minimum Standards.
- i. When draining the sumps of aircraft fuel, the fuel must be caught in containers and the fluid disposed of in a safe manner.

4.3 AUTHORITY TO DISPENSE AVIATION FUEL

- a. Only those persons authorized by the Airport Manager or designee, via a current self-fueling permit or those that have a verified status of an approved fixed base operator, may dispense fuel into a public or private aircraft.
- b. No person may dispense aviation fuel directly into anything other than an aircraft, or sell fuel for such purposes.

4.4 LEASEHOLD HOUSEKEEPING

All persons occupying space at the Airport must keep the space allotted to them clean and free from outside storage, derelict vehicles or aircraft, rubbish and accumulation of any material. Only approved boxes, crates, paint or varnish cans, bottles or containers maybe stored in or about any leasehold, and all floors must be kept clean and free from fuel and oil. The use of volatile or flammable solvents for cleaning floors is prohibited.

Approved metal receptacles with a self-extinguishing cover will be used for the storage of oily waste rags and similar material. The contents of these receptacles will be removed daily by persons occupying space; drip pans will be placed under engines and kept clean at all times and clothes lockers will be constructed of metal or fire-resistant material.

4.5 HAZARDOUS MATERIALS

- a. No person may, without prior permission from the Airport Manager or designee, keep, transport, handle or store at, in or upon the Airport any cargo of explosives or other hazardous articles which are barred from loading in or for transportation by civil aircraft in the United States under the current provisions of regulations promulgated by the United States Department of Transportation, the FAA, or by any other applicable County regulations. Compliance with said regulations will not constitute or be construed to constitute a waiver of the required notice or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the Airport. Advance notice of at least twenty-four (24) hours must be given to the Airport Manager or designee to permit full investigation and clearances for any operation requiring a waiver of this rule.
- b. No person may offer and no person may knowingly accept any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with current FARs.
- c. Any person engaged in the transportation of hazardous articles must have designated personnel at the Airport authorized and responsible for receiving and handling such shipments in compliance with state and federal regulations.

- d. Any person engaged in the transportation of hazardous articles must provide storage facilities which reasonably ensure against unauthorized access or exposure to persons and against damage to shipments while in the Airport.

4.6 STORAGE OF EQUIPMENT

Unless otherwise provided for by a contractual agreement, no person will use any area of the Airport, including buildings, whether privately or publicly owned, for the storage of cargo or any other property or equipment without prior permission of the Airport Manager or designee. The Airport Manager or designee will have the authority to order the cargo or any other property removed and stored at the expense of the owner or consignee without responsibility or liability by the Airport.

4.7 REPAIRING AIRCRAFT

- a. No person may repair an aircraft or aircraft engine, propeller or other aircraft apparatus in any area of the Airport other than those areas specifically designed for such repairs and conditions of use.
- b. Aircraft repairs in storage areas are limited to repairs outlined in Section 3.6 (h) of this document.
- c. The starting or operating of aircraft engines inside any hangar is prohibited. This will not be construed as prohibiting the use of tugs with NFPA approved exhaust systems when moving planes within any hangar.

4.8 POWDER OR EXPLOSIVE CARTRIDGE ACTIVATED TOOLS

No person may use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior written authorization of the Airport Manager.

SECTION 5. MOTOR VEHICLES

5.1 MOTOR VEHICLE OPERATIONS ON AIRPORT OPERATIONS AREA AND MOVEMENT AREA

- a. **Permission**
No person may operate a motor vehicle on the AOA or movement area unless permission based on operational need has been granted by the Airport Manager or designee. Special authorization and training will be required for operation on the movement area.
- b. **Parking**
No motor vehicle may be parked on any portion of the AOA, except those trucks and other vehicles necessary for the servicing of aircraft and the maintenance of the Airport.
- c. **Restricted Parking**
No person will park a vehicle in any manner so as to block or obstruct fire hydrants and the approaches thereto, gates or emergency exits or building entrances or exits.
- d. **Right-of-Way Aircraft**
Aircraft taxiing in the AOA will have the right-of-way over vehicular traffic. No motor vehicle shall operate in close proximity to an aircraft so as to present a hazard or interfere with the safe operation of the aircraft.
- e. **Motor homes, motorcycles, rollerblading, skate boarding, jogging or other non-aviation related recreational use are not permitted on the AOA.**
- f. **Except for authorized emergency vehicles, the maximum allowable speed on the AOA is fifteen (15) miles per hour.**

5.2 GENERAL TRAFFIC REGULATIONS

- a. **Airport**
Operation of vehicles on the Airport will be in compliance with all applicable federal laws, municipal ordinances, state laws, including the Florida Uniform Traffic Control Law and these rules and regulations. No person will operate a motor vehicle on the Airport without an appropriate valid driver's license.
- b. **Discharge of Material**
 - 1. No person will operate an uncovered vehicle to haul trash, dirt or any other material on the Airport without prior permission of the Airport Manager.
 - 2. No person may spill or discharge any type of material from a vehicle operated on the Airport.

- c. **Traffic Signs and Signal Devices**
Signs, markers or devices erected on the Airport will be prima facie evidence that they were erected or placed under proper authority. Failure to comply with the directions indicated on signs, markers or devices erected or placed in accordance herewith will be a violation of these Rules and Regulations and of the applicable provisions of the Florida Uniform Traffic Control Law.
- d. **Pedestrian Right-of-Way**
The operator of any vehicle must yield the right-of-way to a pedestrian who crosses within a marked pedestrian crosswalk, except where the movement of traffic is being otherwise actively regulated by FCBCB personnel or traffic control devices. The driver of a vehicle must exercise due care for the safety of any pedestrian upon a roadway.
- e. **Vehicle Condition**
No person may operate upon the Airport any motor vehicle which:
 - 1. Is so constructed, equipped or loaded, or which is in such unsafe condition, as to endanger persons or property; or
 - 2. Has attached thereto any object or equipment, including that which is being towed, drags, swings or projects so as to be hazardous to persons or property.
- f. **Closing or Restricting Use of Airport Roadways**
The Airport Manager or designee is authorized to close or restrict the use of all Airport roadways to vehicular traffic in the interest of public safety.
- g. **Storing, Parking and Repairing Vehicles**
No motor vehicle may be stored, parked or repaired on Airport property, except in areas so designated by the Airport, except for minor repairs necessary with respect to a temporarily disabled vehicle.
- h. **Slow-Moving Vehicles, Equipment and Machinery**
Every slow-moving vehicle, equipment or machinery designed for use and speeds of less than fifteen (15) miles per hour being operated on an Airport roadway must be equipped with and display a triangular slow-moving vehicle emblem mounted on the rear or in case of towed units, on the rearmost unit being towed.
- i. **Engine Turn Off**
Operators of all motor vehicles being operated on the streets or other vehicular traffic areas on the Airport, including parking areas, must turn off the vehicle's engine when such vehicle is parked or is waiting other than at a traffic control device, requiring the vehicle to stop temporarily or to permit the safe passage of persons or other vehicles.

Any vehicle entering the Airport will be subject to inspections in accordance with federal regulation

5.3 PROCEDURE IN CASE OF ACCIDENTS

The driver of any vehicle involved in an accident on the Airport which results in injury to or death of any persons or property damage must immediately stop such vehicle at the scene of the accident and immediately, by the quickest means of communication, give notice of the accident to the applicable law enforcement agency, usually by dialing 9-1-1.

5.4 SPEED LIMITS

The operator of a motor vehicle must drive such vehicle on the streets and other vehicular traffic areas on the Airport, including parking areas, at a speed that is reasonable and prudent under the existing conditions, having due regard to actual and potential hazards and will comply with speed limits indicated on signs posted and maintained by the Airport. In areas in which signs are not posted, the speed limit will be fifteen (15) miles per hour.

5.5 PUBLIC PARKING

- a. Operators of motor vehicles using the public parking lots at the Airport must observe and comply with all regulatory and directional traffic signs posted on said facilities.
- b. Vehicles will park in marked spaces only. No person will park a motor vehicle in any marked parking space in such a manner as to occupy a part of another space.
- c. Any vehicle remaining in a public parking lot on the Airport for more than thirty (30) consecutive days will be considered an abandoned vehicle unless registered with the Airport for long-term parking.

5.6 RESERVED PARKING:

- a. No person may park any vehicle in reserved parking areas without a valid permit issued by the Airport. Each vehicle parked in a reserved area must prominently display an identifying insignia provided by the Airport, or other markings acceptable to the Airport. Every such vehicle will be parked only in the space or area as specifically assigned.

5.7 ISSUANCE OF TRAFFIC CITATIONS AND TICKETS

- a. Law enforcement officers are authorized to issue traffic citations or parking tickets for violation of any provision of the Florida Uniform Traffic Control Law or the Airport's Rules and Regulations governing the operation, loading, unloading or parking of motor vehicles on the Airport.

SECTION 6.0 PERSONAL CONDUCT

6.1 COMPLIANCE WITH SIGNS

All persons will observe and obey all Airport posted signs, fences, and barricades. Sign placement, removal, and procedures associated with tenant, usage will be governed by the Airport's policies, minimum standards, any Airport procedures or other directives or as set forth in written contracts, permits or other forms of written authorization.

6.2 USE AND ENJOYMENT OF AIRPORT PREMISES

- a. No person, except for Airport staff, by conduct or by congregating with others, may prevent any other person from lawful use and enjoyment of the Airport or prevent any other person from lawful passage from place to place or through entrances, exits, or passageways on the Airport.
- b. It is unlawful for any person to remain in or on any public area, place or facility at the Airport, in such a manner inconsistent with the normal or customary use of such area, place or facility by persons or vehicles entitled to such passage or use.

6.3 ENVIRONMENTAL POLLUTION AND SANITATION

- a. No person will conduct activities in such a manner as to cause littering or environmental pollution.
- b. No person will dispose of garbage, papers, refuse or other forms of trash, including cigarettes, cigars and matches, except in receptacles provided for such purpose.
- c. No person will dispose of any fill or building materials or any other discarded or waste materials on Airport property except as approved in writing by the Airport Manager. No liquids will be placed in storm drains or the sanitary sewer system at the Airport, which will damage such drains or system or will result in environmental pollution passing through such drains or system.
- d. No person will use a comfort station, restroom, toilet or lavatory facility at the Airport other than in a clean and sanitary manner.
- e. Any environmentally polluting solid or liquid material spilled at the Airport will immediately be cleaned up by the person responsible for such spillage and reported immediately to the Airport Manager. Failure to clean the area may result in the Airport providing the cleanup at the expense of the responsible party.

- f. The disposal of chemicals, paints, oils or other hazardous liquid products must be discarded in accordance with all applicable state, local, county, and federal laws and regulations.
- g. No tenant, lessee, or agent thereof doing business on the Airport may keep uncovered trash containers adjacent to sidewalks or roads in a public area of the Airport.
- h. Pesticides and pesticide containers shall be kept in a separate building or enclosure. Outside storage areas will be fenced to protect children and animals and to discourage pilferage.
- i. Any person wishing to conduct aerial application of agricultural pesticides using Flagler County Airport as a base of operations must present the Airport Manager with a Safety, Security and Spill Prevention Plan before they will be allowed to conduct operations. The Plan will be reviewed by the Fire Marshal and County Administration Offices before approval will be given.

6.4 ANIMALS

- a. No person may bring an animal into the Airport except:
 - 1. An animal to be or that has been transported by air;
 - 2. A service animal used by disabled persons in accordance with Florida Statue 413.08;
 - 3. An animal which remains inside a motor vehicle at all times;
 - 4. An animal used for law enforcement purposes; or
 - 5. Animals authorized by the Airport Manager or designee for special events.
- b. All animals permitted by this section must be restrained by a leash or confined and completely under control.
- c. No person other than those authorized by the Airport will hunt, pursue, trap, catch, injure or kill any animal on the Airport.
- d. No person will feed or do any other act to encourage the congregation of birds or other animals on the Airport.
- e. No person will permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate on the sidewalks of the Airport or within any Airport building.

6.5 FIREARMS AND WEAPONS

- a. No person except those persons authorized by law may carry a firearm, weapon or destructive device inside the Airport, provided that no person will be prohibited from carrying any legal firearm or weapon into the Airport when such firearm or weapon is encased for shipment.
- b. The carrying of firearms on the Airport by watchmen and guards must be approved by the Airport Manager.
- c. For the purpose of this section a firearm means any weapon, including a starter gun, designed to or that may readily be converted to expel a projectile; the frame or receiver of any such weapon, any firearm muffler or firearm silencer any destructive device or any machine gun.
- d. For the purpose of this section a weapon means any dirk, metallic knuckles, slingshot, billie, tear gas gun, chemical weapons, electric weapon or device, or any other deadly or immobilization weapon.
- e. For the purpose of this section a destructive device means any bomb, grenade, mine, rocket, missile, pipe bomb or similar device containing an explosive, incendiary or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage; any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled; any device declared a destructive device by the Bureau of Alcohol, Tobacco, Firearms, and Explosives.
- f. No person will discharge any firearm, weapon or destructive device on the Airport except in the performance of official duties requiring such discharge.
- g. No person will furnish, give, sell or trade any firearm, weapon or destructive device on the Airport.
- h. Fireworks or any other explosive device are prohibited on the airport.

6.6 DAMAGE INSPECTION

- a. At the earliest opportunity, a damage inspection of any Airport facilities involved in an accident or incident will be made by the Airport Manager and any aircraft or vehicle owner or operator, to determine the extent of damages to the Airport. Damages so sustained will be assessed by the Airport Manager as a claim against the owner or operator of the aircraft or vehicle.

6.7 RESPONSIBILITY FOR DAMAGES

Any person causing damage to or destroying public property of any kind, including buildings, fixtures or appurtenances, whether through violation of these Rules and Regulations or through any act or omission, will be fully liable to the Airport. Any such damage must be reported immediately to the Airport Manager.

6.8 ACCIDENT REPORTS

Any person involved in any type of accident, occurring on Airport property must make a full report to the Airport Manager as soon as possible. The report will include, but not be limited to, the names and addresses of all principals and witnesses, if known, and a statement of the facts.

6.9 PRESERVATION OF PROPERTY

- a. No person may destroy, injure, deface or disturb any building, sign, equipment, marker or other structure, landscaping or other property on the Airport. Any person causing or responsible for such injury, destruction, damage or disturbance will immediately report such damage to the Airport Manager.
- b. No person may travel upon the Airport other than on roads, walks or other rights-of-way provided for such specific purpose.
- c. No person may alter, add to or erect any building or sign, or make any excavation on the Airport without prior written approval of the Airport Manager.

6.10 LOST AND FOUND AND ABANDONED PROPERTY

- a. Any person finding lost articles in the public areas of the Airport will immediately deposit them with the Airport Manager. Lost articles will be handled in accordance with state law. Nothing in this paragraph will be construed to deny the right of Airport tenants to maintain lost and found services for property of their patrons, invitees or employees.
- b. No person may knowingly abandon any personal property on the Airport. Any property that has been determined by the Airport to be abandoned, will be removed, stored, and/or disposed of at the owner's expense and in accordance with Florida Statutes.

6.11 ALCOHOLIC BEVERAGES AND SMOKING

- a. No person may drink any alcoholic beverages on any part of the Airport except in places properly designated.
- b. Smoking is prohibited on the airside of the Flagler County Airport.

SECTION 7.0 FIRST AMENDMENT ACTIVITIES

7.1 GENERAL

No person will engage in First Amendment activities contained herein without first obtaining a permit. All First Amendment activities will be conducted:

- a. In strict compliance with this section and the Airport's policies, Minimum Standards, any Airport procedures or other directives;
- b. In the peaceful and orderly manner contemplated by law, without physical harm, molestation, threat, harassment, obscenities, violence, breach of the peace, damage to property, or other unlawful conduct; and
- c. Without obstructing the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly and efficient operation of the Airport and the activities conducted thereupon, and without interference with the constitutional rights of others.

7.2 LEAFLETING

- a. Leafleting, the repetitive or continuous distribution of printed or written noncommercial material at the Airport is permitted only in compliance with the permitting process and procedures, and only in strict accordance with Airport's Minimum Standards, any Airport procedures or other directives. Permitted leafleting will only include the distribution of non-commercial printed or written materials. The distribution of printed or written materials of a commercial nature by or on behalf of a commercial enterprise is governed by Section 2 of these Rules and Regulations.

7.3 PICKETING

Picketing, the participation in a picket line as a picketer or the participation in any labor or other form of demonstration or protest is permitted only in strict accordance with Airport's policies, standard procedures, and directives.

7.4 PERMITTING PROCESS AND PROCEDURE

- a. Any person desiring to engage in leafleting or picketing at the Airport must first obtain a written permit from the Airport Manager or designee by submitting a written request setting forth the name, address and telephone number of all persons desiring to conduct or having supervision and responsibility for the proposed activities; the dates, hours and duration of the proposed activities, a physical description for identification purposes of each person to receive an identification badge and a description of proposed activities. The request must include a statement that the proposed activities

will not include solicitation and that the responsible person has read, understood and will abide by these Rules and Regulations.

- b. Any person may apply for a permit with the Airport Manager on any Monday through Friday which is not a designated FCBCC holiday between 9:00 a.m. and 3:00 p.m. by providing the information described above. The Airport Manager or designee will review the application for sufficiency of information and compliance with the rules and regulations, and will normally issue a permit no later than twenty-four (24) hours from the time the application is received or notify the applicant in writing why issuance of a permit is delayed or denied. A permit will not be granted or denied based upon the view point of any non-commercial message. If the Airport Manager or designee fails to issue a permit or statement of delay within twenty-four (24) hours, it may be considered a denial of the permit, and the applicant may at their option seek a review of such denial by following the appeals procedure outlined below, or waive their rights thereto.
- c. The permit will designate that the holder is eligible to conduct activities at the Airport for a period of up to thirty (30) consecutive days and may be renewed on a month-to-month basis for a maximum of one (1) year. At the end of the one (1) year period, the person must re-apply if they wish to continue their activities. In such a case, applicants may be permitted to incorporate by reference any required documentation filed with a previous application.
- d. The First Amendment activities referred to herein will be conducted strictly in conformity with the terms and conditions set forth in the permit issued by the Airport Manager or designee and these Rules and Regulations.
- e. No more than one person may engage in the permitted activity in each of the designated areas at a time. The number of persons and designated areas may be adjusted based on the operational impact to the Airport.
- f. No permit holder will have the right to exclusive use of any designated area. Authorization for use of areas designated for the permitted activity will be granted daily on a first come first served basis. The permits are not transferable. In the event that two (2) or more persons or organizations seek to conduct activities described herein at the same time, the Airport Manager or designee will allocate, by lot or other equitable method, the available designated areas or space within those areas between or among them on a daily basis.
- g. Any person who is issued a permit as provided herein, will also be issued a pre-numbered identification badge for the number of persons to be engaged in said activities at the Airport, at any given time. The person or persons who will have supervision and responsibility for the proposed activities will be responsible for the badges, will issue one badge to each person engaged in said activities, and will maintain a record showing the name and address of each person issued a badge. Each badge will state a badge number, the permitted activity and a physical description of the participant. Each person engaged in said activities must wear the badge on the upper clothing and in a

manner clearly visible to the public during all times engaged in said activities. No other badges are permitted.

7.5 VIOLATIONS BY PERMIT HOLDERS

Violations of the provisions of any section of this document, by any permit holder, may cause the termination of the permit under which they are operating. Upon termination, the person will not be eligible for a new permit for a period of six (6) months. In the event of such termination, the Airport Manager or designee will give notice thereof to the holder of the permit by sending a letter, certified mail or by overnight courier, to the address shown on the permit, indicating the reason for the termination. Upon receipt of the notice of termination described above, any person whose permit was so terminated must use the appeals process outlined below or waive any of their rights related thereto. Nothing in this section precludes the Airport Manager or designee from removing from the Airport, persons in violation of these rules and regulations.

7.6 ACTIVITIES DURING EMERGENCIES

The Airport Manager or designee may declare an emergency because of unusually congested conditions in a facility due to adverse weather, or extremely heavy traffic movements or for emergency security measures. In the event of such an emergency, an announcement to this effect will be made in the most efficient manner given the situation. Any person involved in First Amendment activities in an area affected by the emergency will immediately cease such activities for the duration of the emergency and will not resume such activities until the Airport Manager or designee announces an end to the emergency.

7.7 APPEALS FROM FIRST AMENDMENT RELATED ACTIONS OR DECISIONS

- a. Upon receipt of a statement of delay or denial or termination of a permit described above, the applicant may submit, within ten (10) days of such occurrence, a written request for review to the Airport Manager. Such request must be sent in writing by certified mail or by overnight courier, and must specify all reasons why the statement, denial or termination should be modified or reversed. Any request for review filed in compliance with these Rules and Regulations will be reviewed by a fact-finding group whose duty is solely to gather data for the County Administrator's Designee. The group will consist of the Airport Manager, relevant staff members, and at least one (1) County Attorney who shall be available to advise the group. The group will present all data gathered, in the most efficient manner, to the County Administrator's Designee who, after a thorough review of the data, will send a written determination by certified mail or by overnight courier to the person requesting such review no later than ten (10) days from receipt of request to review.

- b. The County Administrator Designee's determination is final, unless within ten (10) days from the County Administrator Designee's determination, the applicant requests in writing, by certified mail, that an informal hearing before the County Administrator be held on the matter. If such hearing is requested, the Airport Manager will prepare an independent recommendation to the County Administrator. The County Administrator will issue a written decision after a presentation by the applicant and the Airport Manager at the hearing.

- c. Decisions of the County Administrator are final and subject to review or appeal by the appropriate court action or in some instances by proceedings before federal administrative agencies in accordance with applicable law. No new facts or issues will be considered by the reviewing court or agency.

SECTION 8.0 PENALTIES

8.1 CEASE AND DESIST ORDERS

The Airport Manager or designee may order any person to cease and desist any activities or conduct in noncompliance with the Airport's Rules and Regulations, policies, standard procedures or directives.

8.2 REMOVAL FROM OR DENIAL OF ACCESS TO AIRPORT

- a. The Airport Manager or designee may deny access to or order any person removed from the Airport who knowingly fails to comply with a cease and desist order.
- b. Such order will set forth the reasons for and dates on which removal or denial of access will begin and end.

8.3 APPEALS FROM CEASE AND DESIST ORDERS

- a. Upon issuance of a cease and desist order described above, the person may submit, within ten (10) days of receipt of the order, a written request for reconsideration to the Airport Manager. Such request must be sent in writing by certified mail or by overnight courier and must specify all reasons why the order should be modified or reversed. Any request for reconsideration filed in compliance with these rules and regulations will be reviewed by a fact-finding group whose duty is solely to gather data for the County Administrator's Designee. The group will consist of the Public Safety or designee, relevant staff members, and at least one (1) County Attorney who shall be available to advise the group. The group will present all data gathered in the most efficient manner, to the County Administrator's Designee who, after thorough review of the data, will send a written determination by certified mail or by overnight courier to the person requesting such reconsideration.
- b. The County Administrator Designee's determination is final, unless within ten (10) days from the County Administrator Designee's determination, the person requests in writing, by certified mail or by overnight courier, that an informal hearing before the County Administrator. If such hearing is requested, the Airport Manager will prepare an independent recommendation to the County Administrator. The County Administrator will issue a written decision after a presentation by the person and the Airport Manager at the hearing.
- c. Decisions of the County Administrator are final and subject to review or appeal by the appropriate court action or in some instances by proceedings before federal administrative agencies, in accordance with applicable law. No new facts or issues will be considered by the reviewing court or agency.

8.4 REMOVAL OF PROPERTY

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

8.5 REMOVAL OF PERSONS

Violators of cease and desist orders will be considered trespassers and removed from Airport property.

8.6 INTENT

Nothing in the preceding sections is intended to preclude any authorized Flagler County personnel from taking other action authorized by law.

8.7 SEVERABILITY

The provisions of these rules and regulations will be severable and if any of the provisions hereof will be held to be unconstitutional or invalid, such determinations will not affect the constitutionality or validity of any of the remaining provisions of these rules and regulations. It is hereby declared to be the FCBCC's intent that such remaining provisions would have been adopted had such unconstitutional or invalid provision or provisions had not been included herein.

SECTION 9.0 JURISDICTION

9.1 FLAGLER COUNTY AIRPORT

- a. The Airport boundaries and environs are within Flagler County and under the jurisdiction of Flagler County.
- b. The fire department having jurisdiction over the Airport is the Flagler County Emergency Services Fire Department.
- c. The law enforcement agency having jurisdiction over the Airport is the Flagler County Sheriff's Department.