



# **Delaware Coastal Airport Policies**

## **Volume III: Rules & Regulations**

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# **1 INTRODUCTION**

## **1.1 Purpose**

1.1.1 These Rules and Regulations, and any amendments thereto, are designed to protect the public health, safety, security, interest, and welfare on the Airport and to restrict (or prevent) any activity or action which would interfere with the safe, orderly, and efficient use of the Sussex County Airport by its Operators, Lessees, consumers, and users.

1.1.2 Failure to enforce a specific Rule or Regulation at a particular instance or instances shall not affect the validity of any other Rule or Regulation or affect the validity of such Rule or Regulation at any other time.

# **2 GENERAL**

## **2.1 Accidents**

2.1.1 Participants in an Accident on the Airport shall notify Airport Manager as soon as possible and make a full report of same to the Airport Manager, with the names and addresses of the parties involved within 24 hours.

2.1.2 In order to promote and maintain safety at the Airport, Entities shall report to the Airport Manager any bodily injury requiring medical attention, any damage to Airport property, or any other Accident, incident, occurrence or unsafe practice relating to any Aircraft or vehicle that they own, lease, fly, or any aeronautical activity in which they are involved. Forms are available from the Airport Manager for use in these instances. If an Accident or incident report is required under NTSB, Part 830, a copy of that information may be submitted to the Airport Manager in lieu of this form. The report shall include the following information:

- 2.1.2.1 Location, date and time of Accident, incident, occurrence or unsafe practice and the identity of each person and Aircraft involved
- 2.1.2.2 Nature of any injuries suffered by any person as a result of the event described above and the name and address of any person injured;
- 2.1.2.3 Nature and extent of any property damage occurring as a result of the event and the name and address of the owner of the damaged property; and
- 2.1.2.4 A narrative explaining the circumstances of the Accident, incident, occurrence or unsafe practice.

## **2.2 Commercial Activities Must be Approved**

2.2.1 Entities desiring to engage in Commercial Activities at the Airport must submit an application to the County in such form as the County may require.

2.2.2 Prior to engaging in a Commercial Activity, Entities must enter into an Agreement with the County describing the terms and conditions of said Activity.

2.2.3 Entities conducting Commercial Aeronautical Activities must comply with the requirements of the Airport's Minimum Standards for Commercial Aeronautical Activities.

2.2.4 Entities basing or otherwise maintaining an Aircraft at the Airport shall not permit said Aircraft to be used for a Commercial Activity unless such Commercial Activity is expressly authorized by Agreement with the County.

2.2.5 The requirement for approval does not apply to:

2.2.5.1 Entities not based on the Airport who provide goods and/or services to Airport tenants

2.2.5.2 Entities having an existing Agreement with the County to conduct Commercial Activity at the Airport

2.2.5.3 Any FAR Part 183 FAA designated examiner acting as such

2.2.5.4 Free-lance FAA-certified flight instructors providing instruction in aircraft not owned by the instructor

2.2.5.5 FAA-certified mechanics providing services not normally available at the Airport to tenants of Aircraft storage spaces (including tie-downs) at the tenant's assigned storage space

2.2.5.6 FAA-certified mechanics providing services to itinerant aircraft to the extent required to make the Aircraft airworthy

2.2.5.7 Itinerant commercial Aircraft operations.

### **2.3 *Restricted Areas***

2.3.1 No person shall enter any area of the Airport posted as being closed to the public without permission, except persons assigned to duty therein or authorized representatives of the Airport Manager. Airport Operations Areas are closed to the general public.

### **2.4 *Signs and Advertisements***

2.4.1 No person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airport, except as authorized by the Airport Manager, or other agreement with the County.

### **2.5 *Selling, Soliciting, and Entertaining***

2.5.1 No person, except those authorized by contract with the Sussex County Council or permission of Airport Manager, shall in or upon any Public Area of the Airport:

2.5.1.1 Solicit alms or funds for any purpose whatsoever;

2.5.1.2 Sell, or offer for sale, any article or merchandise; EXCEPTION: Aviation related products

2.5.1.3 Solicit any business or trade;

2.5.1.4 Entertain any persons by singing, dancing or playing any musical instrument.

**2.6 *Responsibility for Damages***

2.6.1 Any person causing damage to or destroying public property of any kind at the Sussex County Airport, including buildings, fixtures, or appurtenances, whether through violation of these rules and regulations or through any act or omission, shall be fully liable to the Sussex County Council. Any such damage shall be reported at once to the Airport Manager.

**2.7 *Animals***

2.7.1 No person may enter the Airport with a domestic or wild animal without written permission of the Airport Manager. Exceptions:

2.7.1.1 Person entering any part of the Airport with a domestic animal that is kept restrained by a leash or is confined so as to be completely under control. Animal owners are responsible to clean up after their animal.

2.7.1.2 Persons entering the terminal building or gate loading area with a service animal.

2.7.2 Any stray livestock or animal on the Airport will be disposed of in accordance with the laws of the State of Delaware and applicable municipal ordinances.

**2.8 *Refuse Disposal***

2.8.1 All Airport tenants, users, or visitors shall dispose of all waste in appropriate waste containers. No petroleum products, industrial waste matter or other hazardous materials shall be dumped or otherwise disposed of except in accordance with local, County, State and Federal law. Any hazardous material shall be the responsibility of the originator under applicable law.

**2.9 *Lost or Mislaid Property***

2.9.1 Any person finding any lost or mislaid property on any of the Airport premises shall immediately deposit the same at the Airport Manager's office. The Airport Manager shall make a reasonable effort to ascertain the true owner of such property. In the event they cannot ascertain the true owner, any such property unclaimed by the true owner within sixty (60) days after its being deposited with the Airport Manager office will be considered excess property of Sussex County and may be disposed of in accordance with then applicable procedures for the disposition of such items.

**2.10 *Storage of Property***

2.10.1 Unless otherwise provided by a lease or other contractual agreement, no person shall use any area of the Airport, including buildings, either privately owned or publicly owned for the storage of cargo or any other property without written permission of the Airport Manager. If, notwithstanding the above prohibition, a

person uses such areas for storage as aforesaid without first obtaining such permission, the Airport Manager shall have authority to order the cargo or any other property removed or to cause the same to be removed and stored at the expense of the owner or consignee thereof, without responsibility of liability for damages arising therefrom.

2.10.2 Tenants occupying aircraft hangars, both Tenant-owned and County-owned, must comply with the FAA's Policy on the Non-Aeronautical Use of Airport Hangars as found in Federal Register / Vol. 81, No. 115 / Wednesday, June 15, 2016 / Rules and Regulations, as amended from time to time.

**2.11 *Demonstration, All Other***

2.11.1 No person shall conduct or participate in parading, marching, patrolling, demonstrating, sit-ins, assembling, distributing pamphlets or other material, carrying or displaying of signs or placards in or upon or in any manner whatsoever obstructing buildings, grounds, roads, walks, approaches or any of the property of the Airport without the written permission of the Airport Manager.

**2.12 *Use of Airport***

2.12.1 No Entity shall organize or conduct any Special Event including, but not limited to, air shows, parachuting, glider, hot air balloon operations and/or banner towing without prior written approval of the Airport Manager and the FAA as required. Approval by the Airport Manager of any request to organize/sponsor a Special Event at the Sussex County Airport will be contingent upon the group/individual satisfactorily completing all applications, obtaining approval of its proposed event plans and supplying proof of insurance meeting all County requirements and obtaining any special use permits required by the Airport Manager.

**3 MOTOR VEHICLES**

**3.1 *Required Licenses***

3.1.1 No vehicle shall be operated in or about a vehicular parking area, or any road within the Airport or upon any of the Airport facilities, unless the driver thereof possesses a rated Operator's license or a valid learner's permit under appropriate supervision. Airport-unique vehicles may be operated on public ramp and apron areas by qualified FBO/SASO personnel, Airport tenants, and Sussex County employees. When requested, these Operators must be certified by the employers to the Airport Manager as qualified to operate such equipment.

3.1.2 Except for vehicles that are exclusively used on the AOA, all vehicles shall meet the State of Delaware's licensing, registration, insurance and inspection requirements.

**3.2 *Operation of Vehicles***

3.2.1 No vehicle (except emergency vehicles) shall be driven faster than 25 mph on any streets or Taxiways. The speed limit for ramps, aprons, Aircraft parking and hangar areas shall be 15 mph.

3.2.2 Parking is not permitted in paved Aircraft tie-down areas, except while loading/unloading/performing routine maintenance/ or servicing Aircraft. Parked vehicles shall not hinder Aircraft traffic in the tie-down areas.

3.2.3 All vehicles operating in Airport Operations Areas will yield to Aircraft and emergency vehicles at all times.

3.2.4 Except for vehicles driving to tie-downs or hangars, vehicles authorized to operate in Airport Operations Areas shall display an approved flag at least three foot square or a yellow flashing beacon. A yellow flashing beacon shall be displayed between the hours of sunset and sunrise. Such beacons shall be visible from all directions, including the air, and of sufficient brilliance to be seen under clear weather a distance of at least one mile with the naked eye. Vehicles must have and use normal operating headlights and tail lights during night time and times of limited visibility. Between the hours of sunset and sunrise, non-motor propelled carts and trailers shall have rear reflectors on each side. All reflectors shall be visible for at least 500 feet when opposed by normal vehicle headlights.

3.2.5 Vehicles driving to or from tie-downs or hangars not displaying an approved flag or yellow beacon shall drive the most direct route to and from their destination. Use of vehicle flashers is recommended.

3.2.6 Except as provided elsewhere in these rules, vehicle operations on any Runway or Taxiway are permitted only to manage or maintain the Airport, or by Aircraft service vehicles. The Airport Manager may approve other exceptions on a case by case basis.

**3.3 *Stopping, Standing, or Parking***

3.3.1 No person shall drive, stop, stand or park a vehicle on a public vehicular parking area, operational area, or road within the Airport except at such places and for such periods of time and at such speeds as may be prescribed or permitted by the Airport Manager or indicated by appropriate signage.

**3.4 *Vehicle Sale or Repair***

3.4.1 No person shall park, or operate a vehicle upon any Public Areas for the principal purpose of:

3.4.1.1 Displaying such vehicle for sale.

3.4.1.2 Greasing, oiling, lubricating, painting or repairing such vehicle, except repairs necessary to remove vehicle.

3.4.1.3 Displaying advertising.

**3.5 *Abandoned or Illegally Parked Vehicles***

3.5.1 The Airport Manager, finding a vehicle standing or parked upon a road or other public place on the Airport in violation of the provisions of this section, is



authorized to move such vehicle or require the driver or the person in charge of the vehicle to move the same. The Airport Manager shall make every effort to notify the owner or Operator of such vehicle as to its whereabouts within three (3) days of its removal. Notice to be given in writing or other means of the fact of such removal and the reasons thereof and the place to which such vehicle has been removed. The person claiming it shall pay all costs incurred by the Airport Manager in connection with towing and storage.

3.5.2 The Airport Manager may use Sussex County equipment and facilities for removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for those purposes.

3.5.3 Any vehicle that is inoperable, dismantled, wrecked, or which displays expired registration plates which are at least 30 days expired, or which displays no registration plates, or from which major components have been removed, is in such a state of disrepair as to be incapable of being operated in the manner for which it is designed and is situated on Public Areas of the Airport may be considered to be abandoned. Vehicles will be subject to removal by the Delaware State Police, in accordance with Title 21, Delaware State Code, Chapter 44.

### **3.6 Long Term Parking**

3.6.1 The Long Term Parking Lot is intended for vehicle parking longer than two weeks.

3.6.2 Vehicles using the Long Term Parking Lot must be registered with the Sussex County Airport Manager's office.

3.6.3 A long term parking tag must be prominently displayed in the vehicle while in the Long Term Parking Lot.

3.6.4 Long term parking tags are valid for one year and must be renewed at the Sussex County Airport Manager's office.

3.6.5 Long term parking tags are not transferable.

3.6.6 Non-registered vehicles parked in the Long Term Parking Lot are subject to removal by the Delaware State Police at the owner's expense.

3.6.7 Vehicles not displaying a current registration as required by appropriate State law will be considered non-registered.

### **3.7 Temporary/Transient Vehicles**

3.7.1 Temporary/transient vehicles, operating in the Air Operations Area outside the Main Ramp Area must be marked by a company decal, logo or flag, and have the permission of the Airport Manager.

3.7.2 Exceptions

3.7.2.1 Temporary/transient vehicles will be allowed to operate between the main ramp area and helicopter parking areas adjacent to the main ramp area without vehicle markings.

3.7.2.2 Temporary/transient vehicles will be allowed to operate between the main ramp area and grass tie down areas adjacent to the main ramp area without vehicle markings.

## **4 AIRCRAFT OPERATIONS**

### **4.1 Conformance with Regulations**

4.1.1 All Aeronautical Activities at this Airport, including all Aircraft in flight within air space of the Airport, or in motion, or parked on the Runways, Taxiways, aprons, or ramps of the Airport, shall be governed by the current Federal Aviation Administration and the Division of Aeronautics of the State of Delaware rules and regulations, as well as the rules and regulations of the Airport and to the extent applicable, with the orders and instructions issued by the Airport Manager.

### **4.2 Careless or Negligent Operation**

4.2.1 No vehicle or Aircraft shall be operated on the surface of a public Aircraft parking and storage area or public landing area or public ramp and apron area in a careless or negligent manner or in disregard of the rights and safety of others, or without due caution and circumspection, or at a speed or in a manner which endangers unreasonably, or is likely to endanger unreasonably, persons or property, or while the pilot or other persons aboard controlling any part of the operation thereof is under the influence of intoxicating liquor or any narcotic or habit-forming drug, or if such Aircraft is so constructed, equipped or loaded as to endanger unreasonably, or to be likely to endanger unreasonably, persons or property.

### **4.3 Safety of Aircraft Operation**

4.3.1 In the event the Airport Manager believes the conditions of the Airport to be unsafe for landings or takeoffs, it shall be within his/her authority to issue a NOTAM closing the Airport or any part thereof. This shall normally be accomplished by notice to the FAA by a person authorized to represent the Airport Manager.

### **4.4 Qualified Personnel to Start and Taxi Aircraft**

4.4.1 No Aircraft engine shall be started or Aircraft taxied at the Airport unless a pilot certificated to operate that particular type of Aircraft, or a certificated A&P mechanic qualified to start and run up the engines of that particular type Aircraft shall be operating the controls, or the Operator is under the direct supervision of a qualified instructor.

### **4.5 Right of Way for Aircraft**

4.5.1 Taxiing Aircraft shall have the right-of-way over all vehicles, except authorized emergency vehicles.

### **4.6 Speed of Aircraft on the Ground**

4.6.1 All Aircraft shall be taxied at a safe and reasonable speed, with due regard for other Aircraft, persons and property.

**4.7 Operation in Hangar Prohibited**

4.7.1 No Aircraft shall be taxied into or out of a hangar under its own power nor shall the engines be operated while the Aircraft is inside the hangar.

**4.8 Miscellaneous Taxiing Rules**

4.8.1 All Aircraft will taxi on hard surface, except Aircraft taxiing on designated taxi routes to any grass tie down area.

4.8.2 Aircraft taxiing shall conform to the taxi patterns as established by the Airport Manager.

**4.9 Aircraft Parking**

4.9.1 Except in an emergency, no person shall park an Aircraft or leave the same standing anywhere on the Airport other than on a public Aircraft ramp or apron area, public Aircraft parking and storage area, or operational area of the Airport clearly marked and designated for such purposes. The landing gear of every such Aircraft shall be chocked with wheel blocks or other approved devices, or have Aircraft parking brakes locked. Upon direction from the Airport Manager, the Operator of any Aircraft parked or stored at any area shall move said Aircraft from the place where it is parked or stored to any other designated place. If the Operator refuses to comply with such direction, the Airport Manager may tow said Aircraft to such designated place at the Operator's expense, and without liability for damage which may result in the course of such moving. The Operator or owner is responsible for any damage done by or to his/her Aircraft.

4.9.2 This policy does not apply to aircraft parked on Leased Premises.

**4.10 Repairs to Aircraft**

4.10.1 No personnel shall perform major repairs (as defined by Title 14, Code of Federal Regulations, Part 43) to Aircraft on any ramp, apron, Taxiway, Runway, or in any Public Area at the Airport except upon approval from the Airport Manager. All Aircraft found in a state of disassembly on the Airport will be considered disabled and derelict and shall be subject to such remedial action as may be considered necessary by the Airport Manager.

**4.11 Disabled Aircraft**

4.11.1 Unless required or directed by the Airport Manager, or Authorized Representatives of the Federal Aviation Administration, or National Transportation Safety Board, or Delaware Department of Transportation-Division of Aeronautics, to delay such action pending an investigation, all disabled Aircraft and parts thereof on the Airport shall be promptly removed by the owner from Public Areas of the Airport. If any person refuses to move an Aircraft as directed by the Airport Manager, said Aircraft may be removed by the Airport Manager at the owner's or Operator's expense. The owner or Operator shall be responsible for any damage done in the course of or after such moving. The same shall apply to removal of a wrecked or damaged Aircraft and its parts.

**4.12 *Disabled Aircraft Storage***

4.12.1 No person shall park or store a damaged or disabled Aircraft at the Airport for more than thirty (30) days except:

4.12.1.1 When undergoing or awaiting repairs at a repair facility, or

4.12.1.2 When specifically authorized by prior written permission of the Airport Manager, or other written agreement with the County.

**4.13 *Operations on Other Areas***

4.13.1 No Aircraft shall take off or land on Taxiways or any paved or unpaved areas other than the designated Runways except with specific permission of the Airport Manager.

**4.14 *Landings and Takeoffs***

4.14.1 The Airport Manager may prohibit any Aircraft takeoff or landing, except for emergency landing, at any time and under any circumstances when he/she deems such landing or take off likely to endanger persons or property.

4.14.2 Any pilot landing after having declared an emergency will provide details of the incident and reasons for declaring an emergency, if requested by the Airport Manager.

**4.15 *Aerial Advertising – Banner Towing***

4.15.1 Any person wishing to use the Airport to pick up or drop off an aerial advertising banner shall obtain the prior written approval of the Airport Manager. The Airport Manager shall require such safeguards as deemed necessary to protect the Airport, Aircraft using the Airport, and the general public. These requirements may include, but are not limited to, bonds, insurance policies, additional security personnel, equipment or facilities and waivers/authorizations to the FARs issued by the FAA. The operations shall be conducted from a location on the Airport that does not interfere with normal Airport activities. The County may establish and charge reasonable fees for this activity. All such persons shall indemnify and hold the County and the Covered Group harmless.

**4.16 *Parachute Jumping***

4.16.1 Persons wishing to use the Airport for a parachute drop area shall obtain the prior written approval of the Airport Manager. The Airport Manager shall require such safeguards as he/she deems necessary to protect the Airport, Aircraft using the Airport, and the general public. These requirements may include, but are not limited to, bonds, insurance policies, additional security personnel, equipment or facilities and waivers/authorizations to the FARs issued by the FAA. The County may establish and charge reasonable fees for this activity. All such persons shall indemnify and hold the County and the Covered Group harmless.

**4.17 *Glider Operations***

4.17.1 Any person wishing to use the Airport to launch and recover gliders shall obtain written permission from the Airport Manager in advance of the operations. This will require advance coordination due to the need for additional personnel and equipment on the Airport for towed operations for gliders. The Airport Manager shall require such safeguards as he/she deems necessary to protect the Airport, Aircraft using the Airport and the general public. These requirements may include, but are not limited to, bonds, insurance policies and additional security personnel. The County may establish and charge reasonable fees for this activity. All such persons shall indemnify and hold the County and the Covered Group harmless.

**4.18 *Lighter Than Air (LTA)***

4.18.1 Any person wishing to use the Airport to launch and recover LTA shall obtain written permission from the Airport Manager in advance of the operations. This will require advance coordination due to the need for additional personnel and equipment on the Airport to launch and recover the LTA. The Airport Manager shall require such safeguards as he/she deems necessary to protect the Airport, Aircraft using the Airport, and the general public. These requirements may include, but are not limited to, bonds, insurance policies and additional security personnel. The County may establish and charge reasonable fees for this activity. All such persons shall indemnify and hold the County and the Covered Group harmless.

**4.19 *Aerial Application***

4.19.1 Any person wishing to use the Airport as a base to load chemicals onto Aircraft for the purpose of aerial application shall obtain written permission from the Airport Manager in advance of the operations. This will require advance coordination due to the need for additional personnel and equipment on the Airport to handle and control the chemicals. The Airport Manager, at the time of approval shall designate a specific area on the Airport to be used for this operation. The Airport Manager shall require such safeguards, as he/she deems necessary to protect the Airport, Aircraft using the Airport, and the general public. These requirements may include, but are not limited to, bonds, insurance policies and additional security personnel. The County may establish and charge reasonable fees for this activity. All such persons shall indemnify and hold harmless the County and the Covered Group.

**4.20 *Assigned Areas***

4.20.1 No person authorized to operate on, or conduct business activities at the Airport shall conduct any of its business activities or park any Aircraft on any areas except those specified in a lease or other Agreement. No FBO or SASO shall occupy any Public Area except as authorized by these Rules and Regulations or by the Airport Manager.

**5 AIRCRAFT FUELING**

**5.1 *Aviation Fuel***

5.1.1 Except for self-fueling operations described below, no person shall dispense fuel either to the public or to private Aircraft either owned by him or others except as authorized by the County. All fuel handling operations must meet all Federal, State and County laws, regulations, ordinances and code requirements.

**5.2 *Distance from Buildings***

5.2.1 Aircraft fueling operations at the Airport shall be conducted at a distance of at least twenty five (25) feet from any hangar or other building. Fueling and defueling of Aircraft and vehicles is prohibited inside of any building or hangar.

5.2.1.1 EXCEPTION; Aircraft fuel servicing incidental to Aircraft fuel system maintenance shall comply with the requirements of NFPA 410.

**5.3 *Fuel Handling While Engines Are Running***

5.3.1 Aircraft fueling is prohibited while any engine of the Aircraft being fueled is running.

**5.4 *Static Protection***

5.4.1 All Aircraft shall be fueled and defueled in accordance with the bonding procedures outlined in the applicable fire codes including but not limited to NFPA 407. In general, all fueling equipment and Aircraft shall be electrically bonded prior to and during fueling and defueling activities. All bonding connections shall be maintained until final completion of the fueling or defueling operation. All fueling Operators shall be properly trained.

**5.5 *Fire Extinguishers Required***

5.5.1 During fuel handling operations in connection with any Aircraft at the Airport, adequate fire extinguishers meeting the requirements of the State Fire Marshall shall be immediately available for use.

**5.6 *Fueling Equipment***

5.6.1 Fueling equipment must be maintained in a safe, non-leaking condition. Fueling trucks will be kept clean and at all times free of leaks, oil and grease.

**5.7 *Fueling When Passengers Are Aboard***

5.7.1 During fuel handling and transfer in connection with any Aircraft, no passenger shall be permitted to remain in such Aircraft unless in each case a cabin attendant is at the door and a safe and rapid means of debarkation of passengers is available.

**5.8 *Smoking Near Aircraft***

5.8.1 Smoking is prohibited in or about any Aircraft or on any public ramp, apron or loading position.

**5.9 *Starting Engines***

5.9.1 No person shall start the engines of any Aircraft where there is any type of fuel exposed on the ground under the Aircraft.

**5.10 *Fuel Spills***

5.10.1 Persons engaged in the fueling and defueling of Aircraft shall exercise care to prevent spillage of fuel. In the event of a fuel spill greater than six feet in diameter, the Airport Manager shall be notified immediately. The Operator shall be fully responsible for the costs to remove said material and/or the restoration of grounds or pavements damaged or altered by the spillage.

**5.11 *Fuel Storage***

5.11.1 All fuel tanks and containers will conform to the appropriate State Fire Codes, and all applicable NFPA standards, State and Federal regulations.

5.11.2 Entities using any fuel tanks are responsible for keeping yards free of weeds. Yards will be kept free of trash and other debris at all times.

5.11.3 Under no circumstances shall a fueling vehicle be left unattended at a fuel tank during the loading or unloading process. Loading or unloading shall not be considered complete until the delivery hose is detached from both vehicle and tank.

5.11.4 Care shall be taken in filling tanks to ensure that they are not filled to the point where they will overflow from heat expansion.

**5.12 *Spark Generating Devices***

5.12.1 No photo flash devices, electrical tools, drills, buffers or similar tools which produce sparks or arcs shall be used in the immediate vicinity of Aircraft during fueling operations.

**5.13 *Aircraft Self Fueling***

5.13.1 Aircraft owners may Self-Fuel their Aircraft on the Airport, subject to the following provisions.

5.13.2 Anyone Self-Fueling their own Aircraft shall conduct such operations only outside of hangars using approved equipment and procedures.

5.13.3 Portable fire extinguisher shall be in the vicinity of Self Fueling operations.

5.13.4 Fueling is never permitted inside a hangar, or with the engine running, or within 50 feet of an ignition source.

5.13.5 Aircraft fueling operations shall be conducted at a distance of at least twenty five (25) feet from any hangar or other building.

5.13.6 Except as expressly permitted by these regulations, no person shall store fuel at the Airport.

5.13.7 The dispensing of Fuel must meet all applicable Airport, State, and Federal regulations, including Federal Aviation Administration (FAA) Advisory Circulars, as well as American Standard Testing Method (ASTM) D-910 for Av-Gas, ASTM D-

1655 for Jet Fuel and ASTM D-439-58 for Mogas, which shall be determined at the time of delivery into the Aircraft, and NFPA 407.

**5.14 Aircraft Self Fueling Permit**

5.14.1 This section applies exclusively to the dispensing of Fuel by other than an Aircraft Fuels and Oil Sales and Services FBO as described in the Airport Minimum Standards.

5.14.2 Aircraft owners or Operators desiring to self fuel their Aircraft must obtain a Self-Fueling Permit from the Airport Manager and be available for inspection by the Airport Manager upon reasonable request.

5.14.3 Those Entities that have an Agreement granting them the right to perform commercial Fueling are not required to apply for a Self-Fueling Permit.

5.14.4 Mobile fueling equipment may be stored by the permit holder in a leased area if the area complies with NFPA 407 and is in a containment area meeting EPA and DNREC standards.

5.14.5 Prior to permit issuance and subsequently upon request by the Airport Manager, the Permittee shall provide evidence of ownership (and/or lease agreement) of any Aircraft being Fueled by the Permittee or his/her employee(s). Aircraft that are leased must be under the complete operational control of the Permittee and leased for a minimum of six (6) months. The Permittee may be required to show proof that the person fueling the Aircraft is an employee of the Permittee (proof may be a copy of the employee's W-2 Statement).

5.14.6 Permittee shall report all Fuel dispensed during each calendar quarter and submit a summary report along with the appropriate Fuel Flowage Fee due to the Airport on or before the 15<sup>th</sup> of each subsequent month.

5.14.7 Permittee shall during the term of the Permit and two (2) years thereafter maintain records identifying the total number of aviation Fuel gallons purchased and delivered. Records shall be made available for audit by the Airport Manager or representatives from the County. In the case of a discrepancy, Permittee shall promptly pay, in cash, all additional fees and charges due the Airport, plus interest on the unpaid balance at the maximum rate allowable by law from the date originally due.

5.14.8 Permittees must possess insurance coverage in amounts no less than specified in the Airport Minimum Standards or existing lease agreements.

**6 FIRE AND SAFETY**

**6.1 General Rule**

6.1.1 No person in or upon the Airport shall do or omit to do any act if the doing or omission thereof endangers unreasonably, or is likely to endanger unreasonably, persons or property. All persons using, in any way, the Airport shall exercise the utmost care to guard against fire and injury to persons or property. All fire and safety recommendations emanating from the Airport Manager or the



Town of Georgetown Fire Department shall be complied with by any and all tenants, lessees and personnel without delay.

**6.2 Obstructions**

6.2.1 All hangar doors, fire hydrants and pits, hose boxes, and all fire fighting apparatus and other appurtenances shall be kept clear of obstructions at all times.

**6.3 Elimination of Fire Hazards**

6.3.1 When the Airport Manager has, in writing, notified or requested any lessee, tenant, or other person on the Airport to correct or eliminate any fire hazard on the Airport for which such lessee, tenant, or other person is responsible, such lessee, tenant, or other person shall correct or eliminate such hazard in the manner and within the time prescribed in the written notification or request received by them.

**6.4 Explosives**

6.4.1 No person shall, keep, transport, handle, dispose or store at, in or upon the Airport any cargo of explosives or other dangerous articles which are barred from loading in or transportation by civil Aircraft in the United States under the provisions of the Federal Air Regulations. Any waiver of such regulations or of any part thereof by any competent governmental authority shall not constitute or be construed to constitute a waiver of this rule or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the Airport.

**6.5 Radioactive Materials**

6.5.1 No person shall without prior permission of the Airport Manager, store, keep, handle, use or transport at, in or upon the Airport the following radioactive materials:

6.5.1.1 Source materials (as defined in Standards for Protection Against Radiation, promulgated by the Atomic Energy Commission. Title 10, Code of Federal Regulations, Part 20) including, but not limited to Uranium, Thorium, or any combination thereof (but not including the "unimportant quantities of source material" set forth in 10 CFR 40.13);

6.5.1.2 Special nuclear material (as defined in Standards for Protection Against Radiation promulgated by the Atomic Energy Commission, Title 10, Code of Federal Regulations, Part 20) including, but not limited to, Plutonium, Uranium 233. Uranium enriched in the Isotope 233 or in the Isotope 235, or any material artificially enriched by any of the foregoing.

6.5.1.3 Nuclear reactor fuel elements that are partially expended or irradiated;

6.5.1.4 New nuclear reactor fuel elements;

6.5.1.5 Radioactive waste material;

6.5.1.6 Any radioactive material moving under an Interstate Commerce Commission special permit and escort.

6.5.2 Advance notice of at least forty-eight (48) hours shall be given the Airport Manager to permit full investigation and clearance for any operation requiring a waiver to this rule. The permission of the Airport Manager may be given to movements of radioactive materials only when such materials are packaged, marked, labeled and limited as required by the Interstate Commerce Commission and Federal Aviation Administration regulations applying to transportation of explosives and other dangerous articles and do not create undue hazard to life or property at the Airport.

## **6.6 *Firearms***

6.6.1 No person shall carry or possess a firearm on the Airport except:

6.6.1.1 Firearms enclosed in a carrying case or other container for shipment by air;

6.6.1.2 Firearms carried by law enforcement officers, peace officers, government employees, or members of the Armed Forces of the United States, Sussex County Council employees, when such person is on official duty which authorizes the possession of a firearm.

6.6.1.3 Firearms carried by persons approved by the Airport Manager during wildlife management activities.

6.6.1.4 Persons with a concealed weapon permit operating within the scope of the limitations of that permit.

## **6.7 *Fire Apparatus***

6.7.1 All tenants or lessees shall supply and maintain such adequate and readily accessible fire extinguishers as are approved by the National Fire Protection Association for the particular hazard involved. All fire apparatus shall be maintained in first class operable condition.

## **6.8 *Open Fires***

6.8.1 No person shall start any open fires of any type, including but not limited to, open flame heaters, flare pots, or torches on any part of the Airport without permission from the Airport Manager.

## **6.9 *Gasoline and Oil Spillage***

6.9.1 Waste oil products must be placed in containers provided by the user and disposed of as the law requires. Disposing of oil on the pavement or on any grassed or planted area is prohibited, and any offender shall be liable for damage thereto as determined by the County.

## **6.10 *Hazards to Aviation***

6.10.1 No person shall operate or release any model Aircraft, rocket, kite, balloon, parachute, or other article or substance upon or over the boundaries of the Airport or in Aircraft approach zones where a hazard to safe flight would be created, without the prior approval of the Airport Manager except:

6.10.1.1 Personnel of the National Weather Service, United States Department of Commerce, when performing their official duties;

6.10.1.2 Persons releasing seeds, sprays, dusts, or similar substances for horticultural or agricultural purposes over farms adjacent to the Airport.

**6.11 *Combustible Refuse***

6.11.1 No person will dump any refuse, oil waste or soil-can waste in any storm sewer, drainage ditch or natural drain within or adjacent to the Airport boundary.

6.11.2 No person shall keep uncovered trash containers in any outside area. Covered trash containers shall have a means of securing trash container cover to the receptacle.

**6.12 *Right of Access to Airport Property***

6.12.1 The Airport Manager shall have the responsibility of providing and designating access gates in the perimeter fencing of the Airport for use by emergency equipment.

6.12.2 During emergency operations, the Airport Manager shall have the right to deny access to the Airport to any person not directly connected with the emergency or emergency response.

6.12.3 Pedestrian traffic beyond any portion of the perimeter fencing of the Airport to the scene of an Accident within the Airport is strictly prohibited.

**6.13 *Discharge of a Pollutant and Air Contaminant Restricted***

6.13.1 Delaware law (7 Del. C, §6028) requires strict controls over the discharge of pollutants or air contaminants. Therefore, the following conditions apply at the Airport.

6.13.1.1 **Spills.** Any hazardous material or pollutant spill on a paved or unpaved surface of the Airport which covers a surface area whose diameter is six (6) feet [1.8 meters 25 gallons] or greater, must be reported to the Department of Natural Resources and Environmental Control (DNREC) of the State and to the Airport Manager.

6.13.1.2 **Spill Containment Capability.** All Fixed Base Operators (FBO's) and tenants with Self-Fueling capability shall have on hand at all times sufficient containment booms to form a three (3) inch high barrier around the spill if the circumference of the containment circle is sixteen (16) feet [4.9 meters]. Additionally, they shall have sufficient cleanup absorbents, pillows, pads, etc. to pick up a

minimum of ten (10) gallons [37.85 liters] of the product and to store the same (saturated booms, blankets, etc.) in a sealed container or containers until proper disposal can be effected. The salvage drum or drums shall be approved by the U.S. Department of Transportation (DOT-E-10102).

6.13.1.3 **De-icing.** The use of pavement and/or Aircraft deicers at the Airport requires prior written permission from the Airport Manager. The following conditions shall apply:

- No glycol-based deicer may be used on any Aircraft parking area or ramp under the control of the Airport Manager.
- Airport Manager shall inspect and approve of the containment plan and mechanisms to be used for Aircraft deicing operations by tenants on their demised premises before issuing permission for Aircraft deicing on the Airport.

6.13.1.4 **Aircraft Washing.** Aircraft may be washed only on the demised premises of a tenant and Public Areas of the Airport designated by the Airport Manager. Drains flowing into the sanitary sewer system must be approved by the Town of Georgetown and the Sussex County Engineering Department and shall be provided with oil-water separators. The Airport Manager reserves the right to require the use of biodegradable cleansing products.

6.13.1.5 **Right of Independent Action.** Should the Airport Manager determine that during the course of an environmental incident the responsible party is not capable of, has not, or refuses to take, the appropriate action in a timely manner to mitigate the adverse environmental incident (this determination is solely that of the Airport Manager), then the Airport Manager reserves the right to employ those actions or services that the Airport Manager determines appropriate to control and/or clean up the site. The cost of such actions or services shall be borne by the responsible party.

## 7 SECURITY

### 7.1 General

7.1.1 All FBOs, SASOs, Operators, and tenants shall comply with all Federal, State and local laws and with any Rules or Regulations currently in force, or imposed from time to time relating to security.

7.1.2 The Airport Manager may order any person to leave and/or remove any property or equipment from the Airport grounds immediately when, in his/her judgment, the person, property, or equipment poses an actual or apparent threat to the security of persons, property, or equipment on the Airport. Any person who fails to follow the order of the Airport Manager shall be subject to criminal prosecution for trespassing. The Airport Manager may immediately cause any property or equipment to be removed and stored off-site at the owner's sole risk

and expense and the owner shall promptly reimburse the Airport for all costs incurred.

7.1.3 All FBOs, SASOs and tenants shall be responsible for monitoring persons in their leased areas. This includes visitors, delivery, and fuel trucks.

7.1.4 All FBOs, SASOs and tenants with a gate or door that separates the general public and the AOA shall keep it closed and locked at all times when not present to monitor. If the gate or door has malfunctioned, the FBO, SASO or tenant shall take the necessary precautions to temporarily restrict access to the AOA and immediately notify the Airport Manager.

## **7.2 *Airfield Access Control Fence/Gates***

7.2.1 Airfield gate access cards will be issued to the following:

7.2.1.1 Owners of Based Aircraft (maximum 2 cards)

7.2.1.2 Tenants of aeronautical use properties (number of cards to be determined by agreement with the Airport Manager)

7.2.1.3 Registered Aircraft owners possessing a Long Term Parking permit (1 card only)

7.2.1.4 County employees, as approved by the Airport Manager

7.2.1.5 Contractors performing work requiring airfield access, as approved by the Airport Manager

7.2.1.6 Others, with Airport Manager approval

7.2.2 Gate access card holders are responsible for the proper use of the card. Card users must ensure only authorized persons are allowed access to the airfield during the use of their card.

7.2.3 The County may establish and charge reasonable fees for issuing airfield access control cards.

## **8 PENALTIES**

### **8.1 *Violations***

8.1.1 Any person who knowingly, willfully, or recklessly violates any rule or regulation prescribed in these Rules and Regulations or any order or instruction issued by the Airport Manager herein may be removed or ejected from the Airport premises and may be denied the use of the Airport and its facilities.

### **8.2 *Notice of Violation***

8.2.1 Upon the observance by the Airport Manager, his representatives, or any member of the Delaware State Police Department, of a violation of the Airport Rules and Regulations, an appropriate notice of violation will be issued. In the event such violation is committed by an employee of an Airport tenant, notification of same shall be transmitted to the respective employer.

**8.3 *Parking***

8.3.1 Any person parked in areas posted "No Parking" or other restricted or prohibited areas on Airport property shall pay a fine in the amount provided under any applicable county ordinance in effect on the date of the offense. Any motor vehicle parked or left standing in a posted "No Parking" area or other restricted or prohibited areas may be towed away or otherwise moved by the Airport Manager. Such motor vehicle shall be subject to a continuing possessory lien for the amount of said towing away or moving and for storage of said vehicle and the vehicle which must be paid before the vehicle is released to the owner of the vehicle.

**8.4 *Tampering with Perimeter Fence***

8.4.1 Any person tampering with, cutting, or altering any portion of the perimeter fence to include gates, locks, and signs will be subject to the penalties provided by these rules and regulations and by Delaware law.

**9 T-HANGAR POLICIES**

**9.1 *General***

9.1.1 This section applies only to County-owned T-hangars. If any of the following policies conflict with a current T-hangar lease agreement, the terms of the lease agreement will apply.

9.1.2 The primary use of the T-hangars shall be the storage of Aircraft and items incidental to the operation and maintenance of the stored Aircraft.

9.1.3 Storage of gasoline and aviation fuel is prohibited. Lubricating oils having a flash point at or above 140 degrees Fahrenheit may be stored in reasonable quantities provided that the product is stored in the original container and has the original manufacturer's labeling (or that the product is stored in other suitable containers approved by the Airport Manager).

9.1.4 The following maintenance activities are prohibited:

- 9.1.4.1 Fuel transfer
- 9.1.4.2 Fuel tank repairs
- 9.1.4.3 Welding
- 9.1.4.4 Torch cutting
- 9.1.4.5 Torch soldering
- 9.1.4.6 Doping
- 9.1.4.7 Spray painting

9.1.5 Doors to multi-unit T-hangars are to be kept closed while unattended. Doors to single unit T-hangars may be kept open at the tenant's discretion.

9.1.6 There shall be no structural alterations made to buildings, wiring, piping, or other; no holes drilled or punched, no nails or screws driven into any floor, walls,

or ceilings, without the written approval of the Airport Manager. Any repairs that need to be accomplished shall be reported to the Airport Manager's office.

9.1.6.1 Exception: Small nails or screws may be used on interior wooden walls/support structures to hang pictures, clocks, etc.

9.1.7 There shall be no lettering or signs or any other painting done in or on the building.

9.1.8 The occupant shall keep his/her section of the building, grounds, and aprons pertaining thereto in a clean, neat and orderly condition at all times.

9.1.9 The County shall inspect and certify all fire extinguishers annually. The T-hangar occupant is responsible for the storing, safekeeping, and maintaining of the fire extinguisher during his/her time of occupancy.

9.1.10 There shall be NO FUELING OR DEFUELING INSIDE THE T-HANGAR at any time.

9.1.11 Hangar lights should not be left on unless the occupant is using the facility.

9.1.12 Propane heaters shall not be left unattended.

9.1.13 No fuels or oils may be disposed of on the ground at any time when using the facility.

9.1.14 There will be no smoking inside the T-hangars at any time.

9.1.15 The Airport Manager shall have the right to enter the premises for the purpose of safety inspections, to inspect any repairs performed by tenant and to investigate suspected violations of the T-hangar Agreement. The Airport Manager will provide T-hangar tenants reasonable notice prior to entering the premises. An immediate action necessary to respond to an emergency situation is an obvious exception.

9.1.16 Each tenant must show proof of adequate liability insurance (as described in the tenant's lease) before a unit will be rented.

## **9.2 *Waiting List Policy***

9.2.1 Vacant T-hangars will only be offered to persons on the T-Hangar Waiting List. In order for a person to appear on the T-Hangar Waiting List they shall complete and file a hangar application with Airport management. Applicants are solely responsible for maintaining a current address and telephone number on the application.

9.2.2 Position on the T-hangar waiting list

9.2.2.1 Waiting List position for new applications shall be determined by the date received at the Airport Office. A copy of the official date-stamped Application will be provided on request.

9.2.2.2 Positions on the hangar waiting list shall not be transferred, traded, or sold.

9.2.2.3 Persons removed from the Hangar Waiting List may restore their names to the bottom of the Waiting List by making a new application.

9.2.3 Hangar Offers

9.2.3.1 Hangar offers shall be made chronologically (oldest date/time to the most recent). The offer and a copy of these policies shall be made in a certified letter from the Airport Manager. To accept the offer, the applicant must:

- Reply in the affirmative within three business days of the date that the certified letter was delivered.
- Aircraft Acquisition: Have an Aircraft registered to the applicant in the hangar within 60 days from the commencement date of the hangar lease agreement.
- Provide the following within 30 days of notification:
  - A copy of the registration for the Aircraft to be stored, listing the applicant as the registered owner or a part owner of the Aircraft. For Aircraft registered to a business (corporation, LLC, etc), applicant must show proof of association with the business.
  - A pilot's certificate or student pilot's certificate.
  - Proof that they are at least 18 years of age (if requested).

9.2.3.2 Whenever the top position(s) on the Hangar Waiting List is (are) vacated, the Delaware Coastal Airport website will be updated to reflect the current waiting list.

9.2.4 Pass-over Policies

9.2.4.1 Every effort shall be made to contact the top position of the Waiting List by Certified Mail and telephone, as hangars become available.

9.2.4.2 A "not interested" response, non-contact, or failure to respond within three business days will be considered a Pass-Over.

9.2.4.3 Each Hangar applicant is permitted one "Pass-Over". Applicants will be removed from the T-Hangar Waiting List upon the second Pass-Over.

9.2.4.4 A Certified Letter will be sent advising the applicant of the "Pass Over".

9.2.4.5 A second offer will be made to a passed-over applicant only after filling the original T-hangar vacancy.

9.2.4.6 An applicant's rejection of a hangar offer based on insufficient space for the owned Aircraft will not be considered a pass-over. For example, a twin engine Aircraft owner offered a single engine-only capable hangar. The applicant will not lose position on the list in these cases. Pass Overs of adequately sized hangars will be handled using the above procedures.



**9.3 Purchase of an Aircraft Stored in a T-hangar**

9.3.1 Purchaser(s) of an Aircraft already stored in a Sussex County T-hangar will be offered the opportunity to remain in the T-Hangar if the current tenant will not meet the above Hangar Offer requirements (i.e. Aircraft ownership within 30 days of Aircraft sale). Hangar Offer requirements above will be met by new owner. A new occupancy agreement will be executed with the new owner(s).

9.3.2 Purchaser(s) of an Aircraft already stored in a Sussex County T-Hangar that reject a hangar offer will not be put on the hangar waiting list unless a new application is submitted. In this case, they will be placed at the bottom of the list.

**9.4 Replacement of Aircraft Listed on Agreement**

9.4.1 In the event a T-hangar tenant wishes to replace the Aircraft listed on the lease with another Aircraft (for example, tenant buys a different Aircraft), the current agreement will be terminated and a new agreement will be written with the current tenant.

**10 Flying Clubs**

**10.1 Definition**

10.1.1 Flying clubs are organized groups of individuals who band together for the purpose of sharing expenses of owning and operating one or more aircraft. While a Flying Club may provide its members the same services as an FBO or SASO, it exists only to serve its members and thus offers no direct competition to an FBO.

**10.2 Requirements**

10.2.1 Flying Clubs shall not be required to meet the minimum standards stipulated for a Commercial Aeronautical Activity so long as the Flying Club meets the requirements of this section.

10.2.2 No member of a Flying Club shall receive compensation for services provided for such Flying Club or its members unless such member is an authorized Operator with the County.

10.2.3 No Entity shall use Flying Club Aircraft in exchange for compensation.

10.2.4 Each Flying Club member must have an ownership interest in Flying Club.

10.2.5 Flying Club shall keep on file and available for review by the Airport Manager, a complete membership list and investment (ownership) share held by each member including a record of all members (past and present) with full names, addresses, and the date the membership began and ended.

10.2.6 Flying Club shall file and keep current with the Airport Manager:

10.2.6.1 Copies of bylaws, articles of incorporation, operating rules, membership agreements, and the location and address of the club's registered office.

10.2.6.2 Roster of all officers and directors including home and business addresses and phone numbers.

10.2.6.3 Designee responsible for compliance with these Minimum Standards and other Regulatory Measures.

10.2.7 Flying Club Aircraft shall not be used by other than members (owners).

10.2.8 No member (owner) shall use Flying Club Aircraft for flight instruction of nonmembers.