

7-12-16
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REVISED
ORDINANCE

ORDINANCE NO. C-16-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 7, AVIATION, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR, AMONG OTHER THINGS, DEFINITIONS, PURPOSE, GENERAL REGULATIONS, PERSONAL CONDUCT, AIRCRAFT OPERATIONS, HELICOPTER AND HELISTOP OPERATIONS, VEHICLES, FUELING, DEFUELING, FUEL STORAGE, T-HANGARS, AND FLYING CLUBS, PROVIDING FOR ENFORCEMENT, PROVIDING FOR AN AVIATION ADVISORY BOARD, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, a fundamental purpose of local government is to promote, protect, and improve the health, safety, and general welfare of its residents and visitors; and

WHEREAS, the City Commission finds that the adoption of this ordinance is in the public interest and will better serve to encourage compliance with these Executive Airport Rules and Regulations; and

WHEREAS, the nature of the general aviation activity occurring at Executive Airport has significantly changed since the initial adoption and subsequent revisions of Chapter 7 Aviation; and

WHEREAS, new State and Federal regulations, guidance, and advisories regarding the operation of a general aviation airport have been developed and implemented; and

WHEREAS, pursuant to §332.08 (1)(b), Florida Statutes (2015), a municipality that has established an airport is authorized "to adopt and amend all needful rules, regulations, and ordinances for the management, government, and use of any properties under its control, whether within or without the territorial limits of the municipality; to appoint airport guards or police, with full police powers; to fix by ordinance or resolution, as may be appropriate, penalties for the violation of such rules, regulations, and ordinances, and enforce such penalties in the same manner in which penalties prescribed by other rules, regulations, and ordinances of the municipality are enforced"; and

WHEREAS, the City of Fort Lauderdale desires to clarify and update this

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

Chapter to provide rules and regulations for the conduct of activity at Executive Airport and the John Fuhrer Downtown Fort Lauderdale Helistop in order to ensure the adequate protection of the environment, the traveling public and the residents of Fort Lauderdale;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Chapter 7, Aviation, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

Chapter 7-AVIATION

ARTICLE I. - IN GENERAL

~~Sec. 7-1. Definitions.~~

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Acrobatic flying* means any intentional airplane maneuver or stunt not necessary to air navigation or operation of aircraft, in such manner as to endanger human life or safety by the performance of unusual or dangerous maneuvers.~~

~~*Aircraft* means any aeroplane, airplane, helicopter, gas bag, flying machine, balloon, any contrivance invented, used or designated for navigation of or flight in the air, except a parachute or other contrivance used primarily as safety equipment.~~

~~*Airport manager* shall mean the officer having immediate charge of the airport.~~

~~Aviation advisory board shall mean the advisory board of the city having advisory jurisdiction of aviation, and airports and associated terminal facilities.~~

~~Sec. 7-2. Enforcement generally.~~

~~(a) All sworn officers of the city may enforce the provisions of this chapter at any municipal airport, and make arrests of persons violating the same. Any person designated by the chief of police as a special officer may enforce the provisions of this chapter.~~

~~(b) All provisions of this chapter shall be enforced at all municipal airports operated by the city, whether located within or without the corporate limits.~~

~~Sec. 7-3. Revocation of permits, licenses and franchises for violation of chapter.~~

~~Any person owning a permit, license or franchise under this chapter who violates any provision of this chapter shall have his permit, license or franchise subject to revocation by the city commission.~~

~~Sec. 7-4. Duties of police department.~~

~~The police department shall enforce the provisions of this chapter.~~

~~Sec. 7-5. Passenger-carrying hot-air balloons.~~

~~The provisions of this chapter notwithstanding, the operations of hot-air balloons or gas bags which utilize either private property or publicly controlled property within the city for launching, landing or tethering shall be subject to the following regulations:~~

- ~~(1) No person shall utilize publicly controlled property within the city for the launching, landing or tethering of hot-air balloons or gas bags which are capable of carrying any passenger without first having obtained a permit therefor from the city manager or his designated representative subject to certain terms and conditions.~~
- ~~(2) Prior to the issuance by the city manager of any permit required for the operation of a hot-air balloon or gas bag which is capable of carrying any passenger from or on publicly controlled property, the applicant shall procure and pay for a policy of public liability insurance, including personal injury and property damage protection, with coverage limits as required by the risk manager and with such policy of insurance naming the city as an additional insured.~~
- ~~(3) No person shall utilize property within the city for the launching, landing or tethering of hot-air balloons or gas bags which are capable of carrying any passenger without having obtained a permit from the director of the building and zoning department or his designated representative. Such permit shall be effective for a period of one (1) year from the date of issuance. The annual permit fee shall be one hundred dollars (\$100.00).~~
- ~~(4) All hot-air balloons or gas bags shall comply with the provisions of chapter 17 and section 47-50 and with appropriate federal aviation regulations.~~
- ~~(5) No launching, landing or tethering of hot-air balloons or gas bags shall be permitted in any residentially zoned areas, except that a permit which will be limited to a period of seven (7) days may be issued by the director of the building and zoning department~~

~~when the permit applicant submits written proof that all neighboring property owners within three hundred (300) feet of the proposed launch site have no objections to the operation of the balloon or gas bag.~~

~~(6) No launching, landing or tethering of hot-air balloons or gas bags shall be permitted within one hundred fifty (150) feet of residentially zoned areas or within fifty (50) feet of any trafficway as shown on the Broward County Traffic Ways Plan.~~

~~(7) All permits may be revoked by the city manager or his designee for reasons of safety, or evidence of violation of federal, state or local law, or when the use of the balloon or gas bag is inconsistent with the peaceful enjoyment of any neighboring property, or when other property owners are adversely affected by operation of the balloon or gas bag, or when such use generates a public disturbance.~~

~~(8) Every person piloting a balloon or gas bag must be certified by the federal aviation administration, which certification authorizes commercial privileges in lighter-than-air free balloons.~~

~~Sec. 7-6. Lights required on aircraft operating at night.~~

~~All aircraft, when flying within or over the corporate limits of the city at night, shall have lights and other equipment required for such flying by the rules, regulations or orders of the federal aviation administration.~~

~~Sec. 7-7. Dropping objects from aircraft~~

~~No person in any aircraft shall cause or permit to be thrown out, discharged or dropped within the corporate limits of the city, any object or thing, except loose water or loose sand ballast when absolutely essential to the safety of the occupants of the aircraft, and except as provided in this chapter.~~

~~Sec. 7-8. Aircraft operation subject to federal aviation administration.~~

~~No person shall operate any aircraft over or within the city in violation of any valid air traffic or other rule or regulation established by the federal aviation administration.~~

~~Sec. 7-9. Permit required to carry banner or operate loudspeaking device on aircraft; fee.~~

~~No person shall put on exhibition flights by carrying banners on or operating loudspeaking devices from any aircraft flying within or over the corporate limits of the city without first~~

~~obtaining a permit from the office of the city manager and paying a permit fee of two hundred dollars (\$200.00) per year. The permit will subsequently be issued when reviewed and approved by the building and zoning department after payment of the fee and receipt of evidence from the applicant which demonstrates that the person who will operate the aircraft is duly licensed by the federal aviation administration. The operation of such aircraft from Fort Lauderdale Executive Airport is prohibited.~~

~~Sec. 7-10. Acrobatic flying.~~

~~Acrobatic flying over any residential or business portion of the city is hereby prohibited unless approved in writing by the Federal Aviation Administration.~~

~~Sec. 7-11. Landing at other than established airports; temporary helicopter landing areas.~~

~~(a) — Except in case of emergency, or when permitted by the city commission in the public interest, no person shall land any aircraft within the corporate limits of the city except upon a regularly established airport field, or landing place; except that airplanes which land on water may land on the waters of the Atlantic Ocean or other designated place.~~

~~(b) — The city manager may approve temporary helicopter landing areas which approval shall be on a temporary basis not to exceed ten (10) days.~~

~~Sec. 7-12. Seaplane landing area designated.~~

~~The following described waters are hereby designated as a seaplane landing area:~~

~~That portion of Stranahan River lying south of south Cerro Gordo River, and north of the south corporate limits of the city; also, that portion of Port Everglades lying between Stranahan River and the Atlantic Ocean, and north of the south corporate limits of the city, as shown on the official map of the city as revised September, 1949.~~

~~Sec. 7-13. Operators of aircraft to be licensed.~~

~~No person shall operate any aircraft within or over the corporate limits of the city unless such person has a valid airman certificate and the aircraft has been issued a certificate of airworthiness, which certificates are issued by the federal aviation administration.~~

~~Sec. 7-14. Minimum height for aircraft.~~

~~Except while taking off or landing at an established landing field or airport, no person shall fly or permit any aircraft to be flown within the corporate limits of the city, except at a height sufficient to permit a reasonably safe emergency landing, which in no case shall be less than one thousand (1,000) feet, provided that the provisions of this section may be deviated from when special circumstances render a departure necessary to avoid immediate danger or when such departure is required because of stress of weather conditions or other unavoidable cause.~~

~~Sec. 7-15. Erection of buildings, smokestacks, flagpoles, etc., near airports.~~

~~It shall be unlawful for any person to build, construct, establish or maintain any building, smokestack, chimney, flagpole, tower, derrick or other structure or appurtenance of any kind or character within the city, as applicable, without first complying with Part 77, Title 14 of the Code of Federal Regulations entitled "Objects Affecting Navigable Airspace," and without advance written approval from the federal aviation administration.~~

~~Sec. 7-16. Effect of federal regulations.~~

~~In the event of a conflict between any of the provisions of this chapter and rules or regulations adopted by the Federal Aviation Administration, such rules and regulation shall control.~~

~~Secs. 7-17 - 7-30. Reserved.~~~~ARTICLE II. - AVIATION ADVISORY BOARD~~~~Sec. 7-31. Created.~~

~~There is created the aviation advisory board in and for the city.~~

~~Sec. 7-32. Composition, qualifications, appointment; compensation.~~

~~The aviation advisory board shall be composed of not more than ten (10) members. Members of the board shall be appointed by the city commission and shall serve without compensation and for a term of one (1) year from the date of their appointment. In addition, one (1) member of the Tamarac City Commission and one (1) member of the Oakland Park City Commission, or their designees, shall be designated by each municipality as the official of that municipality to receive all agendas, any agenda background materials furnished to board~~

~~members, and minutes of all aviation advisory board meetings. Such commission members, or their designees, shall have the right to sit with and address the board on all matters considered by such board, but shall not be entitled to vote. Matters of concern to the municipalities of Tamarac and Oakland Park may be placed on the agenda of the board in accordance with established procedures. Notwithstanding the above, eligibility for board membership shall be determined in accordance with the provisions of section 2-217 of the Code of Ordinances, as may be amended from time to time.~~

~~Sec. 7-33. Chairman; quorum.~~

~~(a) The aviation advisory board shall elect its own chairman and other officers as may be necessary. The chairman is entitled to vote.~~

~~(b) Four (4) members of the aviation advisory board meeting shall constitute a quorum.~~

~~Sec. 7-34. Powers and duties.~~

~~(a) The aviation advisory board shall have the power and duty to recommend to the city commission action necessary for the planning, establishment, development, construction, enlargement, improvement, maintenance, operation, regulation, protection and policing of airports owned, operated, and controlled by the city.~~

~~(b) The aviation advisory board shall formulate rules and regulations governing its own conduct. Such rules and regulations, to be effective, must first be considered by the city commission and adopted by resolution.~~

~~(c) The aviation advisory board shall formulate and recommend to the city commission provisions to be contained in ordinances that will govern the operation of all municipal airports and the conduct of operations on them, subject, however, to the provisions of any superior law governing the same. Before such ordinances shall be effective, however, they must be submitted to the city commission for approval and officially adopted.~~

~~(d) The aviation advisory board may recommend to the city commission the appointment of a qualified airport consultant, when such need arises, to assist in the planning for the development and operation of all municipal airports.~~

~~(e) Any and all leases entered into by the city with private persons for the use of land and facilities at all municipal airports shall first be considered by the aviation advisory board which will recommend to the city commission approval or rejection of same.~~

~~(f) — The aviation advisory board shall not make the initial contact with any prospective tenant or purchaser unless the contact has been preceded by a request to make such contact by the city commission.~~

~~Secs. 7-35 - 7-50. Reserved.~~

~~ARTICLE III. - MUNICIPAL AIRPORTS~~

~~DIVISION 1. - GENERALLY~~

~~Secs. 7-51 — 7-65. - Reserved.~~

~~DIVISION 2. - FORT LAUDERDALE EXECUTIVE AIRPORT~~

~~Sec. 7-66. Definitions.~~

~~Unless a different meaning is apparent from the text, the terms used in this division shall have the meanings ascribed to them by the federal aviation regulations and shall be defined additionally as follows:~~

~~*Airpark or office park* means the city-owned industrial property outside the fenced-in runway system, also known as the Fort Lauderdale Industrial Airpark.~~

~~*Airport* means the Fort Lauderdale Executive Airport and/or the area of runways and taxiways within the fenced area.~~

~~*Airport manager* means the city employee having immediate charge of the airport.~~

~~*Airport operator* means the city.~~

~~*Airport traffic area* means, unless otherwise specifically designated in FAR Part 93, airspace with a horizontal radius of five (5) statute miles from the geographic center of any airport, at which a control tower is operating, extending from the surface up to but not including an altitude of three thousand (3,000) feet above the elevation of the airport.~~

~~*Control tower* means the air traffic control tower located on the airport and operated by the federal aviation administration.~~

~~*Fixed-base operator* means any person as described in Resolution No. 78-42 of the city.~~

~~Movement area means the runways, taxiways and other areas of the airport which are used for taxiing, take off and landing of aircraft, exclusive of loading ramps and parking areas.~~

~~Operational area means any area of the airport which encompasses aircraft movements and vehicle traffic necessary to support aircraft.~~

~~Sec. 7-67. Scope.~~

~~Unless specifically stated otherwise, the division applies to the airport.~~

~~Sec. 7-68. Abatement of nuisances.~~

~~In addition to the penalties provided for the violation of this division, any condition caused or permitted to exist in violation of this division shall be deemed a public nuisance and may be abated as provided by law.~~

~~Sec. 7-69. Release of city from liability for damages.~~

~~(a) — The privilege of using the airport and its facilities, and flying to, from or over the same, shall be at all times conditioned upon the assumption of full responsibility and risks therefor by every person exercising or taking advantage of such privilege, who shall, furthermore, at all times release, and indemnify the city, the airport manager and the aviation advisory board from any and all responsibility, liability, loss or damage resulting to such persons or his property or caused by or on his behalf, or incident to the manner in which such municipal airport is operated, constructed or maintained.~~

~~(b) — The use of the airport or its facilities by any person for any purpose, or the paying of any fees therefor, or the taking off or landing thereupon, shall be itself an acknowledgment that such person accepts such privileges on the conditions set forth in this division and acknowledges that the airport and its facilities are maintained and operated by the city, in a governmental capacity.~~

~~Sec. 7-70. Open to transient traffic.~~

~~The airport shall be open to all transient traffic, but all operators who use the municipal airports will be governed by the airport rules and regulations of the city as well as the rules and regulations of the federal aviation administration.~~

~~Sec. 7-71. Open to federal aviation administration approved operations.~~

~~The airport will be open for such operations as are approved by the federal aviation administration.~~

~~Sec. 7-72. Rules for housing, storing, etc., gasoline, oil, etc.; agreements and leases.~~

~~(a) — The city manager shall have the right to prescribe rules governing the housing, storing, repairing, or dealing in airplanes and their parts and accessories, and the sale of gasoline, fuel, oil, and supplies.~~

~~(b) — All agreements with private parties for erecting hangars, shops, dormitories, recreational centers, offices, etc., as may be necessary and proper for the operation of commercial charter service and other aviation activities and all leases for a period of over one (1) year shall be approved by the city commission and executed by the proper city officials before same shall be effective. A fee shall be established by the city manager for processing of applications for all such agreements.~~

~~Sec. 7-73. Commercial venture for profit by agreement with city only.~~

~~(a) — No person shall be permitted to engage in any commercial venture for profit at the airport, except by agreement with the city commission, and under the supervision of the airport manager and unless the person possesses the appropriate permits and licenses required by the city.~~

~~(b) — No person shall use the airport as a base or terminal for the carrying on of commercial aviation, for the carrying of passengers, freight, express, or mail, or for student flying, communications, or for other commercial purposes or transportation without first securing the consent and agreement of the city commission and paying the fees and charges prescribed for the privilege of using the airport and its facilities for such commercial purposes and for services rendered.~~

~~(c) — No person shall engage in the sale of any commodity or service within the confines of the airport without previously having secured and paid for all licenses and permits required by the city.~~

~~Sec. 7-74. Use generally; authority of manager.~~

~~(a) — Any permission granted by the city or the airport manager or his representative, directly or indirectly, expressly or by implication, to any person to enter or use the airport or any portion of it is conditioned upon compliance with the rules and regulations set forth in this division; entry upon or into the airport by any person shall be deemed to constitute an agreement to comply with such rules and regulations.~~

~~(b) — The airport manager or his designated representative may suspend operations on the airport, in part or in whole, and may close the airport if it is necessary in the best interests of the city. Such suspension or closing may restrict or prohibit access to movement and operational areas of the airport, including pedestrian access.~~

~~(c) — Only the airport manager or his designated representative may allow operations to resume, permit access to movement and operational areas, including pedestrian access, and reopen the airport when such is determined to be in the best interests of the city.~~

~~Sec. 7-75. Fixed-base operators and tenants.~~

~~Fixed-base operators and airport tenants shall comply with and abide by the minimum standards for fixed-base operators and airport tenants as promulgated by resolution of the city, except where the terms of a resolution have been expressly modified by any contract, lease or agreement with any fixed-base operator or airport tenant. All commercial activities on the airport shall register with the airport manager.~~

~~Sec. 7-76. Scheduled operators.~~

~~A person holding a lease for the scheduled operation of aircraft approved by the federal aviation administration or state public service commission on the airport, or using the airport as an alternate, must conduct all operations in the terminal building, or such other building as may be designated by the airport manager as the terminal point. A monthly record of the volume of such operation shall be submitted to the airport manager in writing. All use of operational areas shall be done in strict conformance with city ordinances.~~

~~Sec. 7-77. Use of operational areas generally.~~

~~No person shall use or occupy an operational area for any purpose whatsoever except for matters pertaining to the servicing of tenants, concessionaires, activities associated with aircraft operations, governmental agencies or matters connected with maintenance and operation of the airport.~~

~~Sec. 7-78. Parking, storage generally.~~

~~(a) — Unless otherwise provided in a lease or other agreement with the city, no person shall use any area of the airport for parking or storage of vehicles, boats, motor homes, motorcycles, campers, trailers or any other nonaviation related items or property. The airport manager has the authority to designate motor vehicle parking areas and may issue written permission for the storage and parking of nonaviation items on the airport. The airport manager also has the authority to designate areas for the parking of aircraft.~~

~~(b) Any unauthorized storage or parking of vehicles or any other nonaviation related items or property will be removed and placed in storage at the owner's expense, without liability for damages arising from such removal and storage by the city.~~

~~Sec. 7-79. Ejection of persons.~~

~~Any person who violates any rule or regulation specified in this division or any reasonable order or instruction issued under lawful authority may be immediately ejected from the airport.~~

~~Sec. 7-80. Solicitation; signs and advertisements.~~

~~No person shall solicit for any purpose and no signs, advertisements or circulars may be posted or distributed at the airport without the permission of the city manager, and unless such solicitation, posting or distribution is in compliance with all applicable city ordinances. Permission shall be granted if the proposed activity will not endanger the public health and safety or cause unreasonable interference with the operation of the airport.~~

~~Sec. 7-81. Refuse.~~

~~(a) This section, in addition to chapter 24, outlines the responsibility for control and removal of all trash, garbage, waste and other debris that may create a fire hazard, unsightly condition, health hazard or what is commonly known as a poor housekeeping condition.~~

~~(b) Any person conducting an operation on the airport, unless otherwise specified in the lease/contract, shall contract for the removal of all trash, garbage, waste or other debris that accumulates on his premises or assigned area or other areas normally used by that person.~~

~~(c) All trash and waste containers shall:~~

~~(1) Be approved by the airport manager;~~

~~(2) Be equipped with adequate lids (tenants shall be responsible to insure that lids are securely fastened and closed at all times to prevent scattering of contents);~~

~~(3) Be emptied with sufficient frequency to prevent overflowing; and~~

~~(4) Be cleaned with sufficient frequency to prevent obnoxious odors from developing.~~

~~(d) All persons conducting operations on the airport shall be responsible for sweeping, picking up or removing all trash, waste, or other debris from the outdoor areas used or shared~~

~~by them, including, but not limited to, operational areas, walkways, hangars, aircraft parking and servicing areas. This shall include the grass areas adjacent to hangars, aircraft servicing and parking areas, and aircraft run-up areas.~~

~~Sec. 7-82. Vehicular traffic restricted.~~

~~No vehicular traffic will be permitted on, near or adjacent to the runways, taxiways or other active areas of the airport unless specifically authorized by the control tower.~~

~~Sec. 7-83. Vehicles in nonoperational areas.~~

~~The rules below specified apply to the operation of vehicles in and upon nonoperational areas:~~

- ~~(1) *Manner of operation.* No vehicles shall be operated on the airport in a careless or negligent manner or in disregard of the rights and safety of others; or without due caution or circumspection or at a speed or in a manner which is immediately dangerous to persons or property; or if such vehicle is so constructed, equipped or loaded as to immediately endanger persons or property.~~
- ~~(2) *Vehicle and operator licenses.* No motorized vehicle shall be operated in a nonoperational area unless the driver thereof is duly licensed. It shall be the responsibility of the operator to ascertain that such vehicle is properly licensed and inspected and in good working order and that all rules and regulations pertaining to the operation of such vehicle are obeyed at all times.~~
- ~~(3) *Vehicle speed.* No person shall operate any motor vehicle in excess of twenty (20) miles per hour upon any roadway or portion thereof except as otherwise posted. No person shall operate any motor vehicle in excess of ten (10) miles per hour upon any parking area or portion thereof. The provisions of this paragraph shall not apply to emergency vehicles.~~
- ~~(4) *Parking of vehicles.* Parking areas and drives shall be designated by the airport manager and plainly marked by appropriate signs. All vehicles are prohibited from parking in any area not so designated and marked. No vehicle shall be parked and left unattended in any movement area.~~
- ~~(5) *Towing of vehicles.* The airport manager shall have the authority to tow or otherwise remove, in a reasonable manner, motor vehicles which are parked by their owners or operators on the airport in violation of this division at the operator's expense and without~~

~~liability for damage which may result in the course of such moving. On any area of the airport leased from the city, the lessee shall be responsible for having abandoned vehicles towed or removed.~~

~~(6) *Accident reports.* The driver of any vehicle involved in an accident with any aircraft, motor vehicle, bicycle, motorcycle or pedestrian or which injures or results in the death of any person or damages any property on the airport shall immediately make a complete report to the police department.~~

~~(7) *Transceiver radio equipment.* No person shall operate transceiver radio equipment capable of operating on aircraft control frequencies from any motor vehicle or fixed-base operation without the written authority of the airport manager and in accordance with federal regulations covering such operations. This paragraph shall not pertain to persons operating such equipment in the course of their duties as employees of police, fire, or other city and governmental agencies conducting normal business on the airport; however, all such operations must conform to federal regulations.~~

~~Sec. 7-84. Vehicles in operational areas.~~

~~The rules listed below apply to the operation of vehicles in and upon operational areas:~~

~~(1) *Manner of operation.* No vehicle shall be operated on the airport in a careless or negligent manner or in disregard of the rights and safety of others or without due caution or circumspection or at a speed or in a manner which is immediately dangerous to persons or property; or if such vehicle is so constructed, equipped or loaded as to immediately endanger persons or property.~~

~~(2) *Authorized vehicles.* No motorized vehicle shall be operated in or upon an operational area unless its presence is specifically required for purposes of aircraft servicing, loading or unloading, airport maintenance or airport emergencies and the operation is approved by the airport manager.~~

~~(3) *Vehicle and operator licenses.* No motorized vehicle shall be operated in or upon an operational area unless the driver thereof is duly licensed, and unless such vehicle is properly licensed and inspected.~~

~~(4) *Vehicle standards.* No vehicle shall be permitted in or upon an operational area unless it is in sound mechanical order with adequate lights, horn and brakes and clear vision from the driver's seat. Trailers and semitrailers shall not be permitted unless they are equipped with reflector buttons and proper brakes so that neither aircraft propeller blast~~

~~nor wind will cause them to become free-rolling when disengaged from a towing vehicle. Positive locking couplings shall be required for all towing equipment.~~

- ~~(5) *Lights and beacons.* Moving vehicles shall display lights from one-half hour before sunset to one-half hour after sunrise. Vehicles equipped with rotating beacons shall use them at all times while on or near runways or taxiways.~~
- ~~(6) *Right-of-way.* All surface vehicles, except emergency equipment responding to an alarm, shall yield the right-of-way to any and all aircraft in motion.~~
- ~~(7) *Vehicle speed.* No person shall operate any motor vehicle in excess of twenty (20) miles per hour upon any roadway or portion of a roadway except as otherwise posted. No person shall operate any motor vehicle in excess of ten (10) miles per hour upon any aircraft parking or ramp area or any portion of such areas. The provisions of this paragraph shall not apply to emergency vehicles.~~
- ~~(8) *Vehicles in hangars.* No motor vehicles or equipment other than tow tugs and gasoline powered auxiliary engines shall be operated in any hangar.~~
- ~~(9) *Parking.* No person shall park a vehicle or permit the same to remain in or upon an operational area for more than twenty (20) minutes, except in such areas as are designated for extended parking by the airport manager.~~
- ~~(10) *Tower clearance.* All vehicles and persons must have written authorization from the airport manager to operate on usable taxiways, runways or safety areas and shall obtain prior permission from and be capable of two-way radio communication with the control tower. Any vehicle without two-way radio communication with the control tower must be escorted by an airport vehicle so equipped.~~

~~Sec. 7-85. Handling, storing hazardous cargo.~~

~~The handling and storing of hazardous cargo shall be conducted in accordance with federal aviation regulations, part 103. Notice of waiver of such regulations or any part thereof by the federal aviation administration or by any other competent authority shall be submitted in writing to the airport manager at least forty-eight (48) hours in advance of any operation involving any articles defined by federal aviation regulations, part 103. Such notice shall require the written approval of the airport manager. The air shipment of explosives from the airport is expressly prohibited.~~

~~Sec. 7-86. Handling, storing aircraft fuel.~~

~~The handling and storing of aircraft fuel shall be conducted in accordance with federal aviation administration advisory circular 150/5230-3. The rules and regulations set forth below shall also apply, except where in conflict with the aforementioned advisory circular.~~

- ~~(1) Smoking. No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any open flame in or upon any area of the airport within fifty (50) feet of fuel storage areas, fuel loading stations, fuel-carrying vehicles or any aircraft being fueled or defueled.~~
- ~~(2) Fueling prohibitions. An aircraft shall not be fueled or defueled while an engine of such aircraft is running or is being heated, or while such aircraft is in a hangar or enclosed area.~~
- ~~(3) Fueling area. All aircraft fuel shall be handled at least fifty (50) feet from the nearest hangar or building.~~
- ~~(4) Bonding and grounding. All fuel-carrying vehicles shall be fitted with means of bonding and grounding to prevent the possibility of static discharge and ignition. During commercial fuel operations, the fuel dispensing hose, nozzle, tank vehicle and aircraft shall be bonded and grounded by wire.~~
- ~~(5) Fire extinguishers. During the fueling of any aircraft, at least two (2) CO₂ fire extinguishers (fifteen (15) pounds or larger), or equivalent dry chemical extinguishers, shall be available for immediate use.~~
- ~~(6) Electrical operation. During the fueling of any aircraft, no person shall operate any radio transmitter or receiver or activate or deactivate any electrical appliance in such aircraft, nor shall any person perform any act, or use any material within fifty (50) feet of such aircraft, which is likely to cause a spark.~~
- ~~(7) Radar operations. No high intensity airborne radar equipment shall be operated or ground tested in any area where a directional beam is within three hundred (300) feet of a fuel or flammable liquid storage facility. No low intensity radar equipment (less than fifty (50) kw output) shall be operated or ground tested in any area where a directional beam is within one hundred (100) feet of another aircraft or a fuel or flammable liquid storage facility.~~
- ~~(8) Passenger smoking prohibited. Smoking is prohibited in any aircraft during fuel operations.~~

- ~~(9) Fuel attendants. The driver, operator or attendant of any fuel-carrying vehicle shall remain with the vehicle at all times when such vehicle is fueling an aircraft. An individual on fire watch shall allow no more than two (2) vehicles or aircraft to fuel simultaneously and must remain within seventy-five (75) feet of any fuel operation.~~
- ~~(10) Vehicle positioning. During fueling or defueling, fuel-carrying vehicles shall be placed to permit direct and immediate departure from the loading or fueling position. No more than one (1) refueler shall be positioned on each wing of an aircraft. When high-capacity aircraft are fueled, additional refuelers shall not be parked or positioned within one hundred (100) feet of such aircraft, and then only in areas approved by the airport manager.~~
- ~~(11) Fuel spills. Persons engaged in aircraft fuel handling shall exercise due care to prevent fuel spillage. In the event of fuel spillage, engines shall not be started until the spill area has been properly flushed or cleaned. The fuel truck driver shall be responsible to report any fuel spillage to the airport fire station and to arrange for the cleaning of such spillage to the satisfaction of the city. Fuel spill prevention and control shall be observed in accordance with NFPA 402, 1978. In the event of any conflict between NFPA 402, and the provisions of this section, the provisions of NFPA 402 shall govern.~~
- ~~(12) Parking areas. Fuel-carrying vehicles shall not park on the airport except in areas designated by the airport manager.~~
- ~~(13) Vehicle marking. Each fuel-carrying vehicle shall be marked conspicuously in letters of contrasting color, with the word "Flammable" on both the sides and the rear of the cargo tank in letters at least six (6) inches high, and with the wording "Emergency Shut Off" and other appropriate operating instructions at the location(s) of emergency operating devices in letters at least two (2) inches high.~~
- ~~(14) Fuel grade. Each fuel storage tank and fuel-carrying vehicle shall be marked conspicuously near the dispensing outlets with the identification of the type or grade of fuel being stored or carried.~~
- ~~(15) Personnel training. All persons who will participate in fueling shall be instructed and trained in the proper operations of fueling equipment, and the proper procedures for compliance with this section.~~
- ~~(16) Storage. Storage of all fuel on airport property shall be in strict compliance with all governmental environmental protection legislation.~~

~~Sec. 7-87. Reserved.~~

~~Sec. 7-88. Public protection in hazardous areas.~~

~~(a) — Power vault. The main airport electrical control vaults will be kept closed and locked at all times. The location and operation of such vaults is restricted information.~~

~~(b) — Fuel storage. Fuel storage areas on the airport must at all times be protected by a fence. Gates must be kept closed and warning placards maintained to guard against inadvertent public entry. Such areas shall be maintained and inspected by authorized personnel at frequent periodic intervals.~~

~~(c) Lighting. Floodlighting shall be installed in all hazardous areas.~~

~~Sec. 7-89. Observance of government rules.~~

~~No person shall operate an aircraft from or on Executive Airport other than in conformity with the provisions of federal aviation regulations, prescribed air traffic rules, applicable regulations of the state aviation division, city ordinances or as hereinafter prescribed.~~

~~Sec. 7-90. Persons on the movement area.~~

~~No vehicular traffic or person shall be permitted to enter or remain in any movement area unless such person carries and displays upon demand written permission from the airport manager. This provision does not apply to authorized emergency personnel engaged in rendering services under emergency conditions.~~

~~Sec. 7-91. Hazardous aircraft operation.~~

~~The airport manager or his representative may prohibit without liability the operation of any aircraft upon the airport when such operation is suspected of being hazardous to persons or property or not in compliance with FAA regulations. Upon prohibiting the operation of any aircraft under this section, the airport manager will immediately obtain a decision from a representative of the FAA regarding the safety of the operation of the aircraft.~~

~~Sec. 7-92. Lien for nonpayment of charges.~~

~~(a) — The city shall have a lien upon all aircraft landing upon any city-owned and operated airport for all landing, towing and storage fees, and all other fees and charges for the use of the facilities of such airport by such aircraft, when payment of such charges and fees is not made immediately upon demand for them from the owner or operator of such aircraft by the airport~~

~~manager or his representative. Such lien may be enforced as provided by law for the enforcement of liens in this state.~~

~~(b) — It is unlawful for any person to remove or attempt to remove any aircraft from the airport after notice of a lien has been served upon the aircraft owner or operator or after posting of such notice upon such aircraft.~~

~~(c) — The city may impound any abandoned aircraft or aircraft involved in an accident or any incident occurring on airport property when damage to city property has occurred in connection with the aircraft. The aircraft shall not be released until damages are assessed by the city and the owner or operator exhibits either written evidence of appropriate and sufficient insurance coverage or makes payment to the city for such damages. If payment is made by check, the aircraft will be released when the check clears for payment. Any charges incurred by the city for storage must be paid before such release.~~

~~Sec. 7-93. Authorized areas.~~

~~No aircraft shall land, take off or taxi in areas other than those authorized by the control tower, and in no event shall an aircraft enter a grass or unpaved movement area unless so authorized. No aircraft shall be allowed to park in any movement area.~~

~~Sec. 7-94. Helicopter operations.~~

~~(a) — No helicopter shall land or take off from an area other than those areas authorized by the control tower. No helicopter shall land on taxiways unless so instructed by the tower.~~

~~(b) — Fixed-base operators desiring to service helicopters must designate an area on their premises, approved by the airport manager, for helicopter takeoff and landing.~~

~~(c) — The control tower shall authorize helicopters to land and take off only from the following areas:~~

~~(1) Fixed-base operator designated areas.~~

~~(2) Runways designated by the control tower.~~

~~(3) Other areas designated by the control tower.~~

~~Sec. 7-95. Aircraft taxiing~~

~~(a) — No person other than a pilot or mechanic certified by the federal aviation administration shall taxi an aircraft on any part of the airport. A certified pilot or mechanic shall be at the controls of an aircraft while an engine of such aircraft is being started or operated.~~

~~(b) — No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object.~~

~~(c) — Aircraft shall be taxied at a safe and reasonable speed and with due regard for the safety of other aircraft, persons and property.~~

~~(d) — Pilots will not taxi onto or across runways or taxiways until specifically cleared to do so by the control tower. When the control tower is not in operation, all aircraft shall make a complete stop before crossing any runway or taxiway and the pilot shall visually check in all directions before crossing.~~

~~(e) — Aircraft awaiting takeoff shall stop at the hold short line or fifty (50) feet from the edge of the runway, whichever is farthest from the runway edge depending on the runway in use, unless otherwise ordered by the control tower, and shall stop in a position allowing the pilot a direct view of aircraft approaching or landing, again unless instructed otherwise by the control tower.~~

~~(f) — No person will taxi or tow an aircraft through the propeller/jet blast or other turbulence from another aircraft.~~

~~(g) — When the control tower is in operation, after landing, arriving aircraft will contact the tower on executive ground control frequency for taxi directions. This contact shall be made after clearing the active runway, stopping on an exit taxiway, and allowing sufficient space for following aircraft to clear the active runway.~~

~~Sec. 7-96. Personnel moving aircraft.~~

~~Aircraft shall be moved only by authorized personnel.~~

~~Sec. 7-97. Engine runups.~~

~~All engine runups shall be confined to areas designated by the control tower. No person shall undertake engine maintenance or repair runups at any location at the airport between the hours of 7:00 p.m. and 7:00 a.m. of the following day.~~

~~Sec. 7-98. Ramp parking.~~

~~General aviation aircraft wishing to load or unload passengers and/or luggage shall ascertain the assigned fixed-base operator. Aircraft shall park/tie down only on fixed-base operator premises, unless other and prior arrangements have been made with the airport manager.~~

~~Sec. 7-99. Storage, repair areas.~~

~~(a) — No aircraft shall be parked or stored, except in areas designated by the airport manager.~~

~~(b) — Commercial repair or rebuilding of aircraft shall not be conducted by any person on the airport without first entering into a lease or permit agreement with the city for such operations. All repairs and rebuilding must be accomplished inside hangars designated by the airport manager and in accordance with city zoning ordinances.~~

~~(c) — Any aircraft found by the airport manager to be in a state of disrepair which creates an image detrimental to the city and the airport shall be removed from view by the owner or person having direct charge of the aircraft. Failure of the owner or his representative to remove the aircraft after verbal or written notification to him has been given by the airport manager or his representative within seven (7) working days will result in removal of the aircraft, which will be impounded until all towing and storage charges incurred by the city have been paid. By definition, "aircraft in disrepair" shall mean any aircraft that is not whole, or has missing parts, or has tears or rips in the outside skin, or is not airworthy, or any combination of the foregoing, including any such craft which, owing to its appearance, detracts from the orderly appearance of the airport.~~

~~(d) — All T-type hangars shall be used for the storage and servicing of aircraft. No repair, painting or other activity, other than normal service of aircraft, shall be permitted in such structures unless the owner or person in possession first obtains all necessary licenses and permits from the city and the airport manager, and the activity is determined by the fire chief to be in conformance with city fire safety regulations.~~

~~Sec. 7-100. Repairs or testing.~~

~~No person shall repair, maintain, service or test aircraft in any area of the airport without a valid permit, license or lease from the city, together with written authorization from the airport manager permitting such repair, maintenance, servicing or testing.~~

~~Sec. 7-101. Disabled aircraft.~~

~~(a) — The pilot or operator of any disabled or abandoned aircraft shall be responsible for its immediate removal from the airport movement area. Failure to comply with this rule will result in the offending aircraft being removed and impounded, without liability to the city for damages incurred as the result of any reasonable method of removal or impounding, until all city-incurred towing and storage charges have been paid.~~

~~(b) — Containment and clean up of fuel spills from aircraft is considered an integral part of the process of removal of disabled or abandoned aircraft. The airport manager may without liability authorize appropriate licensed firms to remove disabled aircraft from airport movement areas if it is determined to be in the best interest of the city.~~

~~Sec. 7-102. Accident reports regarding aircraft involved in accidents.~~

~~The pilot of an aircraft involved in an accident on Executive Airport property causing personal injury or property damage shall immediately issue a report to the airport manager or his representative. In the event that the pilot is unable to do so, the owner and/or witnesses shall issue such report.~~

~~Sec. 7-103. Flying clubs.~~

~~Flying clubs shall not be permitted at the airport unless approved by the city and shall be required to obtain all necessary authorization before commencing operations. Club members and aircraft shall be registered with the airport manager.~~

~~Sec. 7-104. Landing fees.~~

~~No aircraft shall land on or take off from the airport, or use a ramp or aircraft parking and storage area, without paying such charges as may from time to time be established therefor by the city.~~

~~Sec. 7-105. Air traffic rules.~~

~~(a) — General. The airport manager or his authorized representative may suspend, restrict or otherwise regulate all operations when such action is deemed necessary in the interest of safety. Federal aviation regulations and city airport operating rules and regulations shall be strictly adhered to by aircraft owners, pilots and other users of the airport. In the event a conflict exists between federal aviation regulations and this division, or the airport operating rules and regulations, federal aviation regulations shall govern.~~

~~(b) Two-way radios. When operating an aircraft to, from or on the airport, two-way radio communications will be maintained with the control tower as required by federal aviation regulation 91.87, unless otherwise authorized by the control tower. Except in emergencies, flight operations on or about the airport will only be permitted if an aircraft is equipped with functioning two-way radio equipment. Contact with the control tower must be maintained at all times. The aircraft shall remain in contact with the control tower until it leaves the airport traffic area or has been parked. Aircraft equipped with two-way radios shall monitor the tower frequency while in the airport air traffic area and shall report their position prior to entering the airport traffic pattern. When the control tower is not in operation, aircraft will utilize the designated frequency to transmit, "in the blind," their intentions to take off or land. Transmissions on downwind, base and final approach are recommended when landing. Pilots preparing for flight will contact executive ground control for clearance before beginning to taxi.~~

~~(c) Flight rules and information. The following rules shall govern the operation of aircraft around or above the airport:~~

- ~~(1) Takeoffs or landings from taxiways are prohibited. Takeoffs and landings will be made on the runway most nearly aligned with the wind to avoid possible conflict with other aircraft in the area. When the wind is calm or light, takeoff will be made in a direction authorized by the control tower. All aircraft shall use the designated "calm wind" runway, safety permitting, when the control tower is not in operation.~~
- ~~(2) Unless otherwise directed by air traffic control, no turn will be made after taking off until the airport boundary has been reached, the aircraft has attained an altitude of at least four hundred (400) feet and it has been ascertained there will be no danger of collision with other aircraft.~~
- ~~(3) Aircraft entering the traffic pattern will exercise caution and courtesy so as not to cause aircraft already in the pattern to deviate from their course. All aircraft entering the Executive Airport traffic pattern will conform to the runway in use as indicated by the wind socks, unless otherwise advised or instructed by the control tower.~~
- ~~(4) Arriving aircraft will make a forty five (45) degree entry to the downwind leg at the midway point of the runway in use, unless otherwise directed by the control tower. Arriving aircraft will clear the runway as requested by the tower or as soon as possible at the first available taxiway or paved area. Briefing of students must wait until aircraft are clear of runways.~~
- ~~(5) Circling, overhead approaches and crosswind landings will not be permitted, unless authorized by the control tower.~~

- ~~(6) When the control tower is not in operation, all aircraft must use the designated lighted runway. Light aircraft must conform to a standard left-hand rectangular traffic pattern at one thousand (1,000) feet AGL, and turbojet aircraft must conform to a wide pattern at one thousand five hundred (1,500) feet AGL or other published pattern in effect.~~
- ~~(7) IFR conditions at Executive Airport during daylight hours will be signaled by operation of the rotating beacon. Pilots shall obtain ATC clearance from executive tower when it is operating. At all other times, IFR clearance must be obtained from Miami IFSS.~~
- ~~(8) Flight instructors shall fully acquaint their students with all of the specified flight rules and information in this section and shall be responsible for the conduct of students under their direction during dual instruction. Prior to any pilot's first solo flight at the airport, it shall be the responsibility of the flight instructor or the aircraft owner to ensure that the pilot is familiar with and aware of all applicable procedures, rules and regulations as set forth in this division. When a pilot is flying solo, it will be his responsibility to observe and abide by such rules and regulations.~~

~~Sec. 7-106. Noise abatement.~~

- ~~(a) Pilots shall utilize procedures that will result in minimum noise to surrounding residential areas. This includes, but is not limited to, avoiding low altitude maneuvers. Optimum power settings and maximum altitudes shall be maintained when consistent with safety. Flight over populated areas shall be avoided to the extent consistent with safety.~~
- ~~(b) Multiengine aircraft shall not make simulated engine out takeoffs or go-arounds below four hundred (400) feet.~~
- ~~(c) The airport manager will issue appropriate warning to the pilot of any aircraft who creates conditions detrimental to good community relations. If such conditions continue to exist, the airport manager may temporarily suspend the flight operations of such aircraft and, with the approval of the city manager, may permanently prohibit the flight operations of such aircraft.~~
- ~~(d) Pilots will operate their aircraft in conformance with FAR part 150 procedures as approved by the FAA.~~

~~Sec. 7-107. Nonradio aircraft.~~

~~The airport shall be closed to nonradio-equipped aircraft unless it is an emergency or prior arrangements have been made with the control tower.~~

~~Sec. 7-108. - Nonengine aircraft.~~

~~The airport shall be closed to nonengine aircraft unless it is an emergency or prior arrangements have been made with the control tower.~~

~~Sec. 7-109. Air speed in airport traffic area.~~

~~Indicated air speed exceeding one hundred fifty-six (156) knots (one hundred eighty (180) mph) for piston-engine aircraft or two hundred (200) knots (two hundred thirty (230) mph) for turbine-powered aircraft is prohibited within the airport traffic area. For reasons of safety only, aircraft whose operational requirements demand greater speeds will be limited to the necessary safe minimum speeds. No aerobatic maneuvers are permitted in the airport traffic area.~~

~~Sec. 7-110. Ultralight vehicles.~~

~~Ultralight vehicles are those vehicles designed for flight as defined by the department of transportation, federal aviation administration, 14 CFR part 103 as published in the Federal Register, Vol. 47, No. 171. The city hereby adopts those regulations by reference as a part of this section. Such vehicles shall not operate from the airport, nor operate within the air traffic area of the airport.~~

~~Sec. 7-111. Liability of city.~~

~~The city assumes no liability for aircraft using the facilities of the airport.~~

~~Sec. 7-112. Fire prevention.~~

~~(a) — Good housekeeping. Good housekeeping will at all times be required of tenants and occupants of all buildings and hangars, both in their assigned areas and during aircraft maintenance operations. Hangar floors shall be maintained clear of all engine stands, ladders and equipment not being used. Areas surrounding fire extinguishers and sprinkler risers shall be kept clear at all times. The premises shall be kept clean and clear of all rubbish, junk, debris, old aircraft and vehicles, and any other unsightly objects. If, after warning by the fire inspectors or the airport manager, any area is not cleaned or cleared, the cleaning or clearing will be accomplished by the city and billed to the tenant or other responsible person.~~

~~(b) — Open flame. No person shall start an open flame any place on the airport without permission of the airport manager. No torch cutting or welding shall be permitted in hangars. Welding in shop areas or areas designated by the airport manager is permitted, provided all safety precautions are observed and welding equipment is operated by experienced and~~

~~qualified personnel. No person shall smoke outside of buildings within fifty (50) feet of any aircraft.~~

~~(c) — Flammable material. No person shall store flammable material or equipment, use flammable liquids or gases, or maintain any premises in such a condition as to violate the Florida Building Code or any rules contained in this division. Flammable liquids having a flash point below one hundred forty (140) degrees Fahrenheit shall at all times be kept in approved safety cans and stored in acceptable metal cabinets having a quantity not exceeding twenty-five (25) gallons. Transfer of flammable liquids from original containers to safety cans shall be accomplished outside of buildings and in a safe location. Areas surrounding flammable storage areas shall be kept clear of all flammable and combustible material.~~

~~(d) — Parts cleaning. Only water base or solvents with flashpoints of at least one hundred forty (140) degrees Fahrenheit are permitted for aircraft engine or parts cleaning or maintenance or for collection in drip pans. Gasoline or other volatile flammables are strictly prohibited for cleaning purposes.~~

~~(e) — Aboveground storage of fuel. Aboveground storage of aviation fuel or jet fuel is prohibited unless approved in writing by the fire chief. Aviation fuel or jet fuel shall be stored in underground tanks only. Storage of fuel in aboveground tanks or trucks, other than those trucks that receive fuel from underground storage tanks located at the airport, is prohibited.~~

~~(f) — Extinguishers. Tenants of all hangars and buildings shall provide suitable fire extinguishers and equipment which shall be kept in good working order as determined by the city fire chief or his designated agent. Such extinguishers and equipment shall not be used for any purpose other than fire fighting or fire prevention. Extinguishers shall be inspected at least every twelve (12) months by qualified personnel. Tags showing the date of the last inspection shall be left attached to each unit.~~

~~(g) — Maintenance lights. Aircraft maintenance lights, including drop lights, shall be listed as vapor-proof by the Underwriters' Laboratories, Inc.~~

~~(h) — Periodic inspections. All premises and hangars on the airport shall be subject to periodic safety inspections. These inspections shall be made by the fire department personnel and airport staff at least once each year. Infractions will be reported for remedial action. A copy of each inspection will be forwarded to the airport manager.~~

~~(i) — Florida Building Code compliance. Tenants and all persons occupying airport buildings are required to comply with any and all provisions contained in this section, or the Florida Building Code, as the same may apply to fire safety.~~

~~Sec. 7-113. Environmental protection.~~

~~No person shall violate any provision of chapter 28 or any current or future federal, state, county or city rules or regulations pertaining to environmental pollution or use and disposal of toxic materials. Such a violation may result in immediate ejection from the airport, imposition of fines as may be assessed by the appropriate agency, termination of the lease, sublease, license or permit of any violator, or any combination of the foregoing.~~

Sec. 7-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aeronautical Activity shall refer to any activity or service conducted at the Airport that involves, makes possible, or is required for the operation of an Aircraft, or which contributes to or is required for the safety of such operations.

Agency shall mean any federal, state, or local government entity, unit, agency, organization, or authority.

Air Traffic Control Tower (ATCT) shall mean the air traffic control tower located at the Airport.

Aircraft shall mean a device that is used or intended to be used for flight in the air.

Aircraft in Disrepair shall mean any Aircraft that is not whole; has missing parts; has tears or rips in the outside skin; is not airworthy, or any combination thereof.

Aircraft Operating Area (AOA) shall mean all ramps, taxiways and runways on which Aircraft maneuver, taxi, takeoff and/or land.

Aircraft Operations shall mean Aircraft use, movement, flight, maneuvers, taxi, takeoff or landing.

Aircraft Operator shall mean the Aircraft Owner or other Person(s) and/or Entity(ies) having lawful possession of an Aircraft.

Aircraft Owner shall mean the Person(s) and/or Entity(ies) holding legal title to an Aircraft according to the records of the FAA.

Airport shall mean the aviation parcels of Fort Lauderdale Executive Airport, Fort Lauderdale, Florida, more specifically defined as follows:

Portions of sections 8, 9, 16 and 17, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows:

Tract 1, Tract 2 and Tract 4, "F-X-E Plat", according to the plat thereof as recorded in Plat Book 119, page 4 of the Public Records of Broward County, Florida.

Together with:

Lot 50 and Lot 51, "Resubdivision of Lots 49, 50 & 51, Fort Lauderdale Industrial Airpark-Section 2", according to the plat thereof as recorded in Plat Book 69, Page 18 of the Public Records of Broward County, Florida.

Together with:

Lots 11 through 20 (inclusive), Little Farms, according to the plat thereof as recorded in Plat Book 27, Page 29 of the Public Records of Broward County, Florida.

Together with:

The West 200 feet of the South 1,750 feet of the Southwest Quarter (SW 1/4) of Section 8, Township 49 South, Range 42 East, Broward County, Florida.

Less:

Road rights of way as dedicated for NW 10th Terrace, NW 12 Avenue, NW 56th Street, NW 53rd Street by said "F-X-E Plat".

Also less:

Road right of way as dedicated for NW 31st Avenue (Deblois Road) by Deed Book 245, Page 79 and Official Records Book 4500, Page 364 of the Public Records of Broward County, Florida.

Also less:

Parcels 25, 26, and 27 more particularly described as follows: _____

A portion of Tract 1, F-X-E Plat, P.B. 119, p. 4, of the Public Records of Broward County, Florida, being described as follows: commencing at the most Southerly East corner of said F-X-E Plat; Thence North 02°04'39" West along the East right-of-way line of Northwest 12 Avenue and the limits of said F-X-E Plat, a distance of 270.63 feet; Thence South 87°55'41" West, a distance of 80.00 feet to the West right of way line of said Northwest 12 Avenue and the point of beginning of this description;

Thence South 88°10'19" West, a distance of 348.58 feet; Thence North 51°34'11" West, a distance of 410.54 feet; Thence North 38°25'49" East, a distance of 225.00 feet; Thence North 57°16'49" West, a distance of 525.86 feet, the last two described courses being along the Southeasterly and Northeasterly boundaries of the a runway protection zone (rpz) of Fort Lauderdale Executive Airport Runway 13-31; Thence North 02°05'28" West, a distance of 1742.31 feet; Thence South 87°54'32" West, a distance of 70.00 feet; Thence North 02°05'28" West, a distance of 448.40 feet; Thence North 83°25'05" East, along a line parallel with and 750.00 feet South of, as measured at right angles, the centerline of Fort Lauderdale Executive Airport Runway 8-26, a distance of 1197.15 feet to a point on the West right of way line of Northwest 12 Avenue, said point being on the arc of a circular curve concave to the Southeast, whose radius point bears south 35°15'36" East from said point; thence Southwesterly and Southerly along said West right of way line and along the arc of said curve to the left, having a radius of 390.00 feet, a central angle of 56°50'34" and an arc distance of 386.92 feet to the point of tangency; thence South 02°04'39" East along said West right of way line, a distance of 2697.48 feet to the point of beginning.

Containing 2,616,330 square feet or 60.0627 acres, more or less.

Also less:

Parcel 19-b more particularly described as follows:

A portion of Tract 1, F-X-E plat, P.B. 119, p. 4, of the Public Records of Broward County, Florida, being described as follows: commencing at the most Southerly East corner of said F-X-E Plat; Thence North 02°04'39" West along the East right-of-way line of Northwest 12 Avenue and the limits of said F-X-E Plat, a distance of 270.63 feet; Thence South 87°55'41" West, a distance of 80.00 feet to the West right of way line of said Northwest 12 Avenue and the point of beginning of this description;

Thence South 88°10'19" West, a distance of 348.58 feet; Thence North 51°34'11" West, a distance of 410.54 feet; Thence South 38°25'49" West, a distance of 118.88 feet; Thence South 46°58'55" East, a distance of 258.18 feet; Thence South 42°34'19" West, a distance of 59.31 feet; Thence South 02°00'27" East, a distance of 72.70 feet; Thence South 45°51'33" East, a distance of 169.23 feet; Thence North 88°10'19" East, a distance of 75.69 feet; Thence South 87°26'38" East, a distance of 65.41 feet, to a point on the North right-of-way of Commercial Boulevard; Thence continue along said North right-of-way North 88°10'19" East, a distance of 40.77 feet, to a point of tangency of a circular curve concave to the Southwest; thence Easterly along the arc of said curve to the right, having a radius of 2,460.00 feet, a central angle of 04°31'51" and an arc distance of 194.53 feet to the point of reverse curvature of a circular curve concave to the North; Thence Easterly and Southeasterly along the arc of said curve to the left, having a radius of 2,340.00 feet, a central angle of 01°39'57" and an arc distance of 68.03 feet to the point of compound curvature of a circular curve concave to the Northwest; Thence Easterly, Northeasterly and North along the arc of said curve to the left, having a radius of 35.00

feet, a central angle of 94°05'40" and an arc distance of 57.48 feet; Thence North 02°04'39" West, non-tangent to the last described curve, along said West right-of-way line of Northwest 12th Avenue, a distance of 230.80 feet to the point of beginning.

Containing 185,477 square feet or 4.26 acres, more or less.

All said lands lying in the City of Fort Lauderdale, Broward County, Florida.

Airport Manager shall mean the individual or designee assigned by the City Manager to manage and supervise the operation of the Airport.

Airport Tenant shall mean an Entity leasing property or space at the Fort Lauderdale Executive Airport.

Aviation Advisory Board shall mean the advisory board of the City having advisory jurisdiction of aviation and aviation facilities.

Based Aircraft shall mean an Aircraft: (1) which the owner physically locates at the Airport with no present intention of definite and early removal and with the purpose to remain for an undetermined period; or (2) which, whenever absent from the Airport, its owner intends to return to the Airport for permanent hangaring or Tie-down; or (3) whose presence at the Airport is something other than merely transitory in nature.

City shall mean City of Fort Lauderdale, Florida.

City Commission shall mean the City Commission of the City of Fort Lauderdale, Florida.

City Manager shall mean the City Manager of the City of Fort Lauderdale, Florida.

Commercial Aviation Operations shall mean activities as defined in the Minimum Standards including, but not limited to, the sale of aviation petroleum products, Aircraft ground support services, charter operations as defined by the Federal Aviation Administration, specialized commercial aviation services, charter brokerage, Aircraft hangar leasing, pilot training, Aircraft rental and sight-seeing, aerial photography, agricultural spraying or dusting, fire suppression, aerial advertising and surveying, Aircraft sales and leasing, Aircraft management, repair and maintenance of Aircraft, sale and repair of Aircraft parts, avionics sales and repair, hangar and Tie-down rental and leasing, Aircraft stripping/painting/refinishing, Aircraft interior refinishing, Aircraft salvage, and any other activities which because of their relationship to the operation of Aircraft can appropriately be regarded as an aeronautical activity.

Commercial Aviation Operator shall mean an Entity that engages in Commercial Aviation

Operations as defined in the Minimum Standards.

Entity shall mean a person, persons, firm, partnership, limited liability company, corporation, unincorporated proprietorship, association, or group other than the City of Fort Lauderdale and any of the City of Fort Lauderdale's employees while acting within the scope of the employee's office or employment.

EPA shall mean the Environmental Protection Agency.

Event shall mean any use of leased property located at the Airport that is not associated with normal Airport operations.

FAA shall mean the Federal Aviation Administration of the United States government, and any federal Agency or its successor.

FAR shall mean The Federal Aviation Regulations (Title 14 CFR) of the United States as may be amended.

Fire Code shall mean the currently adopted edition of the Florida Fire Prevention Code and all other applicable fire codes, rules and regulations.

Fire Department shall mean the City of Fort Lauderdale Fire-Rescue Department.

Fire Marshal shall mean the Fire Marshal of the City of Fort Lauderdale, Florida.

Fixed Base Operator (FBO) shall mean an Entity that engages in services as defined in the Minimum Standards including but not limited to delivering, dispensing, providing, or selling aviation fuel and lubricants, hangar storage facilities, ramp parking and Tie-down facilities, airframe and power plant repair, and ancillary Aircraft ground support services.

Flying Club shall mean a nonprofit Entity organized for the express purpose of providing its members with any number of Aircraft for their personal use only.

FDEP shall mean the Florida Department of Environmental Protection.

FOD shall mean foreign object debris.

Hazardous spills shall mean spills that require immediate clean up and reporting to the Airport Manager and the appropriate Agency including, but not limited to, jet fuel, Avgas,

gasoline, fuel oil, hydraulic oil, motor oil, turbine oil, alcohol, glycol, and all other chemicals that could be considered hazardous.

Helistop shall mean the John Fuhrer Downtown Fort Lauderdale Helistop.

Independent Contractor or Independent Operator shall refer to any Entity conducting a Commercial Aviation Operation, but without an established place of business at the Airport.

Major Repairs are characterized as major alterations to the airframe, power plant, propeller and accessories as defined in FAR Part 43 as may be amended.

Minimum Standards shall mean those minimum acceptable qualifications, which will be required of those proposing to conduct Commercial Aviation Operations at the Airport as prescribed by Resolution No. 05-29, adopted by the City on February 15, 2005, and subsequent revisions of the Minimum Standards as the City may adopt and which shall be applicable to all aviation businesses operating at the Airport, and such other related and co-related facilities and usages reasonably attendant to such usage as permitted by applicable zoning requirements.

Movement Area shall mean the area on the Airport that includes taxiways and runways and associated safety areas where the ATCT is responsible for providing ATCT services that require clearance from the Tower to enter.

NFPA shall refer to the National Fire Protection Association.

NOTAM shall mean a Notice to Airmen.

Operating Directive shall refer to specific written documents detailing approved methods of operations or programs as directed and signed by the Airport Manager.

Permittee shall mean an Entity that engages in self-fueling of Aircraft owned or under exclusive written lease of said Entity.

Person shall mean any individual, firm, partnership, corporation, company, association, joint stock association, Agency or any other group acting as an Entity, or any combination thereof; and further includes any trustee, receiver, committee, assignee, or other representative or employee thereof.

Prime Lessee shall mean the Entity having a lease with the City of Fort Lauderdale.

Public Area shall mean the land and/or improvements at the Airport available for use on a

non-exclusive basis and not controlled by any leasehold.

Ramp or Apron shall mean a concrete or asphalt surface that is used for Aircraft parking, storage, and staging.

Regulatory Measures shall refer to Federal, State, County, City, and Airport, laws, codes, ordinances, policies, rules and regulations, including, without limitation, those of the United States Department of Transportation ("DOT"), the FAA, Department of Homeland Security, Transportation Security Administration, the Florida Department of Transportation ("FDOT"), NFPA, and the Minimum Standards, all as may be in existence, hereafter enacted, and amended.

Restricted Area shall mean any area of the Airport wherein entry or use thereof is restricted to authorized personnel pursuant to Regulatory Measures, including but not limited to: runways, taxiways and associated safety areas and protection zones, ramps, and vehicle parking areas contained within the perimeter fence and hangars.

Run-up shall mean Aircraft engine operation above normal idle power for purposes other than initiating taxi or takeoff.

Self-Service shall refer to the refueling, repair, preventive maintenance, towing, adjustment, cleaning and/or other general services of any Aircraft performed by an Aircraft Owner, or by such direct employee(s) of an Aircraft Owner with resources supplied by the Aircraft Owner.

Solicitation or Solicit shall mean to repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, ask orally, in writing, or otherwise, or endeavor to obtain by asking, request, implore, plead for, importune, seek or try to obtain.

Tie-down shall mean a means by which an Aircraft is secured to the ground at three points by ropes, chains, or cables that are capable of holding an Aircraft in wind gusts of 50 knots or greater.

T-hangar shall mean an Aircraft storage hangar in which light Aircraft are stored in separate areas and when viewed from above each bay looks like the letter "T".

TTF shall mean through-the-fence operations, accessing the airfield in an aircraft from adjacent private property.

Sec. 7-2. Purpose.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

This Chapter 7, including any amendments hereto, is designed to protect the public health, safety, interest, and general 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 Airport and the Helistop by Aircraft Operators, Airport Tenants, pilots and users.

Sec. 7-3. General Regulations.

Sec. 7-3.1 Applicability, Conditional Use of Airport, and Release of City from Liability for Damages.

(a) Any permission granted directly or indirectly, expressly or by implication, to any Entity to enter upon or use the Airport (including Aircraft Operators; vehicle operators; Aircraft crewmembers and passengers; spectators and sightseers; occupants of private and commercial vehicles; officers, employees, and customers of Commercial Aviation Operators and Airport Tenants; Entities doing business with the City, its contractors, subcontractors, and licensees; and all other persons or Entities whatsoever) is conditioned upon:

1. Assumption of responsibility for their own actions by every Entity exercising or taking advantage of such permission; and
2. Full and complete compliance with this Chapter 7, Operating Directives, the Minimum Standards, and all applicable Regulatory Measures.

(b) Each such Entity shall at all times release, hold harmless, and indemnify the City, Airport, representatives, officers, officials, employees, agents, and volunteers from any and all responsibility, liability, loss or damage that may result to any Entity, be caused by or on their behalf and/or incident to or arising out of the manner in which the Airport is operated, constructed, maintained, served, or used.

(c) The City assumes no responsibility for any loss, injury, or damage to Persons or property by reason of fire, theft, vandalism, wind, flood, earthquake, collision, strikes, war, act of terrorism, or act of God nor does it assume liability for injury to Persons while at the Airport. The direct or indirect grant of permission to use the Airport in conformance with this Chapter 7 shall in no event constitute a waiver of sovereign immunity as may apply to the City in accordance with the laws of the State of Florida.

(d) Entry upon or into the Airport by any Person shall be deemed to constitute an agreement to comply with this Chapter 7.

Sec. 7-3.2 Use Generally; Authority of Manager.

(a) Any permission granted by the City Manager or the Airport Manager, directly or indirectly, expressly or by implication, to any Entity to enter or use the Airport or any portion of it is conditioned upon compliance with this Chapter 7 and payment of any applicable rates and charges imposed by the City.

(b) The Airport Manager may suspend operations at the Airport, in whole or in part, and may close the Airport when necessary to avoid endangering persons or property. Such suspension or closing may restrict or prohibit access to Movement Areas and operational areas of the Airport, including pedestrian access. The Airport Manager may issue a NOTAM in connection with temporary Airport closure.

(c) The Airport Manager may allow operations to resume, permit access to Movement Areas and operational areas, including pedestrian access, and reopen the Airport when such use is determined to no longer endanger persons or property.

(d) The Airport Manager may designate aircraft and motor vehicle parking areas at the Airport.

(e) The Airport Manager may promulgate Operating Directives for the safety and security of the Airport.

(f) The Airport Manager may close the Airport for special Events held by the City, subject to FAA approval.

Sec. 7-3.4 Enforcement.

All sworn police officers of the City may enforce the provisions of this Chapter 7 at the Airport, and make arrests of Persons violating the same. The Airport Manager has authority to take such actions as may be necessary to safeguard the public in attendance at the Airport, as well as all facilities under his/her control. All Persons employed at or using the Airport shall cooperate with the Airport Manager in enforcing this Chapter 7.

Sec. 7-3.5 Ejection of Persons.

(a) Any Person who violates any rule or regulation specified in this chapter or any reasonable order or instruction issued under lawful authority may be immediately ejected from the Airport.

(b) Violations of this Chapter 7, of any Operating Directive, or of any rule, regulation, order, or instruction issued by the City may result in withdrawal of permission by the City to use the Airport and may be considered a lease default.

Sec. 7-3.6 Right of Inspection.

The Airport Manager shall have the right at all reasonable times to inspect all areas under lease to or occupied by Airport Tenants.

Sec. 7-3.7 Security.

(a) All Persons using the Airport shall comply with Airport security procedures as established by an Operating Directive and all applicable federal statutes, regulations and security directives of the Transportation Security Administration.

(b) No Person shall in any way tamper with, interfere, disable, circumvent, or destroy any lock, gate, door, or security device at the Airport.

Sec. 7-3.8 Commercial Aviation Operators.

(a) No Entity shall occupy or rent space or conduct any business, commercial enterprise, or activity, or other form of revenue producing activity at the Airport, without first completing an application and subsequently obtaining a written contract, permit, or other form of written authorization from the City.

(b) Entities engaging in Commercial Aviation Operations shall adhere to the Minimum Standards.

(c) No Entity shall engage in a Commercial Aviation Operation within the confines of the Airport without previously having secured and paid for all licenses and permits, and paid all taxes required by the City or any other regulatory Agency.

(d) Entities basing or otherwise maintaining an Aircraft at the Airport shall not permit said Aircraft to be used for a Commercial Aviation Operation unless such Commercial Aviation Operation meets all applicable requirements and is expressly authorized by the Airport Manager.

Sec. 7-3.9 Independent Operators and TTF.

(a) Independent Operators shall be duly licensed and certified as required for all work

performed at the Airport, maintain the required insurance, and fully comply with the provisions of this Chapter 7.

(b) Independent Operators shall not conduct any business, commercial enterprise or activity, or other form of revenue producing activity at the Airport without first completing an application and subsequently obtaining written authorization from the Airport Manager.

(c) TTF operations are prohibited, except as specifically approved by the City in an access permit or similar agreement, specifying the conditions of access and compensation to be paid to the City.

Sec. 7-3.10 Obstruction of Airport Use or Operation.

- (a) No Person shall obstruct, impair or unreasonably interfere with the safe, orderly and efficient use of the Airport by any other Person, vehicle, or Aircraft.
- (b) No Person shall throw, shoot or propel any object at an Aircraft.
- (c) No Person shall create glare or other visual disturbance that might interfere with pilots or endanger Aircraft Operations.
- (d) No Person shall tamper with any Aircraft without the Aircraft Owner's or Aircraft Operator's permission.
- (e) No Person shall point any laser at an Aircraft with the intent to interfere with or endanger Aircraft Operations.
- (f) No person shall knowingly, recklessly or negligently cause debris to be left within the Aircraft Operating Area in such manner as may pose a risk to the operation of any Aircraft. All Persons with access to the Aircraft Operating Area shall keep the same clear of FOD by collecting and disposing of debris in covered containers to prevent potential engine intake or damage to aircraft, or by notifying the Airport administrative office.

Sec. 7-3.11 Hazardous Waste and Materials.

(a) No Entity shall store, keep, handle, use, dispense, discharge, or transport at the Airport any hazardous material in contravention of any Regulatory Measure.

(b) Proper permits relating to hazardous materials and hazardous substances shall be obtained from the appropriate Agencies; and copies shall be filed with the Fire Department.

(c) Material Safety Data Sheets (MSDS) for all hazardous materials shall be maintained on site and be readily available to emergency responders in the event of an emergency and for review by the Airport Manager and Fire Department personnel.

(d) No fuels, oils, dopes, paints, solvents, acids, or any other hazardous substance shall be disposed of or dumped in drains, on ramps, catch basins, ditches, or elsewhere on the Airport.

(e) Any Entity who experiences overflowing or spilling of hazardous material or substance anywhere at the Airport shall be responsible for the immediate cleanup of the spill, proper disposal of the substance, and notification to the Airport administrative offices, the proper regulatory Agencies and the Fire Department.

(f) In the event a hazardous spill occurs, the Entity shall take appropriate action in the containment, clean up, and rehabilitation of such hazardous spill.

Sec. 7-3.12 Compliance with Fire Regulations.

(a) Entities engaged in any activity at the Airport shall comply with the Fire Code and all other applicable rules and regulations.

(b) Entities shall comply with all directives issued by the Fire Marshal regarding the removal of fire hazards, arrangement or modification of vehicles or equipment, and modifying any procedure that the Airport Manager considers to be a fire hazard so that it no longer poses a fire hazard.

Sec. 7-3.13 Painting.

Doping processes, application of chemical solvents in preparation for painting, paint stripping, sanding and painting of Aircraft, and other similar processes shall be performed only in those facilities approved for such activities by the City and shall be conducted in compliance with all local, state, and federal health and safety regulations, pollution control regulations, and storm water regulations. Shelters, T-hangars, corporate hangars, box hangars, Tie-down areas and ramps are not authorized areas for these activities.

Sec. 7-3.14 Aircraft Washing.

(a) Aircraft cleaning shall only be performed in areas approved by the Airport Manager and must be performed in accordance with the Stormwater Pollution Prevention Plan (SWPPP).

(b) All Aircraft cleaning shall be accomplished with biodegradable soap, and without the use of solvents or degreasers.

(c) Wash water resulting from wet washing shall be processed through an oil-water separator system or into a containment tank before being discharged to the sanitary sewer system.

(d) Aircraft, Aircraft engines, and Aircraft parts may be dry washed in areas not having an oil/water separator.

Sec. 7-4. Personal Conduct.

Sec. 7-4.1 General.

(a) No Person shall use or otherwise conduct himself or herself upon any portion of the Airport in any manner contrary to posted or otherwise visually indicated directions applicable to that area.

(b) No Person shall destroy, damage, injure, deface, disturb, or tamper with City property at the Airport.

(c) All Persons shall observe and obey all posted signs, fences and barricades governing the activities and demeanor of the public while on Airport property.

(d) No Person shall make, possess, use, offer for sale, pass, or deliver any forged or falsely altered pass, permit, identification, card, sign, or other authorization purporting to be issued by or on behalf of the Airport or the City.

(e) No Person shall loiter on Airport property or in any building at the Airport.

(f) No Person shall use the Airport for storing non-aviation merchandise, supplies, or equipment, or for any unlawful purpose.

Sec. 7-4.2 Animals.

(a) No Person shall enter any part of the Airport with a domesticated animal unless such animal is kept restrained by a leash and is completely and continuously under control.

(b) Except as provided in subsection 7-4.2(a), no Person shall permit any animal under his/her/its control or custody to enter the Airport except those that are properly confined in a cage or other secure enclosure, as determined by the Airport Manager.

(c) No Person shall feed or perform any other act to encourage the congregation of birds or other animals at the Airport.

(d) Hunting, trapping or killing animals at the Airport, except for the purposes of wildlife management, is prohibited.

(e) Notwithstanding any of the provisions above, supervised animals used for law enforcement, wildlife management, and other governmental purposes may be at the Airport without being on a leash.

Sec. 7-4.3 Alcoholic Beverages.

Consumption of intoxicating beverages is prohibited in the Aircraft Operating Area except by passengers inside an Aircraft preparing for departure or immediately upon arrival or at such times and locations as specifically approved by the City.

Sec. 7-4.4 Environmental Protection.

(a) No Entity shall violate any provision of Chapter 28 of the Code of Ordinances of the City of Fort Lauderdale, Florida, or any federal, state, County or City rule or regulation pertaining to environmental pollution or use and disposal of hazardous substances.

(b) 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, in the sole discretion of the Airport Manager, then the Airport Manager may take action and/or employ those services that the Airport Manager determines appropriate to control and/or clean up the site. The cost of such services shall be borne by the responsible party as specified in Chapter 13-137 of the Code of Ordinances of the City of Fort Lauderdale, Florida.

Sec. 7-4.5 Parties, Rallies, Social Gatherings and Events.

Notwithstanding anything in Chapter 15 of the Code of Ordinances of the City of Fort Lauderdale, Florida, to the contrary, all events held by any Prime Lessee within a hangar on Airport leasehold premises shall comply with the following requirements:

- (1) No Event shall be held on Airport leasehold premises without prior written authorization from the Airport Manager and any other Agency having jurisdiction over the event.
- (2) The event application shall be submitted to the Airport Manager a minimum of three (3) business days prior to the Event.
- (3) The approval process shall be outlined in the event application.

Sec. 7-5. Aircraft Operations.**Sec. 7-5.1 Observance of Government Rules.**

- (a) No Person shall operate an Aircraft to, from, or at the Airport other than in conformity with the provisions of the FARs; duly promulgated air traffic rules, directives, orders and instructions of the ATCT; applicable regulations of the State; the Code of Ordinances of the City of Fort Lauderdale, Florida; the Minimum Standards; and as prescribed herein.
- (b) No Person may operate an Aircraft at the Airport in a reckless or negligent manner, in disregard of the rights or safety of others, without due caution or circumspection, or at a speed or in a manner which endangers persons or property.
- (c) No Person shall operate an Aircraft constructed, equipped, or loaded in such a manner as to endanger, or to be likely to endanger, persons or property.

Sec. 7-5.2 Hold Harmless.

Any Aircraft Owner, Aircraft Operator, or any of their agents or duly authorized representatives who uses the Aircraft Operating Area or related facilities agrees to release, discharge and hold harmless the City, its City Commission, its officers, and its employees from and against liability for any damage which may be suffered by any Aircraft or its equipment, and from and against liability for personal injury or death. The use of the Aircraft Operating Area or related facilities shall constitute acceptance of the terms of this provision, this chapter, and other Airport standards and Operating Directives.

Sec. 7-5.3 Authorized Areas.

No Aircraft shall land, take off, or taxi in areas other than those authorized by the ATCT, and in no event shall an Aircraft enter a grass or unpaved Movement Area unless authorized by the ATCT. All Aircraft shall park upon paved leased property in accordance with the terms of the respective lease unless specific permission is granted by the Airport Manager and in accordance with this chapter.

Sec. 7-5.4 Airworthiness.

(a) Only Aircraft considered airworthy by the FAA or any foreign counterpart or that hold a ferry permit from such agency shall land or take off from the Airport and/or use any area of the Airport for parking and storage. The Airport Manager may permit temporary storage for the purpose of obtaining an airworthiness certificate.

(b) Each Aircraft at the Airport must carry on board an airworthiness certificate, and a valid registration number must appear on the Aircraft's exterior.

(c) No Person shall allow an Aircraft that does not carry on board an airworthiness certificate to be in the Airport unless the Aircraft is actively undergoing renovation or restoration or as otherwise provided in this Chapter 7 for Aircraft in Disrepair.

(d) Abandoning an Aircraft anywhere in the Airport is prohibited. The City, at the risk and sole expense of the Aircraft Owner or Aircraft Operator, may remove any abandoned Aircraft, as defined in Subsection 705.183(1)(b), Florida Statutes, as amended, without liability for damage arising from or out of such removal.

(e) An abandoned or derelict Aircraft may be subject to lien and removal from the Airport pursuant to Section 705.183, Florida Statutes, as amended.

Sec. 7-5.5 Aircraft Accidents and Disabled Aircraft.

(a) Aircraft Operators involved in an accident at the Airport resulting in any serious injury or death to any Person or damage to property shall make a full and prompt report of the accident to the Airport Manager, complete any necessary report and any necessary forms, and comply with all applicable provisions of the National Transportation Safety Board ("NTSB") Regulations, 49 Code of Federal Regulations, Subtitle B, Chapter VIII, Part 830, as such provision may be renumbered or amended. Aircraft Operators shall provide copies of all reports and forms to the Airport Manager.

(b) Aircraft or associated Aircraft parts involved in an accident at the Airport may not be disturbed, moved, or removed from the scene of the accident until authorized by the Airport Manager, who shall receive authorization to remove the Aircraft or associated Aircraft parts from the FAA and/or the NTSB, when applicable.

(c) The pilot(s) and passengers not requiring medical attention shall remain at the scene until it is determined by all Agencies investigating the accident that their presence is no longer needed.

(d) Once authorization to remove the Aircraft has been issued, the Aircraft Operator shall make immediate arrangements to have the Aircraft removed at the Aircraft Owner's or Aircraft Operator's expense. If immediate arrangements are not made, the City may have the Aircraft removed at the Aircraft Owner's or Aircraft Operator's risk and expense without liability for damage arising from or out of such removal.

(e) Containment and clean up of petroleum spills from an Aircraft is considered an integral part of the process of removal of disabled or abandoned Aircraft. The Airport Manager may authorize appropriate licensed firms to clean up petroleum spills without liability to the City at the expense of the Aircraft Owner or Aircraft Operator.

Sec. 7-5.6 Lien for Landing and Other Fees.

(a) Pursuant to Section 329.40, Florida Statutes, the City shall have a lien upon all Aircraft landing upon the Airport for all charges for the use of the facilities of the Airport by such Aircraft, when payment of such charges and fees is not made immediately upon demand to the Aircraft Owner or Aircraft Operator by the Airport Manager. Such lien may be enforced as provided by law for the enforcement of warehousemen's liens.

(b) It is unlawful for any Person to remove or attempt to remove any Aircraft from the Airport after notice of a lien has been served upon the Aircraft Owner or Aircraft Operator or after posting of such notice upon such Aircraft.

(c) The City may impound any abandoned Aircraft or Aircraft involved in an accident or any incident occurring on Airport property when damage to City property has occurred in connection with the Aircraft. The Aircraft shall not be released until damages are assessed by the City, and the Aircraft Owner or Aircraft Operator exhibits either written evidence of appropriate and sufficient insurance coverage or makes payment to the City for such damages. If payment is made by check, the Aircraft will be released when the check clears for payment. Any charges incurred by the City for storage shall be paid before such release.

Sec. 7-5.7 Based Aircraft Registration.

(a) All Aircraft based at the Airport shall be registered with the Airport Manager. Registration information shall include the following:

1. Aircraft make and model
2. Aircraft registration number
3. Aircraft Owner name, address, and phone number
4. If more than one Person or a group of people own the Aircraft, the name, address, and phone number of all owners shall be provided to the Airport Manager. Prime Lessees are responsible for registration of all Aircraft based on their leased premises.
5. Proof of liability insurance in accordance with the Minimum Standards

(b) Commercial Aviation Operators shall register all Aircraft based on their leased premises when any such Aircraft arrives at the Airport.

(c) Each Aircraft Owner whose Aircraft is based at the Airport shall update his/her/its Aircraft registration within 30 days of any change in ownership or contact information.

Sec. 7-5.8 Aircraft Taxiing.

No person other than a pilot or mechanic certified by the FAA shall taxi an Aircraft on any part of the Airport. A certified pilot or mechanic shall be at the controls of an Aircraft while an engine of such Aircraft is being started or operated. All pilots and mechanics shall obey all pavement markings, signage, and ATCT instructions.

Sec. 7-5.9 Aircraft Parking and Storage.

(a) Aircraft shall be parked only in those areas designated for such purpose under the authority of the Airport Manager and shall not be parked or stored in a Movement Area or positioned in such a manner as to block a runway, taxiway, taxi lane, or obstruct access to hangars, parked Aircraft, or parked vehicles.

(b) Should a Person refuse or fail, upon request by the Airport Manager, to move an Aircraft parked or stored in a Movement Area or positioned in such a manner as to block a runway, taxiway, taxi lane, or obstruct access to hangars, parked Aircraft, or parked vehicles, to a location designated by the Airport Manager, then the Aircraft Operator or Aircraft Owner shall incur a fee in the amount of Five Hundred Dollars (\$500) for the first 15 minutes, and in the amount of Fifty Dollars (\$50) for every fifteen minutes thereafter, that the Aircraft remains so parked or stored.

(c) Unless otherwise provided in an agreement with, or at the express direction of, the City, Prime Lessee, or authorized FBO, no Person shall use any area of the Airport for the parking and storage of Aircraft.

(d) Should a Person use any area of the Airport for Aircraft parking or storage without first obtaining the prior written permission of the Airport Manager, a Prime Lessee, or authorized FBO, or park or store Aircraft in a Movement Area, or position Aircraft in such a manner as to block a runway, taxiway, taxi lane, or obstruct access to hangars, parked Aircraft, or parked vehicles, the City may remove and store the Aircraft at the expense of the Aircraft Owner or Aircraft Operator without liability for damage that may arise from such removal or storage. The Aircraft will be impounded until all towing, parking and storage charges and fees have been paid by the Aircraft Owner or Aircraft Operator.

(e) Should a Person use any area of the Airport for Aircraft parking or storage without first obtaining the prior written permission of the Airport Manager, a Prime Lessee, or authorized FBO, the City may remove and store the Aircraft at the expense of the Aircraft Owner or Aircraft Operator without liability for damage that may arise from or out of such removal or storage.

(f) Aircraft Operators shall ensure that parked and stored Aircraft are properly secured in accordance with best industry practice and FAA guidance, including without limitation FAA Advisory Circular 20-35C, Tiedown Sense, as the same may be amended.

(g) Upon request of the Airport Manager in the event of an emergency or other occurrence presenting risk to the safety or security of the Airport or Airport users, the Operator of any Aircraft parked or stored at the Airport shall move the Aircraft to the location and/or position at the Airport identified by the Airport Manager. In the event the Aircraft Operator refuses, is unable, or unavailable, the City may move the Aircraft to the area at the risk and expense of the Aircraft Operator without liability for damage that may arise from or out of such movement.

(h) Major repair or rebuilding of Aircraft shall be accomplished inside hangars designated for such purpose.

(i) All Aircraft parked outside shall have the appearance of being whole. Aircraft that is missing components such as wings, empennage parts, landing gear, or doors, or that has tears in the skin or flat tires, are considered to be in a state of disrepair and create an image detrimental to the City and the Airport.

(j) If the Aircraft Owner or Aircraft Operator of an Aircraft in Disrepair fails to provide the Airport Manager with satisfactory evidence that an open work order is being actively pursued within fourteen (14) days of the request from the City, then such Aircraft shall be removed from the leasehold premises by the Aircraft Owner or Aircraft Operator within ninety (90) days following the date of the Airport Manager's request.

(k) Failure of the Owner or Operator to timely remove such Aircraft in Disrepair will result in the City's removal of the Aircraft in Disrepair, which will be impounded until all towing and storage charges incurred by the City have been paid.

Sec. 7-5.10 Restricted Activities.

Use of the Airport for any of the following activities is restricted and requires a comprehensive review by the FAA Flight Standards Office, ATCT, and the City to determine if such activities may be conducted safely to, from and at the Airport, and further requires prior written permission by the Airport Manager:

- 1) Use of any portion of the Airport as a parachute landing area.
- 2) Operations in gliders, ultralights, lighter-than-air Aircraft, or hot air balloons.
- 3) Conducting test flights in experimental aircraft.
- 4) Operating unmanned aerial vehicles to, from, or at the Airport.
- 5) Operating model airplanes to, from, or at the Airport.

The Airport Manager has the authority to impose conditions on the conduct of the above-enumerated Aeronautical Activities at the Airport, which conditions may be included in an Operating Directive, which shall thereafter be heeded by all Persons using the Airport for the authorized purpose.

Due to the absence of an Airport Operating Certificate for the Airport issued by the FAA in accordance with FAR Part 139, no Entity shall conduct scheduled air carrier operations in

Aircraft designed for more than nine (9) passenger seats or in an Aircraft on a non-scheduled basis with more than thirty (30) passenger seats.

Sec. 7-5.11 Limitations.

Any Person transporting radioactive cargo or other hazardous materials shall comply with regulations established in 49 Code of Federal Regulations, Subtitle B, Chapter 1 and all other Regulatory Measures governing such materials. Any Person transporting radioactive cargo or other hazardous materials shall notify the Fire Department prior to arrival at the Airport, and Fire Department equipment and personnel may be required for this type of operation as a standby precautionary measure. Any costs associated with the required Fire Department support and oversight shall be borne by the Aircraft Owner and the Aircraft Operator, jointly and severally.

Sec. 7-5.12 Aircraft T-Hangars.

(a) All T-hangars shall be used for the storage and self-servicing of Aircraft only. No activity other than the normal service of Aircraft shall be permitted in such structures. Prohibited activities include, but are not limited to, fuel transfer, welding, torch cutting, soldering, doping, parts cleaning, spray painting, and activities in which hazardous operations are performed.

(b) No Entity shall engage in any Commercial Aviation Operation in T-hangars.

(c) No aggregate amounts of twenty-five (25) gallons or more or an equivalent dry volume of hazardous material shall be stored, handled, generated, used, processed, manufactured, disposed of, or otherwise be present in a single T-hangar bay.

Sec. 7-5.13 Engine Runups.

(a) All engine runups shall be confined to areas designated by the ATCT or the Airport Manager.

(b) Runup of Aircraft engines is not allowed in areas outside the Movement Area unless approved by the Airport Manager.

(c) No Person shall undertake engine maintenance or repair runups at any location at the Airport between the hours of 7:00 p.m. and 7:00 a.m. of the following day.

(d) No Person other than a pilot or mechanic certified by the FAA shall start and/or operate an Aircraft engine at the Airport.

(e) Any Person operating an Aircraft engine shall take precautions to alert and protect the public from hazards of operation.

(f) Aircraft controls shall not be unattended while Aircraft engines are operating.

(g) High speed or high power engine runups shall be performed in areas designated by the Airport Manager and authorized by the ATCT.

Sec. 7-5.14 Flying Clubs.

Flying Clubs shall not be permitted at the Airport until the following necessary items have been obtained and supplied to the Airport Manager:

1. Copies of Aircraft registrations; and
2. A current list of members; and
3. A current certificate of insurance showing coverage types and amounts as required by the Airport Manager, and naming the City of Fort Lauderdale as additional insured; and
4. Evidence of the not for profit status of the Flying Club; and
5. Copies of bylaws, articles of incorporation, and operating rules; and
6. A roster of officers and directors.

Aircraft shall be vested in the name of the Flying Club or members on a pro-rata share. The Flying Club may not derive greater revenue from the use of the Aircraft than the cost to operate, maintain and replace the Aircraft. Required insurance minimums for Flying Clubs as outlined in the Minimum Standards shall be maintained. Flying Club Aircraft may be used only by members of such Flying Club and may not be used for Commercial Aviation Operations. Flying Club members have a right to self-fuel and self-service Flying Club Aircraft in accordance with this Chapter 7.

Sec. 7-5.15 Air Traffic Rules.

The Airport Manager may deny access to the Airport to any Aircraft Operator who operates an Aircraft at the Airport in a reckless or negligent manner, who has been found by the FAA to have violated an air traffic rule or applicable regulation, or who presents an imminent danger to

persons or property.

Sec. 7-5.16 Traffic Patterns.

Aircraft shall conform to the traffic patterns established by the FAA unless otherwise specifically authorized by the ATCT.

Sec. 7-5.17 Noise Abatement Procedures.

Pilots and Aircraft Operators of all Aircraft landing or taking off at the Airport shall comply with the mandatory noise abatement procedures established jointly by the FAA and the City.

Sec. 7-5.18 Helicopter Operations

(a) No helicopter shall land or take off from an area other than those areas authorized by the City or the ATCT.

(b) FBOs desiring to service helicopters shall designate an area on their leased premises, subject to approval by the Airport Manager, for helicopter takeoffs and landings.

(c) Helicopters may land and take off only from the following areas upon authorization by the ATCT:

1. Leasehold Ramp areas.
2. Runways, taxiways, and other paved areas designated by the ATCT within the Movement Area.
3. Other areas designated jointly by the ATCT and the City.

Sec. 7-5.19 Landing at Other Than Established Airports; Temporary Helicopter Landing Areas.

(a) Except in case of emergency, or when permitted by the City Commission in the public interest, no Person shall land any Aircraft within the corporate limits of the City except at regularly established Airports or Helistops.

(b) The City Manager may approve temporary helicopter landing areas, which approval shall be on a temporary basis not to exceed ten (10) days and shall meet the following conditions:

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

1. The Entity conducting the helicopter operations shall execute a release, hold harmless, and indemnification agreement in favor of the City in a form as prescribed by the City Attorney.
2. The helicopter operation shall be conducted in accordance with applicable FAA regulations and FAA Advisory Circular 150/5390-2B Heliport Design.
3. The helicopter operation shall be restricted to specific dates and times, and shall be conducted during daylight hours, under Visual Flight Rules conditions and in accordance with the Code of Ordinances of the City of Fort Lauderdale, Florida.
4. The Entity shall provide sufficient personnel, in the sole determination of the City of Fort Lauderdale Police Department, to ensure that members of the general public are prevented from entering the helicopter operations area.
5. If the helicopter operation is to be conducted on a waterway, the Aircraft Operator shall arrange, at the Aircraft Operator's expense, for one Fort Lauderdale Police Officer to be present at the helicopter operation site during the operation of the helicopter.
6. The Entity conducting the helicopter operations shall provide proof of general liability insurance in the amount required by the City.

Sec. 7-5.20 Seaplane landing.

Pursuant to Section 330.36, Florida Statutes, landing a seaplane on a body of water within the corporate limits of the City is prohibited.

Sec. 7-6. Vehicle Rules and Regulations.

Sec. 7-6.1 Vehicles Generally

(a) Pursuant to Section 316.003(53)(c), Florida Statutes, as may be amended, any area, such as a runway, taxiway, ramp, clear zone, or parking lot, within the boundary of the Airport, which area is used for vehicular traffic but which is not open for vehicular operation by the general public, shall be considered a street or highway.

(b) Pursuant to Section 320.535, Florida Statutes, as may be amended, airport fuel trucks and equipment are exempt from registration of motor vehicles, the payment of license

taxes, and the display of license plates when operated or used for the purpose of transporting aviation fuel within the airport facility of the Airport.

(c) Vehicles shall not be operated within the Aircraft Operating Area unless the vehicle is in sound mechanical order, has adequate lights and brakes, and permits clear visibility from the driver's position.

Sec. 7-6.2 Escorting Procedures.

(a) Vehicles without ramp permits shall be escorted and attended by a Prime Lessee, FBO, or Commercial Aviation Operator, or other authorized Entity at all times while operating on the AOA.

(b) Unattended vehicles shall display a ramp permit.

Sec. 7-6.3 Ramp Permits.

(a) Except for emergency and law enforcement vehicles, vehicles operating or parking on the AOA shall comply with the ramp permit program and display a current ramp permit. An exception may be granted to Airport tenants who develop an alternative plan for a specific area as approved by the Airport Manager.

(b) No Person shall lend or assign a ramp permit to any other Person or knowingly permit the use thereof by another.

Sec. 7-6.4 Aircraft Operating Area.

(a) No person shall drive a vehicle in any part of the AOA except to provide service to Aircraft, passengers, pilots, or Airport Tenants, unless specifically designated by the Airport Manager as being authorized to operate in such areas. The Airport Manager may restrict vehicles to a certain portion(s) or segment(s) of the AOA. Such restrictions shall prohibit vehicle operations outside designated area(s).

(b) Use of quad-bikes, three wheelers, scooters, mini-bikes, go-carts, roller blades, skateboards, and the recreational use of bicycles is not permitted in the AOA.

(c) Manually operated gates providing access to the AOA shall be kept closed and locked at all times. Open gates shall be attended by the Airport tenant or the Airport tenant's designee.

(d) When using electronic automatic security gates, vehicle operators shall stop the vehicle and allow the gate to fully close before proceeding. The vehicle operator shall also ensure that no other vehicles or Persons gain access to the Airport while the gate is in the process of closing and/or not fully closed.

(e) If the vehicle operator cannot prevent access by another vehicle, the operator shall immediately notify Airport security.

(f) Careless, negligent, unsafe, or reckless operation of a vehicle at the Airport is prohibited.

(g) All vehicles shall yield to Aircraft at all times under all circumstances.

(h) Vehicles shall not be operated within the AOA at a speed greater than ten (10) miles per hour.

Sec. 7-6.5 Movement Area.

(a) Vehicles used in the Movement Area shall be marked so that the operator's name is clearly visible. Each Entity is responsible for clearly marking all of such Entity's vehicles operated in the Movement Area.

(b) All vehicles operated in the Movement Area after sunset and before sunrise shall be equipped with an operational amber rotating or flashing beacon that is visible in all directions.

(c) Vehicle operators shall obey all signs and pavement markings unless directed otherwise by the ATCT.

(d) Vehicles shall not be operated in such a manner or within such proximity of an Aircraft as to create a hazard or interfere with the safe operation of the Aircraft.

(e) All vehicles shall yield the right-of-way to any and all Aircraft in motion.

(f) Vehicles used for hauling trash, dirt, or any loose material shall not be operated in the Airport except for periods of Airport construction or as approved by the Airport Manager.

(g) Positive locking couplings are required for all towing equipment.

(h) No person shall operate any vehicle in the Movement Area unless such person has in his or her possession a Movement Area badge issued by the Airport Manager and a valid

driver license issued by a state or territory of the United States unless such person is under escort by personnel having a Movement Area badge.

(i) Any person in possession of a Movement Area badge who wishes to operate a vehicle in the Movement Area shall establish two-way communication with the ATCT and receive authorization from the ATCT prior to entering the Movement Area.

(j) Failure to follow all ATCT instructions shall result in the immediate suspension of Movement Area driving privileges. A person whose Movement Area badge has been suspended may, within five calendar days from the time of suspension, request in writing a meeting with the Airport Manager to appeal such suspension.

(k) In the event of radio failure, all persons operating vehicles in the Movement Area shall stop their vehicles and hold their positions until escorted or given a directive signal light from the ATCT. Vehicles that experience radio failure while located on a runway shall continue until clear of the holding position markings and await escort or directive signal lights from ATCT.

Sec. 7-6.6 Parking and Storage.

(a) Vehicles shall be parked only in those areas designated for such purpose by the Airport Manager.

(b) Other than vehicles exempt pursuant to Section 320.535, Florida Statutes, as may be amended, all vehicles on Airport property shall have a current registration, display a current license plate, and be fully operational and functional.

(c) Vehicles shall not be parked or stopped:

1. In such a manner as to obstruct a parking lot lane, driveway, roadway, walkway, crosswalk, fire lane, runway, taxiway, taxilane, Ramp, or access gate or obstruct access to hangars, parked Aircraft, or parked vehicles.
2. Other than in accordance with restrictions posted on authorized signs, unless otherwise authorized by the Airport Manager.

(d) Hangar tenants shall be allowed to park vehicles inside their respective hangars for only such periods as may be required in connection with use of the Airport or use of Aircraft to, from, or at the Airport. In no event shall Hangar tenants park vehicles inside a hangar for more than thirty (30) consecutive days. Storage of any vehicles inside a hangar for a period exceeding thirty (30) consecutive days must be approved by the Airport Manager.

(e) Boats, recreational vehicles, racecars, personal watercraft, and trailers shall not be parked or stored at the Airport except for governmental purposes or incidental or short-term storage authorized by the Airport Manager.

(f) At the discretion of the Airport Manager or authorized law enforcement officers, any vehicle that is illegally parked may be removed, and the expense of the removal shall be charged to the registered owner of said vehicle.

(g) All vehicle parking shall be on paved surfaces except for areas adjacent to T-hangars or where authorized by the Airport Manager

(h) No Person shall conduct maintenance of a private vehicle on Airport property.

(i) Vehicles, including but not limited to, tow tractors, ground power units, and fuel trucks, operated by Commercial Aviation Operators or Prime Lessees, shall be cleaned and/or maintained in areas identified by the Commercial Aviation Operator or Prime Lessee, subject to approval by the Airport Manager.

(j) The City may tow, remove, or cause to be removed from the Airport, at the vehicle operator's risk and expense and without liability for damage that may result from such removal, any vehicle that is disabled, abandoned, or parked in violation of this Chapter 7, or that creates a safety hazard.

Sec. 7-6.7 Storage of Non-Aviation Related Items.

Airport hangars and T-hangars are presumed to be used exclusively for the storage of Aircraft and the conduct of Aeronautical Activities, except with express written permission of the Airport Manager. Any unauthorized stored or parked vehicles or any other non-aviation related items or property will be removed and placed in storage at the owner's expense, without liability for damages arising from such removal and storage by the City.

Sec. 7-7. Fueling, Defueling, and Fuel Storage.

Sec. 7-7.1 Regulatory Measures.

Refueling, defueling, and fuel storage on the Airport shall conform to the current applicable provisions of the NFPA, EPA, FWC, FAA Advisory Circulars, applicable provisions of regulatory measures of the State of Florida, Broward County, and the City.

Sec. 7-7.2 Fueling Operations.

(a) Except for self- fueling, fuels shall only be dispensed at the Airport by those FBOs or Permittees having an agreement with the City granting such permission; holding a current-year fueling inspection decal issued by the Fire Department for fuel farms and fueling vehicles; and whose employees engaged in fueling have successfully completed any and all training courses required by the City.

(b) The City may tow, remove, or cause to be removed from the Airport any fueling vehicle that is not in compliance with this section.

(c) The aboveground storage of aviation fuel or jet fuel is prohibited. Aviation fuel or jet fuel shall be stored in underground tanks only. Storage of fuel in trucks, other than those trucks that receive fuel from underground storage tanks located at the Airport, is prohibited.

(d) Any Entity dispensing fuel shall maintain a Fueling Operations and Spill Prevention Control and Countermeasure (SPCC) Plan that is in compliance with 40 Code of Federal Regulations Part 112.

(e) All fueling operations shall be conducted in compliance with NFPA Publication 407 and applicable FAA Advisory Circulars.

Sec. 7-7.3 Fuel Safety Training

No person shall engage in any fueling activity at the Airport unless such person's employer has provided that person with training in accordance with the Minimum Standards or without first having completed any and all training courses required by the City.

Sec. 7-7.4 Fueling, Defueling, and Fuel Storage

(a) A person trained as provided in Section 7-7.3 shall be present at all times while fuel delivery vehicles transfer fuel into or out of any fuel storage facility.

(b) Refueling vehicles and vehicles utilized to deliver fuel to the fuel storage facility shall be subject to inspection by the City at any time to determine compliance with this section.

(c) The trained person shall remain within the immediate vicinity and in direct view of all operating controls and equipment.

(d) No Aircraft shall be fueled or de-fueled while passengers are on board unless a passenger boarding device is in place at the cabin door of the Aircraft, the door is open, and a flight crew member or ground person is at or near the cabin door.

(e) The trained person shall not leave the discharge end of any hose or hoses unattended at any time while the transfer of fuel is in progress.

(f) All fuel handled at the Airport shall be treated with due caution and circumspection with regard to the rights and safety of others so as not to endanger, or be likely to endanger persons or property.

(g) Smoking is prohibited in or about any Aircraft, on any Apron, or within 100 feet of an Aircraft being fueled or defueled.

(h) No Aircraft or vehicle shall be fueled or defueled while the engine of such Aircraft or vehicle is operating unless the Airport Manager and the Fire Department have granted prior written permission.

Sec. 7-7.5 Fuel Spills

(a) FBOs and Permittees shall have on hand at all times sufficient fuel spill containment capable of damming/diking a fuel spill or to otherwise form a barrier around the spill in accordance with Operating Directives.

(b) In the event a spill occurs, the FBO or Permittee shall contain and clean up the spill and rehabilitate the affected area. All fueling activities shall cease until cleanup is complete.

(c) If the spill is greater than ten (10) feet in any direction; or if the spill is greater than fifty (50) square feet; or continues to flow or is hazardous to persons or property; or if the spill reaches a storm drain, pervious surface, ditch, or standing water, the FBO or Permittee shall immediately contact the Fire Department and notify the Airport Manager.

(d) In the event that a spill occurs, the FBO or Permittee shall notify the Airport Manager and shall be responsible for making notifications to the Broward County Agency with environmental jurisdiction and the FDEP in accordance with all applicable regulations.

Sec. 7-7.6 Storage of Refueling Vehicles

Refueling vehicles shall be stored in accordance with the Fire Code.

Sec. 7-7.7 Maintenance of Refueling Vehicles.

(a) Maintenance and servicing of refueling vehicles shall not be performed in a building unless the building is approved by the Fire Department for such use.

(b) FBOs and Permittees shall document and maintain vehicle maintenance and inspection records and make such records available to the Airport Manager or Fire or Police Department upon request.

Sec. 7-8 Helistop.

Sec. 7-8.1 General

(a) Access to the Helistop is limited to pilots, passengers, and authorized City personnel.

(b) Use of the Helistop shall be limited to helicopters weighing less than 11,900 pounds and having a maximum rotor diameter of forty-six (46) feet.

(c) All pilots using the Helistop shall immediately report any facility safety, maintenance, or operations problems to the Airport Manager.

Sec. 7-8.2 Helistop Parking

(a) All helicopter Aircraft Operators shall obtain permission from the Airport Manager prior to parking in the east parking position.

(b) No more than one helicopter is permitted in the east parking position at one time.

(c) All helicopter Aircraft Operators using the east parking position shall adhere to authorized arrival and departure times.

(d) All helicopter Aircraft Operators using the east parking position shall provide an emergency contact number to the Airport Manager.

Sec. 7-8.3 Helicopter Operations.

- (a) Take-offs and landings are prohibited from the east parking position.
- (b) Shutting down engine(s) is prohibited in the west takeoff/landing position.
- (c) Prolonged hovering or waiting is prohibited in the west takeoff/landing position.
- (d) Each helicopter Aircraft Operator is responsible for the safety of his/her Aircraft operation and the safety of any passengers and guests.
- (e) Smoking and littering are prohibited on the Helistop.
- (f) Pilots using the Helistop shall conform to standard flight procedures required and recommended by, among others, the FAA, the State of Florida, and helicopter manufacturers, for operations to and from elevated facilities.

Sec. 7-8.4 Disabled Helicopter.

(a) The pilot, Aircraft Owner, and Aircraft Operator of any disabled or abandoned helicopter shall be responsible for its immediate repair and removal from the deck. Failure to comply with this rule shall result in the City's removal and impoundment of the disabled or abandoned helicopter at the expense of the Aircraft Owner and the Aircraft Operator, if any, jointly and severally, without liability to the City for damages incurred as the result of such removal or impoundment, until all City-incurred charges have been paid.

(b) The City may authorize appropriately licensed firms to clean up any petroleum spills resulting from a disabled helicopter without liability to the City at the Aircraft Owner's sole cost and expense.

Sec. 7-8.5 Helistop Elevator

Use of the Helistop elevator without prior permission from the Airport Manager is prohibited.

Sec. 7-8.6 Helistop Lobby Usage

Access to the Helistop lobby is limited to pilots, passengers, and authorized City personnel.

ARTICLE II. AVIATION ADVISORY BOARD**Sec. 7-9.1. Created.**

The Aviation Advisory Board in and for the City was created by Ord. No. C-84-79.

Sec. 7-9.2. Composition; Qualifications; Appointment; Compensation.

The Aviation Advisory Board shall be composed of not more than ten (10) members. Members of the board shall be appointed by the City Commission and shall serve without compensation and for a term of one (1) year from the date of their appointment. In addition, one (1) member of the Tamarac City Commission and one (1) member of the Oakland Park City Commission, or their designees, shall be designated by each municipality as the official of that municipality to receive all agendas, any agenda background materials furnished to board members, and minutes of all aviation advisory board meetings. Such commission members, or their designees, shall have the right to sit with and address the Aviation Advisory Board on all matters considered by such board, but shall not be entitled to vote. Matters of concern to the municipalities of Tamarac and Oakland Park may be placed on the agenda of the board in accordance with established procedures. Notwithstanding the above, eligibility for board membership shall be determined in accordance with the provisions of section 2-217 of the Code of Ordinances, as may be amended from time to time.

Sec. 7-9.3. Chairperson; quorum.

(a) The Aviation Advisory Board shall elect its own chairperson and other officers as may be necessary. The chairperson is entitled to vote.

(b) Four (4) members of the Aviation Advisory Board meeting shall constitute a quorum.

Sec. 7-9.4. Powers and duties.

(a) The Aviation Advisory Board shall have the power and duty to recommend to the City Commission action necessary for the planning, establishment, development, construction, enlargement, improvement, maintenance, operation, regulation, protection, and policing of airports owned, operated, and controlled by the City.

(b) The Aviation Advisory Board shall formulate rules and regulations governing its own conduct. Such rules and regulations, to be effective, shall first be considered by the City Commission and adopted by resolution.

(c) The Aviation Advisory Board shall formulate and recommend to the City Commission provisions to be contained in ordinances that govern the operation of all municipal airports, subject to the provisions of any superior law governing the same. Before such ordinances shall be effective, they shall be submitted to the City Commission for approval and adoption.

(d) The Aviation Advisory Board may recommend to the City Commission the appointment of a qualified airport consultant, when such need arises, to assist in the planning for the development and operation of all municipal airports.

(e) Any and all leases entered into by the City with Persons for the use of land and facilities at all municipal airports shall first be considered by the Aviation Advisory Board which will recommend to the City Commission approval or rejection of same.

(f) The Aviation Advisory Board shall not make the initial contact with any prospective Prime Lessee or prospective assignee unless the contact has been preceded by a request to make such contact by the City Commission.

SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this the _____ day of _____, 2016.
PASSED SECOND READING this the _____ day of _____, 2016.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI

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