

Rules and Regulations
for the Operation of the
Davidson County Airport Authority

Effective April 27, 2022

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**RULES AND REGULATIONS
FOR THE OPERATION OF
THE DAVIDSON COUNTY AIRPORT
AMENDED EFFECTIVE MAY 29, 2019.**

BE IT RESOLVED by the Davidson County Airport Authority that the rules and regulations governing Davidson County Airport, as hereinafter more particularly set out, be and are hereby approved by the Davidson County Airport Authority.

SECTION 1
Definitions

1. Unless, from the context, a different meaning is apparent as used in these regulations, the terms hereinafter used shall be defined as follows:

“Airport” shall mean the Davidson County Airport.

“Airport Manager” shall mean the individual or entity which has entered into an airport management contract with the DCAA and which has authority over the day-to-day operations of the airport and designated hangars.

“Commercial Activity” shall mean the exchange, trading, buying, hiring or selling of commodities, goods, services, or tangible or intangible property of any kind, and/or any revenue producing activity on the Airport. Receipt of any donation, gift or any other tangible or intangible consideration in exchange for any activity shall not classify the activity as being non-commercial.

“DCAA” shall mean the Davidson County Airport Authority.

“FAA” shall mean Federal Aviation Administration.

“NTSB” shall mean National Transportation Safety Board.

“Person” shall mean an individual, partnership, firm or corporation.

SECTION 2
General Information

2.1 Applicability – These Rules and Regulations apply to any person or entity utilizing the Airport.

2.2 Manager's Authority - The Airport Manager shall have the authority to take such action as may be necessary in the handling, conduct, and management of the public in attendance at the airport and enforcement these regulations. In the event of an emergency then such authority may be exercised by the Airport Manager without consultation with the DCAA, although notice to the DCAA Chair or designated committee shall be made as quickly as possible. In non-emergency situations the Airport Manager may take action as set forth in the Airport Manager's contract or these Rules and Regulations, and may consult with the DCAA Board as needed. In any contingencies not specifically covered by these rules and regulations, the DCAA shall make such rules and orders and render such decisions as they deem proper.

2.3 Violations, Penalties and Procedures. If the Airport Manager determines that any of these Rules and Regulations have been violated, and that the matter cannot be resolved satisfactorily by notice to, and discussion with, the offending party, then the Airport Manager may take formal action against the offending party. Such action may include, but is not limited to, reprimand and fines. In the event that suspension of airport operations by the party or revocation of the party's right to utilize the Airport may become necessary, then the Airport Manager shall make a report to the Board of the DCAA or a designated committee for formal review by the DCAA, which shall make the final determination.

2.4 Amendment to Existing Rules and Regulations. These rules and regulations shall for all purposes be deemed to be an amendment and restatement of the **Rules and Regulations of the Davidson County Airport Authority** which were in effect immediately prior to the adoption of these standards. On or after the Effective Date of these Rules and Regulations, any reference in any Authority agreement to such prior rules and regulations shall be deemed to be a reference to these Rules and Regulations. The Davidson County Airport Authority reserves to right to adopt such amendments to these Rules and Regulations from time to time as it determines are necessary or desirable to reflect current trends of airport activity for the benefit of the general public or the operations of the Airport.

SECTION 3 **Commercial Operations**

3.1 The DCAA has the right to and does hereby regulate all commercial enterprises using the airport as a basis of operation, whether such operation is aeronautical in nature or not. No commercial activity of any kind shall be conducted on the airport unless specifically authorized by the DCAA. No person shall occupy or rent space; nor conduct any business, commercial enterprise or activity, or other form of revenue or non-revenue producing activity on the Airport without first obtaining a written lease, contract, permit or other form of written authorization from the DCAA. The DCAA does not allow any commercial activities to occur within a T-Hangar, and no application under the Minimum Standards will be approved for commercial activity occurring within a T-Hangar. For larger hangars commercial activities may only commence after an application is made under the Minimum Standards and approval for such activity has been made either directly by the DCAA at a Board meeting or upon the complete execution of an Operating Agreement between the commercial operator and the DCAA, whichever is required by the DCAA at the time of approval. This provision does not apply to storage of a plane within a t-hangar

where commercial activity does not involve operations of the aircraft, and where the commercial activity occurs off airport property or within the maintenance hangar (with permission from the maintenance contractor).

3.2 A flying club is recognized as a plan for the joint ownership of aircraft, and fair distribution of the costs of maintaining and operating such aircraft. Such operation is not considered to be commercial in nature. If determined to be commercial, the club shall conform to the requirements set forth by the DCAA for commercial fixed based operations.

3.3 The use of the airport or any of its facilities in any manner shall create an obligation on the part of the user thereof to obey all regulations herein provided and those of the City, County, State and Federal governments.

The privilege of using the airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof, and the user shall release and hold harmless and indemnify the DCAA, its officers and employees, including any management personnel, from any liability of loss resulting from such use, as well as claims of third persons using the Airport.

3.4 The pilots' lounge is designated for use as a resting-place for transient and based pilots while awaiting passengers and flight planning. It is not to be used for a general gathering place but rather a secluded area away from the noise and traffic of the main lobby.

3.5 The conference room is the primary meeting place for the DCAA. It may be used for aviation club meetings and for meetings between local business related organizations and associates who fly in to the airport. Use of the conference room and reservation must be coordinated with the Airport Manager. Individuals or organizations obtaining permission to use the conference room are responsible for damages and cleaning. Non-alcoholic refreshments may be served if provided by the individual or organization using the conference room. Use of the conference room is restricted to operating hours unless prior arrangements are made with the Airport Manager.

3.6 Any use of the facilities and grounds for purposes other than those stated herein must be coordinated with the Airport Manager. No use of the facilities or grounds will be considered that would interfere with the normal arrival and departure of aircraft.

3.7 Any person violating any of the airport rules and regulations may be deprived of the use of the airport facilities for such a period of time as deemed to be necessary to be effective, the decision for which lies with the DCAA and the Airport Manager.

3.8 Garbage, refuse and other waste shall be placed in receptacles provided for such purpose by the person, and no person shall destroy, remove or disturb in any way buildings, signs, equipment, markers or other property on the airport.

3.9 No alcoholic beverages may be consumed on the premises of the Davidson County Airport, nor may alcoholic beverages be stored in any manner for the purpose of

consumption, except for express permission of the DCAA. Generally speaking such permission will only occur for special airport events with applicable insurance coverage in place. Alcoholic beverages may be stored in hangars for the purpose of immediate transport only.

3.10 As a general principle, the DCAA will not enter into any agreement provides for a through-the-fence operation. Exceptions will be considered on a case-by-case basis and only when lease terms and operating restrictions can ensure security, safety, equitable compensation to the DCAA, and a fair competitive environment for other comparable airport tenants. Such approval would be contingent on approvals by regulating authorities like the FAA and North Carolina Department of Transportation Division of Aviation.

SECTION 4 **Motor Vehicle Regulations**

4.1 Unless authorized by the Airport Manager, no highway or automotive vehicle shall be operated at the airport except on roadways, parking areas, etc. that are specifically designated for such vehicles. All vehicles shall be parked in the manner prescribed by the airport and as indicated by posted signs. There shall be no parking on the ramp area except for the loading and unloading of passengers and cargo.

4.2 All state and local rules and regulations concerning the operation of motor vehicles shall at all times be obeyed. Any accident involving injury or property damage shall be reported to the Airport Manager and, if appropriate, to the Department of Public Safety. Any report to the Airport Manager shall include the names and addresses of all principals and witnesses, if known, and a detailed statement of the facts and circumstances known at such time.

SECTION 5 **Aircraft Operations**

5.1 All FAA regulations regarding the operation of aircraft and all additions and revisions to said regulations are hereby incorporated into these Airport rules and regulations as if set forth herein. All aeronautical activities at the Airport shall be conducted in compliance with the then current and applicable Federal Aviation Regulations, with these Rules and Regulations, the Minimum Standards, and with operational directives then issued by the DCAA and its Airport Manager.

5.2 Aircraft engines shall be started and run only in those places designed for such purposes. At no time shall engines be started or run in hangars, no shall an aircraft be run in such a way as to jeopardize any building or person.

5.3 No aircraft shall be parked, stored, or repaired at the Airport except in the areas designated for such use.

5.4 As outlined by the FAA, only the pilot who is owner or operator, or a bona fide employee (evidence such as a W2 may be required) if the owner is a corporation, may perform that

preventative maintenance which he or she is so licensed to perform on his or her own aircraft. An aircraft owner shall not contract with a second party, such as an aircraft maintenance company, contractor or individual to perform “scheduled maintenance” on his or her aircraft at the airport unless said company is recognized as a fixed base operator or contractor or subcontractor of the fixed base operator by the DCAA. Aircraft maintenance of any kind to be performed by the aircraft owner or a bona fide employee at the Davidson County Airport may only be performed in the maintenance hangar upon payment of a reasonable daily or hourly fee to the maintenance fixed base operator after showing the following items:

1. Proof of W-2 status of employee to perform the maintenance (if applicable)
2. Description of work to be performed and proof of applicable licensing to perform such work if the work is not under Part 43
3. Proof of liability insurance in the amount no less than \$1,000,000, which insurance shall name the Davidson County Airport Authority as an additional insured

5.5 If the location of an airplane at the Davidson County Airport is creating a hazard or unsafe condition, the Airport Manager may ask the operator, owner or pilot of such aircraft to move the aircraft from the place where it is parked or stored to any other designated place on the airport. If the operator, owner or pilot refuses to comply with the directions of the Airport Manager, the Airport Manager may tow the aircraft to such place at the owner’s expense without liability to the airport for damage that may result from such towing.

5.6 In the event of an accident, the DCAA, through the Airport Manager, may, in accordance with all FAA and NTSB rules and regulations, move a damaged aircraft from the landing areas, ramps, aprons, or other areas at the expense of the operator and without liability of damage that may result from such moving.

5.7 The pilot of an aircraft involved in an accident on airport property resulting in personal injury or property damage shall report to the Airport Manager. In the event he or she is unable to do so, the owner of the aircraft or his agent shall make such a report.

5.8 Airport property damaged or destroyed by an accident, intentional act of a person or otherwise shall be paid for by the parties responsible. A report of any airport property damage shall be made as soon as possible to the Airport Manager after an incident.

5.9 The Airport Manager or Fixed Base Operator in possession of an aircraft shall have statutory authority to detain any aircraft for non-payment of any charges due.

5.10 Aircraft shall be taxied at a safe and reasonable speed with due respect for other aircraft, persons and property, and at no time shall a person taxi an aircraft until he or she has ascertained by visual inspection of the area that there will be no danger of collision with any person or object in the immediate area.

5.11 All takeoffs and landings shall be confined to the runways and all movement of aircraft shall be confined to the hard surface areas, except for the movement to and from any grass tie-down spaces.

5.12 It will be the sole responsibility of the aircraft owner/operator to properly secure the aircraft while it is parked or stored, including any special security measures required by weather conditions or other conditions at the airport. The owner/operator shall also be responsible for securing aircraft in a manner necessary to avoid damage to other aircraft or buildings at the airport in the event of wind or severe weather. Owner/operators shall be held solely responsible for any damage or loss resulting from failure to comply with this rule. It is the responsibility of the owner/operator to determine the security and serviceability of any tie down ropes, chains or wheel chocks.

5.13 No person or persons, except airmen, duly authorized personnel, passengers going to and from other aircraft, or persons being personally conducted by airport attendants shall be permitted to enter ramp area, taxiways or aprons. However, this does not give any person or persons so excepted the privilege of unrestricted use of the airport. These privileges are confined to the necessary use of these spaces in connection with flights, inspections and duties.

5.14 Ultralight aircraft are recognized by the FAA as having the right of use of the airways. Therefore, FAA regulations part 103 as it pertains to ultralight aircraft will be strictly enforced. Additional requirements imposed herein are not intended to conflict with FAA regulations, but rather for the safety and security of all users of the Davidson County Airport.

5.15 No operations of ultralight aircraft will be permitted during periods of high-density traffic by numbered aircraft.

5.16 Operators of ultralight aircraft must submit proof of sufficient liability insurance to cover possible damage to airport property and/or other aircraft using the Airport and its facilities.

5.17 It is highly desirable that operators of ultralight aircraft attend an authorized ground school for instruction on FAA regulations part 91. This factor will be considered in granting permission for ultralights to operate during periods when registered aircraft density is borderline.

5.18 Under all circumstances and in the interest of safety, the decision to permit operation of ultralight aircraft from the airport must be granted by the Airport Manager after approval of the DCAA.

5.19 No person shall operate aircraft at the Airport in a careless manner or in disregard of the right and safety of others. All persons using the Airport shall be held liable for any property damage caused intentionally or by carelessness or by negligence at the Airport. Each person liable for such damage agrees to indemnify fully and to save and hold harmless the Airport Authority, its Board and each member of its Board, its officers, employees and the Airport Manager from all

claims, liabilities and causes of action of every kind, character and nature, and from all costs and fees (including attorneys' fees) directly or indirectly connected therewith and from all expenses of any investigations thereof.

5.20 The DCAA shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, and/or to delay or restrict any flight or other aircraft operation, to direct refusal of takeoff permission to aircraft, and to deny the use of the Airport or any portion thereof to any specified class of aircraft, or to any individual(s) or group(s), when it considers any such action to be necessary or desirable to avoid endangering any persons or any property, and to be consistent with the safe and proper operations of the Airport. In the event the DCAA believes the condition of the use of the Airport or any portion thereof to be unsafe for landings or takeoffs, it shall be within its authority to issue, or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any portion thereof until such time that such restrictions are terminated.

5.21 Subject to compliance with then applicable Federal Regulations, the aircraft owner shall be responsible for the prompt removal of all disabled aircraft and its parts at the Airport, when directed by the Airport Manager. In the event of the owner's failure or refusal to comply with removal orders, all disabled aircraft or any and all parts thereof may be removed at the direction of the DCAA or Airport Manager at the owner's expense and without any liability to the DCAA or Aircraft Manager for any damage (except damage caused by the gross negligence of the DCAA or Airport Manager) which may be incurred by the aircraft owner as a result of such removal.

5.22 To enforce the payment of any charge made for repairs, improvement, storage, or care of any personal property made or furnished, the DCAA shall have a lien upon such personal property, which shall be enforceable as provided by law. This right may be assigned to any contracted Airport Manager, FBO or sublessee by the DCAA in its sole discretion.

SECTION 6 **Rules for Aircraft Fueling Operations**

6.1 No aircraft shall be fueled or drained while the engine is running or while aircraft is in a hangar and/or in an enclosed area. Provided, however, that Helicopter Rapid Refueling may be done at the airport subject to the following requirements:

1. Refueling is done by appropriately trained personnel of a valid fixed base operator at the airport
2. Refueling is done pursuant to the FAA recommendations or guidelines, which includes Advisory Circular 91-32B(13) and any other FAA regulations or guidance for safe Helicopter Rapid Refueling.
3. Under no event shall reciprocating engine-power aircraft fueled with avgas be rapid refueled
4. The fixed base operator performing the rapid refueling must determine that it may be done safely given the helicopter, existing personnel and weather.

6.2 During all fueling operations, the aircraft shall be grounded by an approved method.

6.3 Smoking or lighting of an open flame shall be prohibited within 50 feet of any fueling operation.

6.4 Fueling operations shall be conducted and fuel trucks shall be parked at least 50 feet from any hangar or building.

6.5 After an aircraft has been refueled it will be the operator's responsibility to remove it from the refueling area unless prior arrangement has been made with the fixed base operator.

6.6 Carriage of fuel onto airport property, and/or refueling from cans or other containers, or storage of fuel on airport property except by properly authorized fixed base operators is prohibited. No fuel storage and/or dispensing equipment shall be installed and used at the airport without prior written approval from the DCAA. All such equipment shall be of a modern design meeting current EPA requirements and shall be kept in a safe and non-leaking condition. The use of skid tanks and other such devices is prohibited.

6.7 No aircraft shall be fueled or drained while any ground power unit is connected to, or in operation within 50 feet of the aircraft being fueled. No aircraft shall be fueled or drained while that aircraft's auxiliary power unit is in operation.

6.8 The National Fire Protection Association's "Standard for Aircraft Fuel Servicing" in effect on this date, along with all additions thereto, is made a part of these Airport Rules and Regulations as fully as if set forth herein.

6.9 All fueling during adverse weather with lightning shall be suspended until the lightning has moved beyond a three (3) mile radius.

6.10 Prior to the self-service fueling of Aircraft, the Aircraft and the transfer fuel apparatus shall be adequately bonded or grounded as specified herein:

- a) Prior to making any fueling connection to the Aircraft, the fueling equipment shall be physically bonded or grounded to the Aircraft being fueled by use of a cable, thus providing a conductive path to equalize the potential between the fueling equipment and the Aircraft. The bond or ground shall be maintained until fueling connections have been removed.
- b) When fueling over a wing, the nozzle shall be bonded or grounded with a nozzle bond or ground cable having a clip or plug to a metallic component of the Aircraft that is metallically connected to the tank filler port. The bond or ground connection shall be made before the filler cap is removed. If there is no plug receptacle or means for attaching a clip, the Operator shall touch the

filler cap with the nozzle spout before removing the cap so as to equalize the potential between the nozzle and filler port. The spout shall be kept in contact with the filler neck until the fueling is complete.

- c) When a funnel is used in Aircraft fueling, it shall be kept in contact with the filler neck and the fueling nozzle spout or the supply container to avoid the possibility of a spark at the fill opening. Only metal funnels shall be used.
- d) Each hose, funnel or apparatus used in fueling or de-fueling Aircraft shall be maintained in good condition and must be properly bonded to prevent ignition of volatile liquids.

6.11 When a fire occurs in a fuel delivery device while servicing an aircraft, fueling shall be discontinued immediately and all emergency valves and dome covers shall be shut down at once and the Lexington Fire Department and the Airport Manager shall be notified immediately. No person shall engage in aircraft fueling or de-fueling operations without adequate and fully functioning fire extinguishing equipment being there and readily accessible at the points of fueling. All fire extinguishing equipment shall be recertified annually and all persons shall be trained in the use of the equipment and recertified annually.

6.12 Only those individuals that have been authorized by the Airport Manager or DCAA via FBO contract or self-fueling permit may dispense fuel into any aircraft at the Airport.

SECTION 7 **Fire Regulations**

7.1 Smoking or lighting of any open flame is prohibited at places with posted signs, and within fifty feet of any aircraft, hangar or fueling operation.

7.2 No person shall start an open fire any place at the airport without permission from the Airport Manager.

7.3 No person shall store material or equipment, use flammable liquids or gases, or allow their premises to become in such condition so as to violate in any manner the fire code of Davidson County or the City of Lexington. The storage of paint thinners, fuels or any such volatile materials in hangars is prohibited.

7.4 The DCAA shall provide suitable fire extinguishers and equipment, and they shall be kept in good condition as recommended by the fire chief and inspected at least every twelve months by suitable personnel.

SECTION 8 **Use of Hangars**

8.1 Tenants and person are requirement to keep their premises clear of rubbish, junk, debris, derelict aircraft and vehicles and any other unsightly objects. If after written warning by the Airport Manager the area is not cleaned, cleaning services will be provided by the Airport

Manager and billed to the tenant or person. Any lease may be terminated should a determination be made in the sole discretion of the DCAA or Airport Manager that such aircraft is not in flying condition and has remained in such condition for a period of over sixty (60) days. If a lease is terminated under this section, the Airport Manager may tow and store the derelict aircraft and/or other items and hold a possessory lien on such items for past due rent, fees, and other expenses related to moving and storage.

8.2 No tenant or person shall modify or alter the hangar or tie-down area without prior written consent from the Airport Authority. If improvements are made to any hangar area, the tenant shall remove the improvements from the hangar if so directed by the DCAA at the end of the tenant's lease.

8.3 All tenants or persons shall be held solely liable for any damage done to the leased hangar or tie-down area, with the exception of reasonable wear and tear.

8.4 The Airport Manager shall maintain a waiting list of those persons who desire to lease a hangar from the DCAA. The Airport Manager will maintain as many lists as there are sizes of hangars. If a hangar becomes available, the person who rents the hangar shall be required to place his or her airplane in the hangar within 30 days from signing the Rental Agreement.

8.5 No person who is renting a hangar shall be allowed to sublease it to others, unless otherwise provided for in the lease or with the written permission of the DCAA.

8.6 No furniture or other personal items may be stored in hangars, except the Lessee of a hangar who stores an airplane in a hangar may also store two (2) motor vehicles in the hangar at the same time that the airplane is stored. The Lessee of a hangar may store a motor vehicle temporarily when the airplane is absent from the hangar. Any other temporary or permanent storage within the hangar will require the permission from the Airport Manager. If, notwithstanding this prohibition, a person, firm or corporation uses such areas for storage without first obtaining such permission, the Airport Manager or DCAA shall have the authority to order the cargo or any other property removed, or to cause the same to be removed and stored at the expense of the owner or consignee without any responsibility or liability therefor.

8.7 Hangars may contain only one airplane per hangar, unless prior permission is obtained from the Airport Manager.

8.8 Only airworthy aircraft may be stored in airport hangars. Partially restored or unassembled aircraft or unassembled kit aircraft are not allowed.

8.9 Preventative maintenance, as described in FAR, Part 43, Appendix A, Paragraph C, shall be allowed to be done in hangars rented from the DCAA, except no paint stripping or painting shall be permitted. Under the authority of the FAR, Part 43.3, Paragraph G, the preventative maintenance permitted may be done by the pilot who owns or operates the aircraft stored in the hangar or the aircraft owner or qualified employee of the owner.

8.10 The owner of any aircraft which is stored on airport property which is owned by the DCAA shall maintain liability insurance on the airplane in the amount of one million dollars (\$1,000,000.00) with certificates of insurance to be furnished to the Airport Manager, with the DCAA and the Airport Manager being named as “additional insured” in the liability insurance policy, if permissible by the liability insurance carrier. Annual certificates meeting this requirement shall be supplied by the tenant to the Airport Manager.

8.11 *Intentionally omitted.*

8.12 In order to comply with North Carolina law from reporting aircraft based on airport property, each owner of an aircraft shall furnish to the Airport Manager the name of the owner or owners of any aircraft stored on airport premises and a description of each aircraft. Any owner who fails to furnish this information will be deemed to be in violation of any lease agreement which they have with the DCAA.

8.13 In order to assure the health, safety and welfare of all users of the airport, each storage area on the airport shall be made available for inspection at a reasonable time upon reasonable notice to the Lessee.

SECTION 9 **Special Airport Uses**

9.1 The DCAA obligates itself to operate the airport for the use and benefit of the public and to keep the airport open to the various types, kinds and classes or aeronautical use for which the airport facility is designed and intended to serve.

9.2 The DCAA has established these rules to be met by all users so as to provide for the safe and efficient use of all of the airport and to otherwise protect the safety of persons and property both on the ground and in the air.

9.3 It is understood that the landing area facilities constructed are primarily intended for the use of powered aircraft whose weights are not in excess of the published strengths of the paved surfaces concerned. Operations on these surfaces of aircraft slightly in excess of the published pavement strengths may be permitted on an infrequent basis with the written permission of the DCAA.

9.4 No operations involving non-powered aircraft, including gliders, balloons, parachuting and other unusual and special classes of aeronautical activities will be permitted on the airport without the prior written approval of the DCAA as requested by the airport manager.

9.5 In consideration of the DCAA’s obligations to keep the airport open to the public for aeronautical purposes, the airport’s facilities will not be used for non-aviation events which would conflict with its aeronautical use, unless such events are approved in a manner which will not cause any undue interference with the normal operation of the Airport.

SECTION 10
Personal Conduct

10.1 Loud, drunk and/or disorderly conduct is prohibited on the airport premises. No individual shall commit any disorderly, obscene or indecent act, or commit any nuisance, or abandon any property. No person shall use profane or abusive language to any Airport employee on airport property.

10.2 The open display and use of alcoholic beverages on the airport premises is prohibited, unless part of an event authorized by the DCAA, and in such events the display and use of alcoholic beverages are limited to those areas designated by the DCAA during such event. No person under the influence of drugs or alcohol shall operate any motor vehicle or aircraft of any type at the Airport.

10.3 The carrying and/or use of firearms or weapons on the Airport premises is prohibited except by Law Enforcement Officers or those persons authorized by the Airport Manager or DCAA. Nothing herein shall preclude the legal transport of firearms, which should be unloaded and cased. For the purposes of this section, a firearm means: (i) any weapon, including a starter gun, which will, or is designated to, or may readily be converted to expel a projectile by the action of an explosive other than flare guns, (ii) any firearm muffler or firearm silencer, or (iii) any destructive device. For the purpose of this section, a weapon means any knife other than a pocket knife, metallic knuckles, any slingshot, billy, tear gas gun, chemical weapons, electric weapon, or device or any other deadly weapon as defined as such by any Federal, State or Local law.

10.4 Loitering and interference with the operation of the airport and airport personnel are prohibited.

10.5 Gambling on the airport premises is prohibited.

10.6 Hunting of any kind on the airport premises is prohibited.

10.7 Tenants and their employees shall conduct themselves with deference to the public as if they were public employees. The airport is a public facility for the people of Davidson County and the lease agreement had by tenants does not give the tenants or their employees the right to act discourteously to the public or to do any acts prohibited to the public at large.

SECTION 11
Animals

11.1 Any and all animals brought onto airport property shall be caged, leashed or otherwise kept under control at all times.

11.2 No person other than those permitted authority by the DCAA Board and with a valid depredation permit shall hunt, pursue, trap, catch, injure or kill any animal on the Airport.

11.3 No person shall feed or do any other act to encourage the congregation of birds or other animals on the Airport.

11.4 Animals shall be allowed to the extent mandated by applicable law, including “service animals” pursuant to the Americans with Disabilities Act. The Airport Manager or other airport employees may ask if an animal is required because of a disability and what work or task the animal has been trained to perform, if allowed by the Americans with Disabilities Act. Animals that are not mandated by applicable law may be restricted by the DCAA or the Airport Manager, if such restriction is reasonable.

SECTION 12
Environmental Pollution,
Explosives, Toxic and Other Hazardous Materials

12.1 The Environmental Protection Agency (EPA) requires that removed paint, solvents, thinners, caustic and toxic compounds be disposed of in approved landfills for chemical wastes. Such materials will be captured and placed in drums or a holding tank and transported to an EPA approved landfill by a transportation company licensed to transport hazardous materials. Airport tenants will conform to EPA regulations.

12.2 Waste oil will not be disposed of on the airport premises other than in the container provided.

12.3 Drainage material collected from the pumping of fuel sumps of fuel trucks and fuel tank farms shall be disposed of in a proper manner.

12.4 To the maximum extent possible, each individual or entity while on Airport property shall limit activities thereon in such a manner as to not cause littering or any other form of environmental pollution.

- a. No person shall dispose of garbage, papers, refuse or other form of trash including cigarettes, cigars and matches, except in receptacles provided for such purpose.
- b. No person shall dispose of any fill or building material or any other discarded or waste materials on Airport property except as approved in writing by the DCAA and no liquids shall be placed in storm drains or the sanitary sewer system at the Airport which will damage such drains or system or will result in environmental pollution passing through such drain or sewer.
- c. No person shall use a comfort station or restroom toilet or lavatory facility at the Airport other than in a clean and sanitary manner.

- d. Any solid or liquid material, which may be spilled at the Airport, shall immediately be cleaned up by the person responsible for such spillage and reported immediately to the Airport Manager. In no case shall any refuse be burned at the Airport except as specifically authorized by the Airport Manager.
- e. No person shall unnecessarily or unreasonably, or in violation of the law, cause any smoke dust, fumes, gaseous matter or particulate to be emitted into the atmosphere or be carried by the atmosphere.
- f. Any person discarding chemicals, paints, oils or any products which may not be discarded in a routine manner will adhere to all applicable State, Local and Federal laws and regulations.
- g. All persons shall fully comply with the established Airport Stormwater Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES) Permit.

SECTION 13

Other Airport Uses and General Regulations

13.1 Advertising and Display/Commercial Speech – No person shall post, distribute or display signs, advertisements, literature, circulars, pictures, sketches, drawings, or other forms of printed or written matter at the Airport without written permission from the DCAA or Airport Manager. No person shall post or display signs, pictures, sketches, drawings or other forms of printed or written material in any exterior area at the Airport without written permission from the DCAA. No person, for a commercial purpose, shall post, distribute or display signs, advertisements, circulars, pictures, sketches, drawings or engage in any other forms of commercial speech without a written contract, permit or other form of written authorization from the DCAA.

13.2 Commercial Photography – No person shall take still, motion pictures or make sound records or records of voices or otherwise on the Airport for commercial purposes without written permission from and in a manner authorized by the DCAA; provided, however, that this regulation does not apply to bona fide coverage by the news media conducting their business in authorized areas.

13.3 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 Airport Manager and the DCAA.

13.4 No person or entity has any right to conduct any of the following activities except to the extent and at the specific places as authorized in writing by the DCAA. No person shall walk in a picket line as a picketer or take part in any form of demonstration including, but not limited to, parades, marches, patrols, sit-ins and public assemblies on any part of the Airport, except in or at the place specifically assigned by means of prior arrangements in writing by the DCAA for such picketing or other permitted demonstration and any such picketing or demonstration shall be conducted as follows:

- a. In the peaceful and orderly manner contemplated by law, without physical harm, molestation, threat or harassment of any person, without obscenities, any violence, any breach of the peace, or other unlawful conduct whatsoever.
- b. Without obstructing the use of the Airport by others and without hindrance to or interference with the proper safe, orderly and efficient operation of the Airport and activities conducted thereupon.
- c. In strict accordance with the Authority operating procedures governing such activities on the Airport and pursuant to direction and conditions outlined in writing by the Authority in each instance.

SECTION 14 **Violations and Enforcement**

14.1 Most violations of the Rules and Regulations that do not cause an emergency issue will be handled first by notice from the Airport Manager of the violation setting forth a time period to correct such violation, which may include a cease and desist order in the event of a continuous violation.

14.2 Cease and Desist Order. The Airport Manager may order any person to cease and desist any activities or conduct in violation or noncompliance with the DCAA's Rules and Regulations, and any operating directives. In the event such person continues such activity that led to a violation, then further action of enforcement may be undertaken by the Airport Manager and DCAA.

14.3 Each violation of these Rules and Regulations may be referred to the North Carolina Attorney General or to the Office of the Davidson County District Attorney for prosecution. In addition the Authority may impose a fine of up to one thousand (\$1,000) dollars for a violation of these rules and regulations, or such greater amount if mandated by Local, State or Federal regulations. Such fine may be imposed on a daily basis with no limitation of the total amount in the event of a continuing violation that is not corrected. Nothing herein shall prohibit the DCAA or Airport Manager from enforcing any violation of these rules by any other lawful means, including applying to a court of competent jurisdiction to obtain an injunction and/or any other appropriate and available legal relief.

14.4 Removal or Denial of Access to the Airport. The DCAA may order any person who knowingly fails to comply with a cease and desist order, or any person whose history of actions or conduct may create an unsafe condition for any person or property at the Airport removed from or denied access to the Airport. The Airport Manager in connection with local law enforcement may remove any person from the Airport property that has been denied access to the Airport. In the event a person is denied future access to the Airport the DCAA will give a specified amount of time before such person may apply for reinstatement of privileges at the Airport, at which point the person may apply for reinstatement. An application for reinstatement shall be provided to the Airport Manager and will be reviewed at the next regularly scheduled meeting of the DCAA or by committee first if designated by the DCAA Chairperson. If requested

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by the DCAA, a person who has been denied access to the Airport and who is applying for reinstatement shall be required to give sufficient information for a background search to be performed. The decision of the DCAA shall be final and is subject only to appeal to a court of law in accordance with the then applicable laws of the State of North Carolina.

These Rules and Regulations were adopted by vote on April 27, 2022 at a regular meeting of the Davidson County Airport Authority upon motion of Jim Myers duly seconded by Thom Hege.

This the 27th day of April, 2022.

Davidson County Airport Authority:

By: _____
Rick Phillips, Chair

Attest: _____
Thom Hege, Secretary