

# **Capital Region International Airport**

## **Rules and Regulations**

### **Ordinance**



Amended: May 19, 2025

(Supersedes all prior Regulations)

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## **SECTION 1 - DEFINITIONS**

**1.01 - Accident:** A collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing that results in property damage, bodily injury or death, or an entry into or emerging from a moving aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or that results in property damage.

**1.02 - Advertising:** The action of calling something (as a commodity for sale, a service offered or desired) to the attention of the public by posting, distributing or displaying signs, literature, circulars, pictures, sketches or other forms of printed or written material.

**1.03 - Aeronautical Activity:** Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to, or is required for the safety of such operations including, but not limited to: Air taxi, air charter, scheduled or non-scheduled air carrier service, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising, surveying aircraft sales, aircraft service, aircraft storage, sales of aviation fuels and other aviation related products or parts, parachute activities, sport pilot aviation activities and military flight operations.

**1.04 - Affiliate or Affiliated Airline:** An Airline that is (a) the parent corporation of a Signatory Airline or (b) a wholly owned subsidiary of such Signatory Airline's parent corporation, or (c) a wholly owned subsidiary of such Signatory Airline, or (d) an Airline operating under a code share arrangement with a signatory Airline, or an Airline having another form of contractual arrangement with a Signatory Airline, or its parent corporation, for which all or part of the passenger seats, or cargo space, on each aircraft into and out of Airport, are sold under the same airline code designator as those used by such Signatory Airline. All references to "Airline" and "Signatory Airline" shall include its Affiliated Airlines.

**1.05 - Air Operations Area (AOA):** That physical area designated by the Capital Region Airport Authority as the Air Operations Area and approved as such by the Federal Aviation Administration and Transportation Security Administration. The Air Operations Area is considered to be restricted space on the Airport. It is either fenced or posted and includes areas where Aircraft are parked or operated, or where operations not open to the public are conducted; areas include, but are not limited to, the aircraft ramps, aprons, taxiways, runways, gate positions, and open unimproved land abutting the taxiways and runways. The physical boundaries of the AOA may be changed from time to time. The current description of AOA excludes the area of the Airport known as the Southwest Hangar Area.

**1.06 - Aircraft:** Any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

**1.07 - Aircraft Rescue and Fire Fighting (ARFF):** Fire protection and rescue for aircraft emergencies is provided by the Public Safety Division, Capital Region Airport Authority.

**1.08 - Airline:** A company certificated by the United States Department of Transportation to engage for hire in the carriage of persons, property, cargo, or mail by aircraft.

**1.09 - Airport:** Capital Region International Airport situated in Clinton, Ingham, and Eaton Counties, Michigan, and its related land, facilities, appurtenances, and improvements.

**1.10 - Airport Employee:** The authorized airport personnel of all organizations, activities, governmental agencies, located on or connected with the operation, maintenance, and servicing of the Airport.

**1.11 - Airport Operations Center (AOC):** Coordinates operations on the Airport; serves as a command center in emergencies; monitors Airport security; and dispatches fire, law enforcement and other emergency equipment. The AOC is staffed by the Operations Department comprised of the Operations and Public Safety Divisions, Capital Region Airport Authority.

**1.12 - Airport Pick-up or Delivery:** Picking up passengers or customers at or delivering passengers to the Airport.

**1.13 - Airport Police:** The Airport Police Officers are members of the Authority Public Safety Division. They are authorized by statute with powers of arrest and are responsible for the enforcement of the rules, regulations, and laws applicable to the Airport, the State of Michigan, and the federal government.

**1.14 - Airport Rules and Regulations:** As used herein Airport Rules and Regulations means the provisions of this Ordinance and the provisions of any ordinances and rules and regulations of the Authority, and any operating directive issued by the President - CEO.

**1.15 - Airport Security Program (ASP):** A program required by TSR Part 1540-42 which describes the functions and procedures to control access to certain areas of the airport and to control movement of persons and vehicles within those areas.

**1.16 - Apron or Ramp:** Those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.

**1.17 - Authorized Emergency Vehicle:** "Authorized emergency vehicle" means vehicles of the Authority and of fire departments, police vehicles, ambulances, emergency vehicles of governmental departments, or such vehicles of public service corporations and privately owned motor vehicles of volunteer and paid firemen.

**1.18 - Based Aircraft:** Any aircraft owned or exclusively leased by an operator who leases or subleases, a

ground site, tie down or hangar space from the Authority or an authorized fixed base operator on Capital Region International Airport on a month-to-month or longer term basis.

**1.19 - Capital Region Airport Authority:** The "Authority" means the Capital Region Airport Authority as established by Act 73 of the Public Acts of 1970.

**1.20 - Capital Region Airport Authority Board:** The Authority shall be directed and governed by an Airport Authority Board; hereafter referred to as the "Board".

**1.21 - Charter Airline:** Any Airline offering infrequently scheduled or non-scheduled commercial Airline flights, of no more than one flight daily, seven days a week, to or from the Airport regardless of the purpose, the size and weight of the aircraft used, or the Federal regulation governing the flights.

**1.22 - Charter Operator:** A company or organization who organizes commercial charter flights (scheduled or non-scheduled / public or private) under contract with an Airline for the purpose of making a profit, regardless of whether a profit is actually attained.

**1.23 - Civil Infraction:** An act or omission that is prohibited by a municipal ordinance, such as these Rules and Regulations, and designated as a municipal civil infraction, and which is not a crime, and for which civil sanctions may be ordered, as provided in Section 9.02. Municipal Civil Infractions are designated in these Rules and Regulations as "(Civil Infraction – Section 9.02)."

**1.24 - Combustible Liquid:** Any liquid having a flash point at or above 100 degrees F and below 200 degrees F.

**1.25 - Commercial Activity:** Any revenue producing activity including the exchange, trading, buying, hiring, or selling of commodities, goods, services, or property of any kind conducted at or from the Airport for the purpose of securing earnings, income, compensation, or profit, whether or not such objectives are actually accomplished.

**1.26 - Commercial Aeronautical Services or Activities:** are Commercial Activities subject to Minimum Standards of Operation detailed in these Rules and Regulations including but not limited to: Aircraft sales, Airframe or power plant repair, Aircraft rental, Flight training, Air taxi/charter, Avionics, Instrument or propeller service, Aircraft fueling and line services, and Airline ground handling services.

**1.27 - Commercial Operating Agreement:** An agreement between the Authority and an entity providing goods and/or services to the public with a right to profit by a specified activity.

**1.28 - Commercial Vehicle:** Includes all motor vehicles used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares or merchandise, and/or all motor vehicles designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**1.29 - Concessionaire:** An individual, company or other entity authorized by the Authority through a lease or contract to undertake and profit by a specified activity including, but not limited to, a gift shop, restaurant, public parking and car rentals.

**1.30 - Control Tower (ATCT):** The Airport Traffic Control Tower is located at the Airport, and operated by the Federal Aviation Administration, which has exclusive jurisdiction over activity on the movement areas.

**1.31 - Courtesy Vehicle:** Vehicles provided by hotels, motels, or operators of off-airport parking facilities to pick up hotel/motel guests or others and/or deliver said guests or others to Capital Region International Airport.

**1.32 - Courtesy Vehicle Permit:** An authorization by the Authority to conduct courtesy vehicle activities at the Airport.

**1.33 - Crosswalk:** Any portion of a highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**1.34 - Curb Loading Zone:** A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**1.35 - Operations Department (OPS):** OPS includes Airport Police Officers, ARFF and Operations Officers.

**1.36 - Doping:** The application of a preparation to strengthen and tighten aircraft fabric.

**1.37 - Driver:** Every person who drives, operates, or is in actual physical control of a vehicle or motor vehicle.

**1.38 - Engine Run-up:** The operation of any aircraft engine above idle speed for maintenance or repair purposes.

**1.39 - Environmental Protection Agency:** A governing body formed by federal authorities to preserve the well being of natural surroundings.

**1.40 - President - CEO:** The chief executive officer of the Capital Region Airport Authority or his designated representative.

**1.41 - Federal Aviation Administration (FAA):** The governmental body responsible for the aviation system in this country. Divisions of the FAA are Air Traffic, Security, Airports, Flight Standards, and Facilities (NavAids, Radar Systems, Lighting, etc.).

**1.42 - Federal Aviation Regulation (FAR):** Rules, regulations and standards prescribed by the Administrator of the Federal Aviation Administration governing practices, methods and procedures to insure the safety of air commerce.

**1.43 - Firearm:** Any weapon from which a dangerous object may be shot or propelled by the use of explosives, gas, or air.

**1.44 - Fixed Base Operator:** Any person, organization, or entity authorized by Airport Authority to engage in a commercial aviation business providing Commercial Aeronautical Services to the general public in accordance these Rules and Regulations.

**1.45 - Flammable Liquids:** Any liquid that emits a flammable vapor at or below a temperature of 100° Fahrenheit, as determined by flash point from a Tagliabue Open Cup Tester and shall include any other combustible liquids now used for aircraft fuels.

**1.46 - Freight Curb Loading Zone:** A space adjacent to a curb for exclusive use of vehicles during the loading or unloading of freight.

**1.47 - Fuel Tanker Vehicle:** A vehicle, self-propelled or without power, used to refuel aircraft and carry the fuel load on the vehicle.

**1.48 - General Aviation:** All phases of aviation other than military aviation, scheduled, non-scheduled and regulated air carrier operations.

**1.49 - Ground Handler:** Persons or an organization that provide all aircraft services, and passenger or cargo processing for commercial airline, flights while the aircraft is on the ground at the airport. Including but not limited to: Passenger ticket counter check-in, baggage processing, boarding gate passenger processing, passenger loading bridge operation, coordination with TSA for security screening, aircraft parking, fueling, maintenance, deicing, food services, cargo loading and unloading and other services necessary for the effective and timely operation of the commercial flights.

**1.50 - Ground Transportation Company:** A person, company, corporation, or other business entity operating a commercial transportation system by motor vehicle for the purpose of carriage of person and/or baggage. This definition includes corporations or other business entities operating or providing taxis, buses, limousines, or rental cars.

**1.51 - Hazardous Materials:** A substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation or the Environmental Protection Agency (EPA).

**1.52 - Hospitality Facility:** An enclosure designed to accommodate representatives of various meetings and conventions desirous of establishing temporary reception areas for patrons of such meetings and conventions.

**1.53 - Itinerant Operations:** All aircraft arrivals and departures other than locally based aircraft operations.

**1.54 - Limousine:** Licensed motor vehicle, except a taxicab, which has a capacity of less than nine persons, including the driver, engaged in the general transportation of persons and not operated on a regular schedule or over regular routes but excludes the vehicles commonly designated as "taxicabs", "buses", or "vans".

**1.55 - Loading Gate:** That space reserved for the loading and unloading of passenger aircraft.

**1.56 - Local Aircraft Operations:** Aircraft operating in the local traffic pattern or within sight of the ATCT; aircraft that are known to be departing for, or arriving from flight in local practice areas located within a twenty mile radius of the ATCT; aircraft making simulated instrument approaches or low passes at the airport.

**1.57 - Michigan Department of Natural Resources (MDNR):** A department of the State of Michigan responsible for implementation and enforcement of environmental regulations within Michigan.

**1.58 - Misdemeanor:** An act or omission, not a felony, punishable according to law by imprisonment or a fine that is not a civil fine, as provided in Section 9.01. Misdemeanors are designated in these Rules and Regulations as "(Misdemeanor – Section 9.01)."

**1.59 - Motor Vehicle:** Every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

**1.60 - Motorcycle:** Every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor.

**1.61 - Movement Area:** Runways, taxiways, associated safety areas, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff and landing of aircraft, exclusive of loading ramps and aircraft parking areas. These areas are under control of the FAA ATCT when in operation.

**1.62 - National Fire Protection Association (NFPA):** A national organization, which promulgates fire protection codes and standards.

**1.63 - Non-movement Area:** Aircraft parking areas, ramps, taxiways, and service roads related to movement of aircraft and vehicles under the jurisdiction of the Authority. The ATCT information is advisory only and does not imply control or responsibility over non-movement area.

**1.64 - Number; Gender:** The singular shall include the plural, and the plural shall include the singular; the masculine shall include the feminine and neuter, as requisite.

**1.65 - Operating Directives:** An immediate written order issued by the President - CEO regarding procedures to insure handling, policing, and protection of the public while at the Airport and to insure compliance with all federal, state, and local laws, ordinances, and regulations.

**1.66 - Person:** Every natural person and every firm, association, partnership, corporation, society or other organization.

**1.67 - Police Officer:** Every sheriff or sheriff's deputy; village or township marshal; officer of the police department of any city, village, or township; any officer of the Michigan State Police; any public safety officer at

the Capital Region International Airport, or any peace officer who is trained and certified pursuant to Act No. 203 of the Public Acts of 1965, being Sections 28.601 to 28.616 of the Michigan Compiled Laws, and law enforcement officers of the federal government.

**1.68 - Private Vehicle:** A vehicle (registered to an individual) transporting persons or property, for which no charge is paid directly or indirectly by the passenger or by any other entity, excepting and excluding any vehicle that is a courtesy vehicle as defined herein.

**1.69 - Private Charter:** A Charter (non-scheduled) Airline flight where the whole flight (regardless of aircraft size) is paid for by an organization and tickets for each seat are not sold individually.

**1.70 - Public Charter:** A Charter (scheduled / non-scheduled) passenger Airline flight (regardless of aircraft size) where tickets for each seat are sold individually.

**1.71 - Public Safety Officer (PSO):** An airport police officer authorized by statute with powers of arrest and responsible for the enforcement of rules, regulations, and laws applicable to the Airport, the State of Michigan, and the federal government.

**1.72 - Public Transportation Vehicles:** Vehicles having a passenger capacity of 9 or more operating as part of a public transportation system within and not more than 10 miles from the boundaries of a municipality or not beyond the county or transportation regional boundaries when the vehicles are operated by a private person, firm, or corporation.

**1.73 - Ramp:** An improved surface area reserved exclusively for the parking and taxiing of aircraft and allied servicing equipment.

**1.74 - Restricted Areas:** Areas which are closed to the general public, excluding airport access roads to private facilities. Those areas are defined as areas that are used to perform the everyday activities and operations of the airport. These areas include, but are not limited to, the AOA, SIDA, baggage claim service drive, southwest T-hangar area, and airport access roads. These areas are restricted to use by authorized personnel only.

**1.75 - Rules and Regulations:** "Rules and Regulations" as used herein mean this Capital Region International Airport Rules and Regulation Ordinance.

**1.76 - Runway:** An improved surfaced area reserved exclusively for the landing and taking off of aircraft.

**1.77 - Scheduled Airline:** An Airline, operating frequently reoccurring commercial flights (passenger or cargo) to or from the Airport, where flight availability or air transportation services, is promoted to members of the public through the news media, worldwide web, company sales staff, word of mouth, or other means.

**1.78 - Secured Area:** That portion of the AOA where air carriers with a TSA approved security program enplanes and deplanes passengers, sort and load baggage, and any adjacent areas not separated by security measures.

**1.79 - Security Identification Display Area (SIDA):** That portion of the AOA requiring each person to continuously display on outermost garment an Airport-approved ID medium unless individual is accompanied by an Airport-approved escort.

**1.80 - Shall and May:** "Shall" is mandatory and "may" is permissive.

**1.81 - Signatory Airlines:** Those airlines providing Air Transportation to and from the Airport that have executed substantially similar agreements with Authority covering the use and occupancy of facilities at the Airport.

**1.82 - Non-Signatory Airlines:** Those airlines providing Air Transportation to and from the Airport that do not have executed substantially similar agreements with Authority covering the use and occupancy of facilities at the Airport.

**1.83 - Solicitation:** Unless the context otherwise requires, the words and terms set forth in Chapter V, Noncommercial/First Amendment Rights Activities, shall have the following meanings ascribed to them.

**1.84 - "Solicit" or "Solicitation"** means and includes the request which may be direct or indirect, active, passive, open, subtle, or in any other manner for money or other thing of value on the pleas or representation that such will be used for religious or charitable purposes. Solicitation as defined herein shall be deemed completed when communicated to any person then located upon the real property known as Capital Region International Airport, and whether or not the person making such solicitation receives any contribution or makes any sale referred to herein.

- a. "Religious purposes" means and includes the use, actual or represented, of money or property for the benefit of or in the furtherance of beliefs or mission of any church, congregation, or any religious sect, group, order, or organization of any type.
- b. "Charitable purposes" means and includes the furtherance of the goals of any non-profit or charitable group or organization.
- c. "Person" means and includes any natural person, firm, partnership, corporation, association, or organization.
- d. "Principal" means the organization or person upon whose behalf or under whose sponsorship a solicitation is made or proposed to be made.
- e. "Agent" means any individual who makes any solicitation or collection under the sponsorship of or in behalf of any other person.

f. "Funds" means money, credit, property, financial assistance, or other thing of value.

**1.85 - Sterile Area:** A portion of the airport terminal that provides passengers access boarding aircraft, to which access is controlled by the TSA through screening of persons and property.

**1.86 - Taxicab, Taxi, or Cab:** A licensed public motor vehicle for hire designated and constructed to seat not more than 6 persons and operating as a common carrier on call or demand.

**1.87 - Taxicab Stand:** A fixed area in the roadway set aside for taxicabs to stand or wait for passengers.

**1.88 - Taxiway:** An improved surfaced area used primarily by aircraft to proceed to and from ramp and runway areas.

**1.89 - Tenses:** The present tense includes the past and future tenses; and the future, the present.

**1.90 - Tour Operator:** Those persons or companies operating in a commercial capacity and who through prior arrangement are to meet, transport or arrange for the transporting of a designated group of passengers and their baggage arriving or departing via Capital Region International Airport.

**1.91 - Turbojet:** A jet engine, with a turbine-driven compressor, that develops thrust from the exhaust of hot gases.

**1.92 - Turboprop:** A turbojet engine used to drive an external propeller.

**1.93 - Transient Aircraft:** An aircraft not using the airport as its permanent base of operations.

**1.94 - Transportation Security Administration:** The governmental body responsible for the security of the transportation systems and facilities in the country, including airports.

**1.95 - Ultra Light Vehicle:** A vehicle that is used only for aviation recreation or sport aviation purposes, and satisfies all criteria and requirements of the Federal Aviation Regulations, Part 103, including subsequent amendments.

**1.96 - Unmanned Aircraft System (UAS):** A UAS is the unmanned aircraft (UA) and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the unmanned aircraft.

**1.97 - Vehicle:** Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

## **SECTION 2 - GENERAL**

### **2.01 - GENERAL DUTIES AND POWERS OF THE CAPITAL REGION AIRPORT AUTHORITY**

The Capital Region Airport Authority was established by the Michigan Legislature under Act 73 of the Public Acts of 1970. Accordingly, the Authority is empowered with the ownership and operation of the Capital Region International Airport.

The Authority, through its Board and President - CEO, is charged with planning, promoting, extending, owning, maintaining, acquiring, purchasing, constructing, improving, enlarging, and operating the Airport and all publicly owned airports and airport facilities hereinafter established to be operated within the territorial jurisdiction of the Authority.

### **2.02 - GENERAL DUTIES AND POWERS OF THE PRESIDENT - CEO**

The President - CEO is charged with the administration, operation, planning, and development of the Airport and related facilities, appurtenances and improvements thereto and of any other aviation-related facilities so assigned to the Authority. The President - CEO is authorized and empowered to issue written operating procedures and directives pursuant to Section 8 hereof in order to implement the provisions of Airport Rules and Regulations, to insure compliance with all federal, state, and local laws, ordinances, and regulations; to maintain a safe and efficient airport for use by the public; and to perform such other duties as may be assigned from time to time by the Board.

### **2.03 - EMERGENCY ACTIONS**

When an emergency exists at the Airport, the President - CEO or his authorized representative shall be empowered to take that action which within his discretion and judgment is necessary or desirable to protect the health, welfare, and safety of persons and property and to facilitate the operation of the Airport. During such an emergency, the President - CEO or his authorized representative may suspend these Rules and Regulations, or any part of them, at his discretion and judgment and he may in addition issue such oral orders, rules, and regulations as may be necessary. The President - CEO shall at all times have authority to take such reasonable action as may be necessary for the proper handling of the conduct and management of the public in attendance at the Airport.

### **2.04 - CONFLICT WITH OTHER AUTHORITY**

Should any part of these Rules and Regulations conflict with federal or state law then such federal or state law will take precedence. The Rules and Regulations promulgated herein shall in no way supersede or abrogate regulations set forth in TSA (TSR) Part 1540-42 (Airport Security) or FAA Part 139 (Certification and Operations of Land Airports). If any provision of these Rules and Regulations, or the application thereof to any person or circumstances is held invalid, the remainder of the Rules and Regulations shall not be affected thereby.

### **2.05 - AIRPORT SECURITY (Misdemeanor – 9.01)**

#### **1. General Security Provisions**

The following provisions govern Airport Security at the Capital Region International Airport. Transportation Security Administration (TSA) directed security changes, enhancements or measures as implemented by the Authority supersede these Rules and Regulations. Airport employees, Airport tenants, tenant employees and other Airport users desiring to maintain security access privileges will be advised and held accountable for any TSA security changes, in accordance with Section 9, until these Rules and Regulations are formally amended.

As prescribed in Transportation Security Regulation Part 1540-42, the Airport Authority has the overall responsibility for security at Capital Region International Airport as detailed in the TSA approved Airport Security Plan:

- a. Airport security procedures are established and approved by TSA to ensure Airport compliance with the Airport Security Plan as required by Transportation Security Administration regulations.
- b. The local airport liaison with TSA is through the Airport Security Coordinator (TSA established position) who is trained and certified by TSA. The Airport Security Coordinator is responsible for the effective implementation and enforcement of Airport security regulations, TSA directives, and security procedures on the Airport, in compliance with TSA regulations

- c. As a part of the Airport Security Plan, TSA requires the Airport to have systems and procedures in place to control access to the secured areas of the Airport. The implementation of these access control procedures universally involves the issuance of airport security badges that permit the authorized person to access vehicle gates and pedestrian doors.
- d. The application process to receive a security badge requires a criminal history fingerprint check; a Security Threat Assessment; and informs the applicant of various types of violation areas that could result in the immediate revocation of security access privileges.
- e. The Capital Region Airport Authority is obligated to deny issuance of or revoke an existing, security access badge, and the associated unescorted access privileges, when in the sole opinion of the Capital Region Airport Authority; the applicant would pose a risk to the security of the Airport.
- f. Each Airport tenant shall be responsible for the security of its leased areas, control of its employees and guests, as well as the security of their parked aircraft and assigned aircraft parking areas and the safe parking and operation of vehicles under their control. This includes the establishment of suitable means to prevent or deter, to the extent practicable, unauthorized access to restricted areas of the Airport, where unauthorized access could result in a compromise of security and safety. This also includes the challenging of any unidentified person found in these areas and reporting the incident to the Airport Operations Center (AOC) at 517-321-8525.

## 2. **Security Area Access Controls (Misdemeanor – 9.01)**

The Airport has established a system for identifying people having a need to be on the AOA and in the restricted / secured areas of the Airport. All people in these areas must have airport issued identification, or another form of identification approved by the Airport Operations Department. As a part of the access control system Operations issues badges allowing access to the AOA and secured area. Operations is responsible for the control of badges, the maintenance of records on the other forms of acceptable identification, and the issuance and retrieval of temporary security identification.

Airport tenants who have gates or open areas which permit access to the restricted areas of the Airport must insure that these openings are either kept locked or under constant control, except in the case of a scheduled air carrier who will carry out the requirements of their TSA approved air carrier security program under TSR Part 1544-48. All doors and gates providing access between non-restricted and restricted areas must be provided with automated access control or lock and key systems, and restricted area signage, that states "Air Operations Area Access Point, Restricted Area No Trespassing," as directed by the TSA and the Airport Security Program. Persons in Airport tenant leasehold areas, within the AOA but outside designated SIDA areas, need not display a form of identification as long as the persons in the leasehold AOA are under the control of, or escorted by, the tenant or authorized representative of the tenant.

Failure to control access to the Airport's secured or restricted areas will result in a security violation by the offending person or organization. If a violation of TSA or the ASP Regulations should occur as the result of the actions or inaction of a tenant, tenant employee, or another person authorized access by the tenant, and such action, or inaction, results in the imposition of a fine or penalty on the Authority, the tenant or otherwise authorized employer responsible for the violation shall be required reimburse the Authority for the amount of the fine or penalty, together with any legal costs incurred as a result.

## 3. **Airport Issued Identification (Misdemeanor – 9.01)**

- a. All People employed by the Airport, or its tenants or contractors, including air carrier employees, who have unescorted access to any area on the Airport controlled for security reasons shall have criminal and employment background checks, and a Security Threat Assessment to the extent required by TSA regulations. A fee is charged for airport issued badges and criminal history record checks.
- b. Applicants for badges for unescorted access to restricted areas must have completed the proper training administered by the Airport Operations Department prior to the issuance of a security access badge.
- c. Badges must be continuously displayed on the outermost garment, above the waist and below the neck, when employees are in the SIDA.
- d. All badges remain the property of the Authority and must be returned when no longer needed or when the employee terminates employment. Lost or stolen badges must be reported to the Operations Department immediately. A fee is charged for replacement and non-returned badges. (Civil Infraction – 9.02)

4. **Construction Identification (Civil Infraction – 9.02)**

- a. The badge will have a large block "C" printed in a very visible color so that the badge may be identified from a distance.
- b. Construction badges DO NOT provide an unescorted access to the AOA. Anyone with a construction badge, otherwise known as a "C" badge, must be accompanied by a person with an approved airport issued picture badge and must be in the line of sight and in direct control of the escorting person. Individuals who have "C" badges are restricted to the construction project limits (job site) and the ingress/egress routes.

All badges (construction) must be worn in a fashion to be clearly visible at all times when the individual is in the SIDA. An individual challenged and found not to have the proper identification badge will be subject to the appropriate penalties.

5. **Other Forms of Airport Approved Identification**

All people on the AOA must have a legitimate need to be in the restricted areas of the Airport and must display some form of Airport approved personal security identification. TSA regulations and the Airport Security Plan permit the Operations Department to recognize forms of identification not specifically issued by the Airport. All forms of identification must be approved by Operations in advance of granting secured access. The following general categories of identification are currently recognized:

- a. Uniformed airline flight crew members working in the immediate vicinity of their aircraft.
- b. General aviation pilots are identified by their pilot's license on general aviation ramps in the immediate vicinity of their aircraft. General aviation passengers must be escorted by the pilot.
- c. Identification media of organizations, who are tenants on the Airport, or other governmental agencies, whose forms of identification are specifically recognized in the Airport Security Plan.

6. **Penalties for Violations (Misdemeanor – 9.01)**

Airport employees or Airport tenant employees having approved security access clearance to restricted areas of the Airport are responsible for compliance with TSA Security Regulations, including Security Directives, the Airport Security Plan, and any security procedures implemented by the Airport and/or Air Carriers as a result of, or for the purpose of, maintaining compliance with Airport security regulations and requirements. Any violation of security regulations and/or procedures shall be deemed a violation of the Airport's Rules and Regulations, punishable in accordance with the penalties detailed in Section 9 of these Rules and Regulations.

The Airport Authority has a progressive penalty procedure for security violations, as outlined below, however each violation shall be evaluated individually with respect to the seriousness and/or deliberateness of the violation, as well as any prior history of violations. In accordance with TSA security enforcement obligations, the Airport Authority reserves the right to deny or revoke the airport-issued badge, and associated security access, for any individual who, in the sole opinion of the Airport, may be a security risk to the Airport, the aircraft, or any of the tenants or public at the Airport. For serious or deliberate violations, such denial or revocation may occur on the first offense.

In addition to revocation of an Airport-issued identification badge and loss of associated unescorted or escorted access privileges, security violations may also result in fines, civil and/or criminal penalties, issued by TSA to the offending individual or organization, depending on the nature of the offense.

7. **Progressive Penalty Procedure**

Absent any cause for revocation of security access privileges, the following progressive penalty procedure may be generally followed for violations of security procedures and/or regulations, including the Airport Security Plan:

1. **First Offense**: Confiscation of ID badge until the offender can be counseled by his/her manager or supervisor and the Authority has received a written letter requesting reinstatement of the badge. The letter must confirm that the required counseling on the severity of the violation has been completed.
2. **Second Offense (Civil Infraction – 9.02)**: Confiscation of ID badge until offender has re-taken SIDA training course and the manager supervisor has written a letter to the Airport Authority requesting re-instatement of the badge and stating the offender has been counseled on security procedures.
3. **Third Offense (Misdemeanor – 9.01)**: Permanent revocation of the ID badge and associated unescorted access privileges.

After a two year period without any security violations, the next subsequent minor violation may be treated

as a first offense.

8. **Disqualifying Offenses**

Applications for security access privileges will be denied to persons found to have been convicted, or found not guilty by reason of insanity, of any of the following offenses within the last ten (10) years. The conviction of any of these offenses by any current Airport security badge holders will result in permanent revocation of the airport-issued badge and associated unescorted access privileges.

- a. Forgery of certificates, false making of aircraft and other registration violations.
- b. Interference with air navigation.
- c. Improper transportation of a hazardous material.
- d. Aircraft piracy.
- e. Interference with flight crew members or flight attendants.
- f. Commission of certain crimes aboard aircraft in flight.
- g. Carrying a weapon or explosive aboard an aircraft.
- h. Conveying false information and threats.
- i. Aircraft piracy outside the special aircraft jurisdiction of the United States.
- j. Lighting violations involving transporting controlled substances.
- k. Unlawful entry into an aircraft or airport area that serves air carrier or foreign air carriers contrary to established security requirements.
- l. Destruction of an aircraft or aircraft facility.
- m. Assault with intent to commit murder.
- n. Espionage.
- o. Sedition
- p. Treason.
- q. Rape or aggravated sexual assault.
- r. Unlawful possession, use, sale, distribution, or manufacture of an explosive or weapon.
- s. Extortion.
- t. Distribution of, or intent to distribute, a controlled substance.
- u. Various Felonies:
  1. Felony arson.
  2. A felony involving a threat.
  3. A felony involving willful destruction of property.
  4. A felony involving importation or manufacture of a controlled substance.
  5. A felony involving burglary.
  6. A felony involving theft.
  7. A felony involving dishonesty, fraud, or misrepresentation.
  8. A felony involving possession or distribution of stolen property.
  9. A felony involving aggravated assault.
  10. A felony involving bribery.
  11. A felony involving illegal possession of a controlled substance punishable by a maximum term of imprisonment of more than 1 year.
  12. Armed or felony unarmed robbery
  13. Murder.
  14. Kidnapping or hostage taking.
- v. Violence at international airports.
- w. Conspiracy or attempt to commit any of the criminal acts listed.
- x. Deliberate circumvention, or attempt to circumvent, any security regulation, procedure, or system for or at Capital Region International Airport.
- y. Falsification of any documents or information submitted to obtain unescorted access privileges or an airport-issued identification badge.
- z. Commission of a deliberate or intentional security violation of a serious nature, as determined by the Airport Security Coordinator or Alternate Airport Security Coordinator.

9. **Possession of Weapon (Misdemeanor – 9.01)** into an Airport Authority designated Sterile, Secure, Security Identification Display Area (SIDA), or Airport Operations Area (AOA) without Airport Authority permission is prohibited.

10. **Bypassing, or attempting to bypass, (Misdemeanor – 9.01)** a security screening checkpoint or checkpoints, established by the federal Transportation Security Administration (TSA) or the Airport Authority, used to screen and scan passengers or other persons entering the sterile area of the airport, is prohibited. Persons failing to submit to a form of screening, searching, or inspection, mandated by TSA, or

the current screening officials; not complying with the current screening procedure(s), or screening personnel instructions, and enters the sterile / secure area, may be charged with a misdemeanor (Section 9.01).

## **2.06 - TENANT CONSTRUCTION APPROVAL**

Tenants desiring to construct, enlarge, alter, repair, move, demolish, or change the occupancy of property or to install or erect a sign of any description shall do so in accordance with the Capital Region Airport Authority Design Standards, a copy of which is available from the Authority Administration Office.

## **2.07 - LOST AND FOUND**

Capital Region International Airport offers a centralized lost and found service, available to all tenants, to give efficient public service. The Authority policies governing the disposition of articles found are on file and available for review in the Operations Office.

1. No person shall willfully abandon any personal property on the Airport.
2. Unattended items are subject to search and/or screening. The Authority is not liable in the event of loss or breakage.

## **2.08 - PAGING SYSTEM**

All tenants should limit the use of the paging service to only those public announcements which are essential in maintaining proper service for the traveling public and visitors in the Terminal Building. Paging service announcements of normally scheduled arrival and departure information or any public address comment which is deemed to be advertising in nature will not be permitted.

## **2.09 – LAWFUL NON-CONFORMING USES**

It is the policy of the Capital Region Airport Authority that these Rule and Regulations shall take immediate effect and shall apply to all persons using the Airport on and after the effective date hereof. Except for safety or security requirements, and unless waived under Section 11.04, any use or activity authorized by written operating agreement, contract or lease in existence on the effective date hereof that does not conform to these Rules and Regulations may be continued as a lawful non-conforming use until the earliest to occur of the following:

- a. Expiration of the initial term of the lease or contract, exclusive of any options or renewals; or
- b. Failure to operate any of the authorized activities for a period of 60 continuous days; or
- c. Any material change in the type, size, or character of the authorized activities; or
- d. Substantial new construction or remodeling of the leasehold improvements; or
- e. Transfer, assignment, subletting or subcontracting of all or any portion of the leasehold or authorized activities.

## **SECTION 3 - AIRPORT OPERATIONS AREA REGULATIONS**

### **3.01-COMPLIANCE WITH REGULATIONS**

No person shall operate any aircraft to, from, or on the Airport, or service, repair or maintain any aircraft, or conduct any aircraft operations on or from the Airport, except in conformity with the current Federal Aviation Regulations as promulgated by the Administrator of the FAA and in conformity with all other applicable law, including these Rules and Regulations. It shall be the responsibility of all persons, firms, and corporations operating on the Airport to acquaint themselves, their pilots, instructors, and students with Federal Aviation Regulations and all Airport Rules and Regulations contained herein.

#### **1. Denial of Use**

President - CEO or his authorized representative shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to deny the use of the Airport or any portion thereof to any specified class of aircraft or to any individual or group, when such action is considered to be necessary or desirable to avoid endangering persons or property and to be consistent with the safe and proper operation of the Airport.

#### **2. NOTAMS**

The Authority has primary responsibility for issuing Notices to Airmen (NOTAMS) in accordance with FAR Part 139, advising Airport users of runway, taxiway, or apron closures or other conditions affecting the safe and efficient operation of the Airport. NOTAMS will be coordinated with the ATCT when in operation and distributed and disseminated to users and tenants by means of electronic transmission and/or hand delivery as appropriate.

#### **3. Pedestrians on Ramp Areas (Civil Infraction – 9.02):**

Except for personnel whose duties and responsibilities require them to be on foot or in the Air Operations Area, no organization shall permit an employee or any other person to cross or traverse the ramp to or from the Airport restricted areas.

#### **4. Negligent Operations/Liability for Damage (Civil Infraction – 9.02):**

No person shall operate aircraft or vehicles at the Airport in a careless manner or in disregard of the rights and safety of others.

- a. The aircraft owner, pilot, agent, or his duly authorized representative agrees to release or discharge the Authority, its President - CEO, and its employees of and from the liability for any damage which may be suffered by any aircraft and its equipment, and for bodily injury or death, except where such damage, injury, or death is due solely to the negligence of the Authority.
- b. Any person damaging, injuring, or destroying Airport property either by accident or otherwise shall be liable for the satisfactory restoration of the property so damaged or destroyed. Anyone observing such action shall report same to the responsible person on duty representing the Authority.
- c. All persons using the Airport shall be held liable for any property damage caused by their own carelessness and negligence and the carelessness and negligence of their agents, servants, and employees. Any person liable for such damage agrees to save and hold harmless the Authority, its President - CEO, and its employees from claims, liabilities, and causes of action of every kind, character, and nature and from all costs and fees (including attorney's fees) connected therewith, and from the expenses of the investigation thereof.

#### **5. Aircraft Accidents (Civil Infraction – 9.02):**

The pilot or operator of any aircraft involved in an accident on the Airport causing bodily injury or property damage shall in addition to all other reports required by other agencies, be required to make a prompt and complete report concerning said accident to the office of the President - CEO. When a written report of an accident is required by Federal Aviation Regulations, a copy of such report may be submitted to the President - CEO in lieu of the report above. In either instance, the report shall be filed with the President - CEO within 48 hours from the time of the accident.

#### **6. Radio Communications (Civil Infraction – 9.02):**

No person shall operate an aircraft at the Airport when such aircraft is not equipped with a properly functioning two way radio capable of communicating with the ATCT, unless coordinated with and approved by the ATCT.

**7. Certification of Aircraft (Civil Infraction – 9.02)**

All aircraft operating at the Airport shall meet all applicable federal regulations relevant to the operation of that aircraft.

**8. Licensing of Pilots (Civil Infraction – 9.02)**

No person shall operate, or permit to be operated, any civil aircraft to, upon, or from the Airport unless done so in accordance with current FAA licensing and certification standards. However, this section does not apply to the ground operation of aircraft by aircraft maintenance personnel, nor in the event of an in-flight emergency.

**9. Tampering with Aircraft (Civil Infraction – 9.02)**

Except as authorized or permitted pursuant to federal law, state law, federal or state regulation, and this ordinance, or otherwise authorized or permitted by rules adopted by the Capital Region Airport Authority, no person shall interfere or tamper with any aircraft, or put in motion such aircraft, or use or remove any aircraft, aircraft parts, instruments, or tools, without positive evidence of permission of the owner thereof. Any tenant may move an aircraft from location to location on the tenant's owned property which movement shall not be considered a violation of this section.

**10. Runway Restrictions**

Subject to any specific requirements and limitations of the Federal Aviation Administration or Michigan Department of Transportation, the Authority has complete authority and control over the Air Operations Area including but not limited to the runways, taxiways, and other paved areas including complete authority and control over all use thereof by all persons.

**11. Take-Offs and Landings (Civil Infraction – 9.02)**

- a. No person shall cause an aircraft to land or take off at the Airport, except on a runway and in the direction assigned by the ATCT when in operation. Helicopters shall operate in accordance with accepted and safe procedures concurrent with specific clearances from the ATCT when in operation.
- b. No person shall cause an aircraft to take off or land on or from a closed runway, or on or from any Ramp area or taxiway unless authorized by the President - CEO. Helicopters may take off or land on any airport surfaces subject to specific clearances from the ATCT when in operation.
  - 1) No person shall turn an aircraft in order to reverse direction on a runway unless given specific instructions or authorization to do so by the ATCT when in operation.
  - 2) Persons landing an aircraft at the Airport shall make the landing runway available to other aircraft by leaving said runway as promptly as possible consistent with safety.

**12. Prohibitions (Civil Infraction – 9.02)**

- a. Parachute jumping over or onto the Airport is prohibited unless written approval has been obtained from the President – CEO.
- b. Unmanned Aircraft System (UAS)
  - 1) No person, except law enforcement authorities acting in the performance of their duties, shall without approval of the President - CEO, or his or her designee, fly, land, or depart, any Unmanned Aircraft Systems (UAS), of any aircraft type, on or from property governed by the Capital Region Airport Authority.
  - 2) No person shall, except in accordance with Federal Aviation Administration (FAA) regulations, operate any unmanned aircraft in the airspace above property governed by the Capital Region Airport Authority.
  - 3) No person shall operate an unmanned aircraft within a 5 Nautical Mile radius of the Airport per Federal Aviation Administration regulations.

**13. Taxiing and Parking (Civil Infraction – 9.02)**

No person shall taxi an aircraft on the Airport until it is ascertained that there will be no danger of collision with any persons or objects.

- a. Prohibitions:
  - 1) Aircraft shall not be taxied, towed, or pushed on any movement area until specifically cleared to do so by the ATCT, when in operation.
  - 2) No aircraft shall taxi between an airside terminal gate and an aircraft engaged in a push back or power back operation.
  - 3) No aircraft shall be taxied into or out of any hangar under its own power.
  - 4) No person shall use unauthorized areas for aircraft parking; the aircraft so parked may be removed

- by or at the direction of the President - CEO at the risk and expense of the owner thereof.
- 5) Aircraft operating at night as defined by FAA regulation shall meet all applicable FAA requirements for night flight.
- b. Conditions:
- 1) Aircraft will be taxied at a safe and reasonable speed.
  - 2) Where taxiing aircraft are converging, the aircraft involved shall pass each other bearing to the right unless otherwise directed by the ATCT.
  - 3) Aircraft being taxied, towed, or otherwise moved on the Airport (other than private lease space) shall proceed with illuminated navigational lights or wing walkers at each wing tip during the hours between sunset and sunrise.
  - 4) Aircraft operations shall be confined to hard surfaced runways, taxiways, and aprons except where authorized by the President - CEO.
  - 5) All aircraft loading and unloading at gate positions must be parked in the designated parking areas.
  - 6) General aviation aircraft may not use the air carrier ramp unless authorized by the President - CEO, except that all ATCT directed non-stop movements directed across the air carrier ramp are hereby approved.
  - 7) Requests for utilization of the non-lease ramp areas will be coordinated through the Airport Operations Center.
  - 8) Airlines and support personnel will utilize available service roads and highways to gain access to the Airport areas.
  - 9) Security of aircraft and support equipment will be the responsibility of the agency or entity in control of the property.

**14. Operating Aircraft Engines (Civil Infraction – 9.02)**

- a. No aircraft engine shall be run at the Airport unless under the direction of a pilot or certified A&P (airframe and power plant) mechanic qualified to run the engines of that particular type aircraft and unless blocks have been placed in front of the wheels, or the aircraft has set adequate parking brakes.
- b. No person may run an engine of an aircraft parked on the Airport in a manner that could cause injury to persons or damage to any other property or endanger the safety of the operation on the Airport or contrary to requirements of Chapter VI: Environment, Safety, and Standards of Conduct.

**15. Helicopter Operations (Civil Infraction – 9.02)**

Helicopter aircraft arriving and departing the Airport shall operate under the direction of the ATCT. Helicopters shall not be operated so close to other aircraft to cause damage.

**16. Supplemental Parking/Air Carrier (Civil Infraction – 9.02)**

Requests for supplemental aircraft parking may be made by calling the AOC with as much advance notice as possible.

- a. Requests for supplemental aircraft parking should specify the type of aircraft and the length of time desired, as well as whether or not any enplaning and/or deplaning of passengers is required.
- b. Assignment of supplemental aircraft parking positions will be made on a "first come, first serve" basis. Airport controlled gates will be filled (for parking only) only after all other available supplemental parking options have been used.
- c. Non-tenant air carrier aircraft landing at Capital Region International Airport under emergency conditions or due to a weather diversion may utilize preferential aircraft parking positions only if a tenant air carrier agrees to provide the necessary ground handling and passenger security arrangements.
- d. Aircraft supplemental parking will not normally be assigned more than 24 hours in advance.

**17. Disabled Aircraft (Civil Infraction – 9.02)**

The owner of the aircraft under an emergency or involved in an accident shall be responsible for organizing and conducting the recovery activities. Aircraft accidents on runways and taxiways shall be removed from such areas as soon as conditions warrant and governmental approvals are obtained. All costs incurred for such removal shall be borne by the owner or operator of the aircraft involved. Runways or taxiways upon which an accident/incident has occurred shall be opened to aircraft traffic only after the removal of the aircraft by the owner or operator and all resulting debris to the satisfaction of the President - CEO. Should said owner or operator fail or refuse or be unable to remove such aircraft within a reasonable time as determined by the President - CEO from the circumstances and condition of the hazard created by reason of the presence of such aircraft at such place, the President - CEO, shall, without incurring liability therefore,

cause the same to be removed and stored off the active airfield and the cost of such removal shall be paid by the owner or operator.

**18. Derelict Aircraft (Civil Infraction – 9.02)**

No person shall park or store any aircraft in an obviously non-flyable condition on Airport property, including leased premises other than aircraft stored in an enclosed hangar, for a period in excess of ninety (90) days, without written permission from the President - CEO.

- a. No person shall store or retain aircraft parts or components being held as inventory anywhere on the Airport, other than in a completely enclosed building, or in a manner approved by the President - CEO.
- b. Whenever any aircraft is parked, stored, or left in non-flyable condition on the Airport in violation of the provisions of this section, the Authority shall so notify the owner or operator thereof by certified or registered mail, requiring removal of said aircraft within fifteen (15) days of receipt of such notice, or if the owner or operator be unknown or cannot be found, the Authority shall conspicuously post and affix such notice to the said aircraft, requiring removal of said aircraft within fifteen (15) days from date of posting. Upon the failure of the owner or operator of the said aircraft to remove said aircraft within the period provided, the Authority shall cause the removal of such aircraft from the Airport. All costs incurred by the Authority in removal of any aircraft as set forth herein shall be recoverable against the owner or operator thereof.

**3.02 - RESTRICTED VEHICLE and PEDESTRIAN ACTIVITIES (Civil Infraction – 9.02)**

No persons shall operate or cause to be operated or park any vehicle on the AOA of the Airport unless such operation is directly related (1) to an aviation activity on the Airport, (2) to the business of the Authority or (3) to the business of an Airport tenant and such vehicle is registered in accordance with Section 3.02.2 herein.

**1. Vehicle and Pedestrians on Movement Area**

Pedestrians and vehicles authorized by the President - CEO, to operate on Movement Area of the Airport are limited to those pedestrians and those vehicles necessary for airport and aviation operations. Pedestrians and vehicles operating in the Movement Area must be equipped with an ATCT radio. Authorized vehicles must also be equipped with rotating beacons or flashing lights. Vehicles operating in the Movement Area during daylight operation only may substitute a three foot square flag consisting of nine squares of alternate aviation orange and white for the beacon. Vehicles authorized in the Movement Area include, but are not limited to:

- a. Authority owned or operated vehicles
- b. FAA Airway Facility vehicles authorized for maintenance of FAA equipment;
- c. Authorized construction vehicles;
- d. Authorized Air Carrier vehicles;
- e. Authorized Fixed Based Operator Vehicles
- f. Other individuals who need access to the movement areas are escorted by qualified personnel.
- g. Use of bicycles, motorcycles, motor scooters, snowmobiles, and other similar recreational vehicles is **prohibited**.

**2. Vehicle Registration**

Vehicles owned or operated by Airport tenants and accessing the AOA or Airport restricted areas through tenant leasehold areas are not required to be registered with the Airport as long as the vehicle operation remains under the control of the tenant and remains within the leasehold boundaries.

Except in such leasehold areas, no person shall enter onto any restricted or secured area of the Airport in a vehicle which has not been properly registered, insured, and identified as required herein:

- a. Vehicle decal permits for access to AOA / Restricted Areas will be required for all vehicles within restricted areas except for the following:
  - 1) Vehicles designed and used exclusively for servicing of aircraft and/or baggage handling which are not licensed for travel on public roadways, when marked with company logo on both sides. This includes equipment such as belt loaders, deicers, and tugs.
  - 2) Vehicles owned and operated by the Authority.
  - 3) Non-permitted vehicles if escorted by permitted tenants to and within the restricted areas. Permitted tenants assume all liability for all escorted vehicles.

- 4) Non-permitted vehicles if escorted by the Authority to and within the restricted areas. The Authority assumes all liability for the escorted vehicles.
- b. Vehicle decal permits for access to the restricted / secured areas of the Airport, and the AOA, will be issued under the following conditions:
  - 1) The vehicle must be owned by and registered to the applicant (individual or organization).
  - 2) All non-private / business vehicles operating in the AOA must be externally signed with company logo on both sides in a large enough size so as to be visible from a reasonable distance (minimum of 3 inch letters) and be equipped with a flashing or rotating beacon as required in 3.02.1 above.
  - 3) Applicant must present a certificate of insurance verifying that the vehicle is covered under a policy of insurance meeting the requirements set forth in Section 4.06.
  - 4) All vehicles within the Air Operations Area must be operationally necessary to be within the AOA. Under no circumstances will a private vehicle not registered with the Operations Department be allowed unescorted access to the AOA. Private vehicles are not authorized access on movement areas. The Authority reserves the right to remove unauthorized vehicles from restricted areas at owner's expense.
  - 5) Vehicles registered to operate only in the Southwest Hangar areas of the Airport are prohibited from operating in the AOA without being so registered and authorized in advance through Airport Operations. Tenant vehicles improperly accessing the AOA with an unauthorized vehicle risk permanent revocation of vehicle access privileges.
  - 6) Southwest Hangar Area tenants, who desire to permit guests or visitors to access the Southwest Hangar Area with unregistered vehicles, must comply with the security access requirements detailed in Section 2.05.1.g, and escort the vehicles and guests to and from the access gate, ensuring that the guests and their vehicles do not penetrate the AOA. Tenants permitting vehicles, operated by guests who should be under tenant escort, to improperly access the AOA with an unauthorized vehicle, risk permanent revocation of vehicle access privileges.
- c. Tenant organizations that require vehicle decal permits must designate authorized representative(s) as having the authority to act for the company. Sample signatures of those individuals must be provided and will be kept on file with the Operations Department.

### **3. Driving Rules and Regulations**

Persons operating motorized equipment and vehicles on the Capital Region International Airport, outside of specific tenant leasehold boundaries, must conform to the vehicle operating requirements detailed in these Airport Rules and Regulations.

- a. Minimum requirements for operating equipment on the AOA on in Restricted Areas of the Airport, are as follows:
  - 1) Possess a valid operator's license.
  - 2) Vehicle to be operated must possess the required insurance.
  - 3) Attend an Airfield Safety and Security Class sponsored by the Operations Department.
  - 4) Persons in possession of a valid pilot's license are exempt from the Driver's Safety training class.
  - 5) Persons authorized, desiring to escort a non-permitted vehicle on in the AOA or Restricted Areas of the Airport, are required to ensure that the unregistered driver possesses a valid driver's license and minimum insurance coverage as detailed in this Section.
- b. Airfield Driving Guidelines:
  - 1) Pedestrians and aircraft shall have the right of way at all times over vehicular traffic. All vehicles must pass to the rear of taxiing aircraft.
  - 2) No person under the influence of alcohol or a controlled substance (as defined in MCL 257.625) shall operate a motor vehicle or motored equipment on the Airport.
  - 3) No vehicle will be permitted to drive between a parked aircraft and the Terminal Building or under the wings, tail, or nose section of such aircraft, except those vehicles servicing the aircraft.
  - 4) No vehicles may pass under a loading bridge.

### **4. Traffic Control**

Persons operating vehicles on a Movement Area shall obey all instructions given by the ATCT when in operations and operate said vehicles in accordance with the Airport Rules and Regulations Ordinance.

### **5. Operations Near Aircraft**

No person, other than the operator of an authorized aircraft servicing vehicle, shall operate a vehicle on the AOA so as to pass within twenty (20) feet of a parked aircraft or, in the case of an aircraft being loaded or unloaded at ground level, between such aircraft and the Terminal concourses while passengers are enplaning or deplaning.

**6. Right-of-Way**

An aircraft in motion shall, at all times, have the right-of-way. Pedestrians shall, at all times, have the right-of-way over vehicles. No motor vehicle, equipment, or apparatus shall be placed on any roadway, driveway, hangar ramp, or other area in such a manner as to obstruct the passage of emergency or snow removal equipment.

**7. Designated Vehicular Routes**

All vehicles operating on the AOA shall follow the designated, marked routes as established by the Authority.

**8. Speed Limits**

No person shall operate any vehicle on the Aircraft loading and parking ramps at a speed in excess of fifteen (15) miles per hour, or on the other restricted areas at a speed in excess of twenty-five (25) miles per hour or in excess of five miles per hour when in the vicinity of an aircraft, unless otherwise posted or authorized by the President - CEO.

**9. Driving with Restricted Vision: (Use of Spotter)**

No person shall move or back up a vehicle on the restricted area when his vision is restricted to either the sides or rear of the vehicle without assistance of a second person acting as spotter or the placement of cones.

**10. Motor Vehicle Accidents**

Any person operating a vehicle on the restricted area who is involved in an accident shall notify the AOC immediately and wait for their response.

**11. Tugs and Trailers**

No person or organization may operate a tug, trailer, or other vehicle towing a train of baggage or cargo carts in excess of four (4) carts on the Air Operations Area unless specifically authorized by the President - CEO or as a part of a lease – operating agreement with the Authority.

a. Prohibitions:

- 1) No person shall operate a trailer or semi trailer on the restricted area unless it is equipped with proper brakes, wheel chocks, or tie downs, to ensure that a propeller slip stream, jet blast, or wind will cause it to become free rolling.
- 2) No person shall tow equipment on the restricted area unless such equipment is equipped with positive locking couplings.
- 3) No person shall operate a tug, trailer, or other vehicle towing a train of baggage or cargo carts at a speed in excess of fifteen (15) miles per hour on the restricted area except that such operations in the vicinity of an aircraft shall be at a speed not to exceed five (5) miles per hour.

**12. Parking on Restricted Areas**

No person shall park any vehicle or other motorized equipment on the restricted area within designated No Parking zones or within fifteen (15) feet of any fire hydrant or other fire control apparatus.

- a. No person shall park a vehicle or other motorized equipment on the restricted area so as to interfere with or prevent the passage or movement of aircraft or other vehicles.
- b. No person shall park a vehicle on the restricted area without applying the emergency brake or leaving the vehicle in gear or, in the case of non-motorized wheeled support equipment, without insuring that the equipment is well supported and will not roll or move from the immediate area.
- c. In the event of a vehicular breakdown or other mechanical failure on the restricted area, the AOC shall be notified immediately by the vehicle operator. If the vehicle should present a safety hazard, the vehicle shall be removed from that area within fifteen (15) minutes of the time the vehicle operator is notified that a hazard exists.
- d. The Authority shall have the right to remove any vehicle posing a threat or risk to safety on the restricted area, such removal being at the sole risk and expense of the owner and/or operator of subject vehicle.
- e. In the event of vehicle removal, the owner shall be subsequently notified if possible.

**13. Contractor's Access and Use**

No person shall gain access to and egress from the site of construction in a vehicle or crane belonging to or under the supervision of a contractor doing business at the Airport other than by routes and through gates designated by the President - CEO and only during such periods of time designated by the President - CEO.

- a. No person having responsibility therefore shall allow a vehicle or crane belonging to or under the supervision of a contractor doing business at the Airport, to be parked in a position or location where it constitutes an actual or potential hazard to aircraft or other vehicles unless approved in advance by the President - CEO.
- b. When a contractor leaves a vehicle or crane in a designated location overnight, the vehicle or crane shall be suitably marked and lighted and cranes shall be lowered to their lowest height.

## **SECTION 4 - AIRPORT BUSINESS OPERATIONS (Civil Infraction – 9.02)**

### **4.01 - USE OF THE AIRPORT**

The Capital Region Airport Authority operates the Airport in full compliance with numerous state and federal regulations; specifically, those involving airport safety, security, environmental, and those controlling the use of the airport property and revenues.

No person or organization shall do business on the Airport or use the Airport premises for commerce or as a base for governmental / private aviation business, without a Commercial Operating Agreement or Operating Permit/Agreement approved by the Authority. The use of airport property for non-airport aviation purposes is not permitted without FAA approval.

Permission by the Authority or an authorized agent thereof, expressly or by implication, to enter upon or use the Airport or any part thereof, (including airlines, fixed base operators, aircraft owners, operators, pilots, crew members, mechanics, servicemen and passengers, spectators, sightseers, officers and employees of airlines, agent and employees of sales agencies, flight operators, Lessees and other persons occupying space at said Airport, persons doing business with the Airport, its Lessees, Sub Lessees, and permittees and all other persons whosoever), shall be conditioned upon compliance with Capital Region International Airport Rules and Regulations Ordinance.

### **4.02 - COMMERCIAL ACTIVITY - GENERAL**

Any person or organization wishing to engage in commercial or business (*for profit or non-profit*) activity upon the Airport, or upon any land acquired by the Authority for use in connection with the Airport, or upon or from any of the buildings, structures, land, parking places, walkways, roadways, or other facilities used or operated in connection with the Airport shall make application in writing and secure a Commercial Operating Agreement or Temporary Operating Permit from the Authority and shall pay the fees and charges prescribed for such use(s) as may be established from time to time by the Authority. Commercial / business operating authority may be granted by the Authority through several types of documents, including:

1. Included within a long term building or ground site lease agreement.
2. Through a separate Commercial Operating Agreement document, where the perspective operator's facility requirements are being met through other arrangements.
3. Through a short term (30 day maximum limit) Temporary Operating Permit issued to permit commercial activity on an event by event basis, after ensuring that the perspective operator meets the minimum qualifications for providing such service to the public from the Airport, as detailed in this section.

### **4.03 - NON-DISCRIMINATION**

A fair and reasonable opportunity, without discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities to engage in selected commercial activities, or to use the Airport as a base for other business activities, subject to applicable Minimum Standards and requirements as may be established and amended from time to time by the Authority.

The Authority, through its Minimum Standards, attempts to maintain a "level playing field" on which all commercial operators of similar classification or aeronautical activity are to conduct business on a fair and equal basis for the benefit of the aviation public. In developing these Rules and Regulations and Minimum Standards, the Authority intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition.

Commercial Operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the Operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

No commercial operator shall exclude from employment, in participation, access to, benefits of its operations, or otherwise discriminate against persons on the ground of race, color, national origin, handicap, age, sex, sexual orientation or veteran status. Commercial Operators shall be responsible for compliance with any applicable local, state, and Federal rule, regulation, ordinance, or law regarding nondiscrimination.

#### **4.04 - PREQUALIFICATION GUIDELINES**

In order to process and evaluate applications for Commercial Operating Agreements, prospective Operators of a commercial business on the Airport must submit the following information (i.e., a business plan) to the President - CEO in writing at the time of application. The President - CEO may also request other related information from the prospective Operator to determine the Operator's intent and ability to meet the Commercial operating requirements of the Capital Region Airport Authority.

Upon satisfactory review and examination of the information provided by the President - CEO and the Authority's legal counsel, the President - CEO may recommend a Commercial Operating Agreement or Operating Permit, to the Airport Authority Board for approval, certifying that the prospective Operator, and its proposed Commercial Activities, are in compliance with related sections of the Authority's Rules and Regulations and Minimum Standards.

##### **1. Intended Scope of Activities**

- a. As a condition precedent to the granting of an operating privilege on the Airport, the prospective operator must submit a detailed description of the intended activity(s), and the means and methods to be employed to accomplish the applicable operating standards and requirements, in order to provide high quality service to aviation and the general public in the Lansing area, including the following:
- b. The services to be offered;
- c. The amount of land to be leased or subleased;
- d. The building space to be constructed, leased, or subleased;
- e. The number of Aircraft (or Vehicles) to be provided, if applicable;
- f. The number of qualified and/or certified employees;
- g. The hours of proposed operation;
- h. Evidence of required minimum insurance coverage as established by the Authority;
- i. Evidence of operator's financial capability to perform the proposed services and provide and maintain the required facilities; and
- j. Evidence of the operator's level of competency and experience in successfully performing the proposed service;

##### **2. The Written Agreement**

The required Commercial Operating Agreement, or Temporary Operating Permit, will detail the terms and conditions under which the operator will conduct business on the Airport, including, but not limited to, the term of agreement; the rentals, fees, and charges; insurance coverage; the rights, privileges, and obligations of the respective parties; and other relevant covenants. Agreement provisions, however, shall not change, modify, or be inconsistent with, these Authority's Rules and Regulations as they exist today or may be modified by the Authority in the future.

##### **3. Site Development Standards**

- a. The minimum space requirements contained in these Rules and Regulations may be satisfied by the lease, construction or sublease of single abutting, or separate parcels having one (1) building, attached buildings, or separate buildings. The use of mobile home type buildings, or T-Hangar space, to satisfy space requirements is prohibited. A minimum 50' setback from aviation apron areas and roadways is required for new construction.
- b. For construction of any new facilities on the Airport, the operator shall be subject to the standards of development contained in the Authority's Tenant Improvement Manual, Airport Master Plan, and Airport and Township development requirements, as well as all applicable Federal, state, and local laws, ordinances, and codes. Compliance with which must be demonstrated in the application for an agreement.
- c. The Operator may not make any alterations to any buildings, aprons, or other airport property, nor shall any building or other structure be erected without prior submission of a written request, including detailed plans and specifications, and the receipt of written permission from the Authority. Prospective operators shall comply with all building codes affecting airport properties and shall deliver to the President - CEO "as built" plans upon completion.

- d. A notice of alterations or construction must be submitted to the Federal Aviation Administration by the perspective operator, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and receive a favorable determination, prior to commencement of any construction.

#### **4. Personnel**

- a. The prospective operator shall have in his employ, and on duty during the required operating hours, such numbers and types of trained personnel with proper FAA credentials, certificates, and ratings as applicable to provide adequate and efficient services in accordance with Minimum Standards.
- b. Prospective Operators must demonstrate that procedures have been established to assure that all persons employed, or to be employed, who have unescorted access to any area on the Airport controlled for security reasons, are legal citizens of the United States of America, have completed criminal history background, and employment history, checks to the extent required by law, or regulation including, at a minimum, references and prior employment histories to the extent necessary to verify representations made by the employee/applicant relating to employment.
- c. It is important to note that the activities of the prospective operator and its employees reflect on the reputation of the Airport Authority and other authorized Commercial Operators at the Airport. Accordingly, Operator's employees shall be at least neat, clean, and courteous. The prospective Operator shall not permit its agents or employees to conduct business in a loud, noisy, boisterous, offensive, unsafe, or objectionable manner, or to solicit business outside the space assigned as stated in lease or operating agreement.

#### **5. Experience**

It is the Authority's experience that the ultimate success of commercial businesses on the Airport is dependent upon the Commercial Operator being experienced in providing the proposed services and being well capitalized to financially survive a business start up period of at least one year. Accordingly, as a part of an application, the prospective Commercial Operator, and/or the Operator's key management personnel assigned to the airport, must demonstrate that they are experienced in providing services for the specific business classification being proposed. Experience should be in the successful operation of a business, as its primary business, at an airport approximately the same size and activity mix as the Capital Region International Airport. Minimum experience levels for operators proposing to offer commercial aeronautical services in accordance with FBO Minimum Standards are:

- a. **Single Service Operator:**
  - ➔ No specific experience requirement. Some experience is recommended to be successful.
  - ➔ Single Service Operators, providing service under a Temporary Operating Permit, must demonstrate a level of experience equal to that required of a Limited Service Operator below.
- b. **Limited Service Operator** (2 or more services without fueling):
  - ➔ Two (2) years experience in each service to be offered.
- c. **Full Service FBO** (multiple services, three or more, plus fueling):
  - ➔ Five (5) years experience in all service activities proposed including fueling.

#### **6. Financial Stability**

- a. Capital Improvement / Equipment Funding: The Operator must demonstrate that it has, or is able to secure, the necessary level of capital for the purpose of constructing new facilities, or remodeling existing leased facilities, and acquiring maintenance equipment and aircraft, as may be necessary to service existing and future business demands.
- b. Operating Capital: The prospective Operator must demonstrate that it has the necessary available operating capital to enable it to hire the necessary personnel, pay airport rents and fees and generally cover all other business operating expenses for at least the initial 12 month start up period of the business. Operator' business plan must also demonstrate that the proposed business is projected to generate the level of revenue to sustain business operations past the initial 12 months.
- c. Business Credit History: The prospective Operator should be able to provide the Authority with evidence of a good credit history. Prior to the approval of a Commercial Operating Agreement, the prospective Operator should demonstrate that it has successfully operated a business, similar to the one being proposed. For providers of aeronautical services, operators should be able to demonstrate that it has provided similar aeronautical services at a minimum of one (1) other airport with activity levels and characteristics similar to the Capital Region International Airport, during the most recent eighteen (18) month period, without committing any material default under the terms of the respective lease and use agreements at the other airport, and without any history of untimely payments for rentals, fees, and

charges.

- d. **Absence of Good Business Credit History:** In the absence of being able to demonstrate a good business credit history, the President - CEO may have to consider declining the application or requiring that the prospective Operator agree to "security for payment" (Contract Security) provisions in the proposed Commercial Operating Agreement. Accordingly, at the effective date of an operating agreement, a surety bond, or other similar security acceptable to Authority ("Contract Security") in an amount equal to the estimate of six (6) months' rentals, fees, and charges payable by the Operator may be required to guarantee the faithful performance of the Operator's obligations to the Authority under the agreement and the payment of all rentals, fees, and charges. Operator would be required to maintain such contract security in effect until the expiration of eighteen (18) consecutive months during which period Operator commits no event default as detailed in the operating agreement. Surety bonds, letters of credit or other security would have to be in a form and with a company reasonably acceptable to Authority.
- e. The Authority will review and respond to applications within 30 days of receipt.

#### **4.05 - AIRPORT RATES & CHARGES POLICY (Civil Infraction – 9.02)**

1. **Introduction / Guiding Principles:** The Capital Region Airport Authority (Authority) owns and operates the Capital Region International Airport (Airport) and Mason Jewett Field. The Authority has expended significant levels of public funding to develop and maintain the facilities necessary to provide transportation and related services for the general public, and to enable commercial operators (non-profit or for profit) to conduct business on Authority property. Funding for Authority Administration, Airport operations and maintenance, and capital improvements is derived through various types or classes of Airport user fees. Airport user fees are specifically established to compensate the Authority for the operation, use, maintenance, and replacement of Airport facilities, as well as to minimize the need for on-going general taxpayer support.
  - a. **Airport Facilities Defined:** "Airport Facilities" means all land, improvements, and appurtenances of the Airport, including all runways; taxiways; aviation ramps; hangars; aircraft and automobile parking areas; roadways; sidewalks; navigation and navigational aids; electrical, water, and sanitary or storm water sewer utilities; terminal facilities; aircraft fueling facilities; warehouse facilities; or other areas of Airport property that have been purchased or constructed at Authority's expense for the benefit of Commercial Operators, Operator's tenants and customers; and the general public.
  - b. **Payment of Fees Required:** The use of the above mentioned Airport Facilities is subject to full compliance with such rules and regulations as now exist, or may hereafter be enacted by the Authority, and the payment of such fees and charges as may be established from time to time by the Authority for the maintenance, operation or replacement of these Airport, and Airport related facilities.
  - c. **Non-discrimination:** In adopting a Schedule of Airport Rates and Charges, the Authority recognizes that FAA regulations require all such charges to be "***fair, reasonable and non-discriminatory.***"
  - d. **Revenue Diversion:** The Airport Authority fully recognizes the FAA ***prohibition against the diversion of Airport generated revenues for non-airport purposes.*** Further, the Authority recognizes that FAA Regulations consider the failure to collect fair and reasonable fees, and market-based rents, for the use of Airport property, facilities and equipment can be considered a form of prohibited ***Revenue Diversion.***
  - e. **Self-Sustaining Airport – Statement of Intent:** The Authority also recognizes the FAA requirement to establish a Schedule of Rates and Charges that will permit the Airport to be "***as self-sustaining as possible.***" Therefore, *it is the intent of this Policy, that the Airport Authority establish, and maintain, appropriate rates and charges for each and every Airport use and to charge Airport users accordingly in full compliance with these regulations.*
  - f. **Specific Federal Regulatory References:** Specific federal references affecting the use of Airport revenues and the establishment of Airport rates and charges, as a minimum, are:
    - 1) FAA Airport Compliance Manual – Order 5190.6B
    - 2) FAA Airport Sponsor Assurances
    - 3) FAA Policy Regarding Airport Rates & Charges, as amended.
    - 4) FAA Policy and Procedures Concerning the Use of Airport Revenue

## 2. Airport User Fees Defined:

- a. **Landing Fees:** Airport landing fees are assessed to help offset the cost of operating and maintaining the Airport's runway, taxiway, and aircraft parking ramp (airfield) areas. Landing fees are based upon the Maximum Gross Landed Weight (MGLW) of the aircraft multiplied by the Authority's established landing fee rate per 1000 pounds of Maximum Gross Landed Weight.
  - 1) **Signatory Landing Fees:** Signatory Landing Fees are assessed to an airline having a Signatory Airline Operating Agreement with the Authority or an airline that is an affiliate of a Signatory Airline.
  - 2) **Non-Signatory Landing Fees:** Non-Signatory Landing Fees are assessed at a higher landing fee than the Signatory Landing Fee rate, for airlines using the Airport who do not have a Signatory Operating Agreement with the Authority. The Non-Signatory Landing Fee is intended to compensate the Authority for the operator's use of the Airport's runway and taxiway areas as well as compensation for the privilege of being able to access the airport to conduct business when they do not meet the Signatory Airline Agreement criteria.
  - 3) **General Aviation (non-commercial) Aircraft Landing Fees:** Large General Aviation (privately owned/non-commercial) aircraft are required to pay a landing fee. General Aviation landing fees shall be equal to the fees required of commercial aircraft of the same size, and consistent with the Signatory / Non-Signatory definitions noted above, for the use of the Airport's airfield areas.
- b. **Fuel Flowage Fees:** The Authority may assess a Fuel Flowage fee against each gallon of aviation gasoline (avgas), and each gallon of jet fuel, sold at retail, wholesale, or under a non-airline self-fueling arrangement, on the airport.
- c. **Airfield Access Fees:** An Airfield Access Fee may be assessed to owners of hangar facilities or based aircraft on the Airport in addition to hangar ground site rents to assist in off-setting airfield maintenance and operating costs.
- d. **U.S Customs Facility Fees:** Customs Facility User Fees may be assessed to international aircraft operators for their use of US Customs & Border Protection Facilities and services when funding to cover the cost of providing these facilities and services are being provided by the Authority.
- e. **Aircraft Parking Fees:** The Authority assesses aircraft parking charges to help offset the cost of the operation and maintenance of the Airport's aircraft parking ramps.
- f. **Auto Parking Charges:** The Authority's Schedule of Rates and Charges includes compensation for the use of Airport's public parking areas located outside of the operator's leased area.
- g. **Ground Site Rents:** Areas of the Airport not needed for the construction of runways, taxiways, or other aircraft operations areas, shall be marketed to the public for lease. Leases to parties desiring to construct facilities for aviation purposes shall receive the highest priority, especially those ground sites that offer direct airfield access. Lease rates shall be established that reflect the market value of the property, ensuring a fair rate of return to the Authority. The location of the property in relation to the airfield, the condition of the property, the Authority's infrastructure investment, as well as the current rental rates being charged for similar types of ground sites on the Airport, are fully considered when determining the appropriate rental rate.
- h. **Airport Building Rents:** Rental or Lease rates for airport buildings shall be established that reflect the market value of the property and ensure a fair rate of return to the Authority. The location of the building in relation to the airfield, the building's condition, the Authority's current or planned infrastructure investment, as well as the current rental rates being charged for similar types of airport buildings, are fully considered when determining the appropriate rental rate.
- i. **Operation & Administration / Processing Fees:** The Authority is obligated by various local, state, and Federal Laws to place and maintain certain controls over the use of the Airport. Where the Airport's compliance of these laws involves performing various administrative or operational processes on behalf of Airport users, the Authority may establish such administrative and operational processing fees necessary to recover the Authority's cost for providing the services.

- j. **Concession / License Fees:** The Authority has established Minimum Standards for Commercial Operators who desire to provide goods and services on Airport property to the public. All such providers of commercial services, whether from an on-airport or off-airport location, must first have a Commercial Operating Agreement to conduct business as detailed in Section 4.02. Accordingly, for the privilege of using Airport property to conduct an authorized business, the Authority assesses a commission (percent) on the gross receipts generated by the business or other form of concession fee, in addition to other rents and fees that may be required.
  - k. **Aircraft Rescue and Firefighting (ARFF) Fees:** ARFF services are currently provided to airport customers through Airport Public Safety. Aircraft owners/operators are responsible for the cost of replacing materials used in the firefighting process and the immediate removal of disabled aircraft from the Airport's runway/taxiway areas. The Authority may assess an ARFF Fee, in addition to other fees and charges, to cover the increased costs experienced by the Authority to provide ARFF services.
  - l. **Airport User Fees for Military / Governmental Users:** In accordance with FAA grant agreements, the Authority does not charge Airport user fees to the operators of aircraft owned by the US government. The Authority may invoice the US government to reimburse the Authority for labor and material costs related to providing facilities and services in support of governmental activities. Civilian airline charter flights operated under contract with the US government are charged the same fees and charges as any other airline.
  - m. **Other Rates and Charges:** The Airport Authority shall establish other classifications of rates and charges as necessary to compensate the Authority for an Airport use not listed above.
3. **Annual Schedule of Rates & Charges / Adjustments:** The Airport's Schedule of Rates and charges shall be adopted annually in accordance with the Authority's annual budget process. The revised Schedule of Rates and Charges shall be effective at the beginning of the Authority's fiscal year. The Authority shall notify airport users of the proposed changes in Rates and Charges at least 30 days prior to implementation.

#### **4.06 - INDEMNITY AND INSURANCE (Civil Infraction – 9.02)**

##### **1. Indemnification**

Prospective commercial operators or operators using the Airport as a base for governmental / private aviation business, agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all reasonable expenses incidental to the investigation and defense thereof, in any way arising out of or resulting from any acts, omissions or negligence of the Operator, its agents, employees, licensees, successors and assigns, or those under its control; in, on or about leased premises or upon leased premises; or in connection with its use and occupancy of leased premises or use of airport; provided, however, that the Operator shall not be liable for any injury, damage, or loss occasioned by the negligence or willful misconduct of the Authority, its agents or employees.

The Operator, or based governmental / private aviation business users, also agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all expenses incidental to the investigation and defense thereof, in any way arising from or based upon the violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Operators agents, employees, licensees, successors and assigns, or those under its control. The Operator shall not be liable for any claims and actions and expenses incidental to the investigation and defense thereof, in any way arising from or based upon violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Authority, its agents, employees, licensees, successors and assigns, or those under its control.

##### **2. Minimum Liability / Auto Insurance Requirements**

Without limiting the Operator's or based governmental / private aviation user's obligation to indemnify the Authority, the Operator or user shall provide, pay for, and maintain in force the following insurance coverage:

- a. **Single Service Operators:** Except as specifically set forth in 4.06, 2. b. below, the following types of insurance coverage shall be provided by the Operator, naming the Authority as additional insured:

- Aircraft Liability (if applicable)                      \$2 Mill Each Accident

- Commercial General Liability \$2 Mill Each Accident
- Environment Impairment \$2 Mill Each Event
- Passenger Liability (if applicable) \$100,000 each passenger

**b. Flight Training, Flying Clubs, and Hangar Rental:** The following types of insurance coverage shall be provided by the Operator, naming the Authority as additional insured:

- Aircraft Liability (if applicable) \$1 Mill Each Accident
- Commercial General Liability \$1 Mill Each Accident
- Environment Impairment \$1 Mill Each Event
- Passenger Liability (if applicable) \$100,000 Each Passenger

Single Service Operators, desiring to provide services under a Temporary Operating Permit in accordance with Section 4.02, are required to demonstrate valid automobile insurance in accordance with paragraph 4 below, and must also demonstrate that either the Operator, or the hangar owner, possess the minimum level of \$1 million in commercial general liability insurance.

**c. Limited Service Operator** – The same as a Single Service Operator except the minimum liability limit set at **\$5,000,000 per occurrence**;

**d. Full Service Operator** –The same as a Single Service Operator except the minimum liability limit set at **\$10,000,000 per occurrence**.

**e. Passenger Airline Insurance** - Minimum liability limits:

- 100 seats or more - \$150 Million
- Over 40 Seats - \$100 Million
- 39 seats or less - \$50 Million

**3. Minimum non-commercial liability insurance requirement** for based governmental / private aviation users, who lease property from the Authority, shall demonstrate that they possess comprehensive aircraft and general premises liability insurance against claims occurring in or about the leasehold premises, with the Authority listed as additional insured, affording a minimum protection of \$1 million combined single limit with respect to both personal injury and property damage. Higher levels of insurance may be required through lease agreements depending upon the specific use of Airport property and determined risk exposure to the Authority. Organizations who report to be self-insured must provide a letter or other form of certification, acceptable to the Authority, attesting to such coverage.

**4. Automobile insurance** for vehicles operating in the aviation areas of the Airport:

- a. \$1,000,000.00 Property Protection. This is currently included in all standard automobile policies as mandated by the No Fault Law of the State of Michigan. This insurance requirement shall remain in effect, even if this provision in the Michigan No Fault Law is altered or eliminated.
- b. Southwest Hangar Area: Persons or organizations desiring to operate vehicles in this area of the Airport must demonstrate \$300,000 / \$300,000 Residual Combined Liability. (Bodily Injury, Combined Single Limit)
- c. Air Operations Area: Persons or organizations desiring to operate vehicles in this area of the Airport must demonstrate \$1 million / \$1 million Residual Combined Liability. (Bodily Injury, Combined Single Limit)
- d. Organizations operating automobiles on the Airport, who report to be self-insured must provide a letter or other form of certification, acceptable to the Authority, attesting to such coverage.

**5. Certificates of Insurance**: Certificates of Insurance evidencing the minimum requirements of this section, and the naming of the Authority as additional insured, must be provided, and maintained in force, to the Authority by the Lessee.

- a. Statutory Worker's Compensation insurance; and any other policies of insurance are also required by the Authority.
- b. The above mentioned insurance amounts and types of insurance shall be reviewed from time to time by the Authority and may be adjusted by the Authority if the Authority reasonably determines such adjustments are necessary to protect the Authority's interests. The Operator shall furnish the Authority, as evidence that such insurance is in force, a certified copy of the insurance certificate including the Authority as additional insured within 30 days after the policy(s) is issued. Said policies shall be in a

form and content satisfactory to the Authority and shall provide for thirty (30) days written notice to the Authority prior to the cancellation of or any material change in such policies. Organizations that purport to be self-insured must provide a letter or other form of certification attesting to such coverage that is satisfactory to the Authority.

**6. Adjustment of Insurance Limits – Effective Dates:** Minimum insurance requirements may be adjusted periodically by the Authority, in accordance with Board policy development procedures, to keep insurance requirements up to date with current insurance industry standards. With the adoption of adjusted minimum insurance limits by the Authority, including those contained in these Rules and Regulations, all Airport users and leaseholders shall have six (6) months from the day of adoption to demonstrate compliance with the new minimum insurance requirements as they relate to their approved use of Airport property.

#### **4.07 - COMMERCIAL ACTIVITY – SPECIFIC CONTRACTUAL BUSINESS (Civil Infraction – 9.02)**

The following commercial activities are governed by separate and specific operating agreements under the conditions described below.

##### **1. Airline Activities**

- a. Scheduled Airline Activities: All scheduled airline **passenger** flights are required to be processed through the airport's terminal building. All scheduled airline **air cargo** flights are required to process through the airport's designated air cargo area. The President - CEO may wave these requirements for a specific individual occurrence, after ensuring that the activity remains in compliance with TSA regulatory requirements.
- b. Charter Passenger Flight Activities: Public or Private Charter flights may be processed at another location on the Airport, other than the Airport's terminal building with President - CEO approval, providing that all TSA requirements are met, and the charter operator agrees to pay the appropriate airport use fees and charges for law enforcement officer support (if available) of the screening process.

However, security screening of passenger flights from the Airport terminal is considered to be the safest and most secure method to protect the traveling public. Accordingly, passenger loading and unloading at locations outside of the terminal building are discouraged by the Authority. Arrangements to conduct the security screening process for Private Charters, at a location other than the terminal building, must be scheduled in advance with TSA and Airport Operations for each flight. This will ensure that law enforcement is available to support the charter operator-provided screening process. Requests to process passenger flights through a non-terminal location must be supported by (1) written verification by the local TSA Federal Security Director or his/her representative that the operator is properly certified under applicable TSA regulations, (2) certification by the operator of the existence of valid liability insurance naming the Authority as additional insured, (3) the execution of a waiver of liability and indemnification, (4) advance payment of applicable Authority law enforcement call-out fees. The use of private security LEO services to meet the Authority's LEO support requirements in accordance with federal security regulations is prohibited.

In the absence of making special arrangements with Airport Operations, all departing charter flights must be processed through the Airport's terminal building like other commercial airline flights.

- c. Third party Passenger Screening Contractors: Companies, other than charter airlines certified by the TSA to perform security screening processes, desiring to provide commercial security screening services on the Airport must possess a Commercial Operating Agreement with the Authority in accordance with Section 4 of these Rules and Regulations.
- d. Airline Operating Agreements: The Authority has separate operating agreements directing the use of the Airport by passenger and cargo Airlines. Airlines desiring to operate from the Airport without the need for exclusively leased terminal space, or a ground site / building on the airfield, do so under a Non-Signatory Airline Operating Permit/Agreement. Passenger airlines leasing exclusive use terminal space do so through a Signatory Airline Operating/Lease Agreement. Cargo airlines leasing a building ground site for cargo activities do so through a Signatory Airline Operating Agreement and a separate ground site/building lease.

##### **2. Commercial Aeronautical Services**

Fixed Base Operators providing Commercial Aeronautical Services must have a Commercial Operating

Agreement that specifically defines the type of commercial aeronautical services to be provided in accordance with the Minimum Operating Standards. A Commercial Operating Agreement authorizing commercial Fixed Base Operator activities may not be used to permit the operation of airlines, car rentals, restaurant – gift shops, taxi-limo operations or any other non-aeronautical service. Fixed Base Operators desiring to initiate other non-aeronautical commercial activities on the Airport must have a separate commercial agreement specifically authorizing the additional commercial activities.

**3. Car Rental Concessions**

On-Airport Car Rental Concession licenses are granted periodically through a competitive Request for Proposals process under the following requirements. Specific Minimum Operating Standards are included in the RFP.

Authority to provide Off-Airport Car Rental services to or from the Airport is granted through a license – Permit Application process, administered through Authority Administration.

**4. Restaurant – Gift Shop Concessions**

Airport restaurant and gift shop concession operating authority is granted periodically through a Request for Proposals process.

**5. Taxi – Limo – Courtesy Vehicle Services**

Authority to provide Taxi, Limousine or Courtesy Vehicle services to or from the Airport is granted through a license – Permit Application process, administered through Authority Administration.

**6. Advertising and Display**

No person shall post, distribute, or display advertisements or distribute beverages, food products or any other commercial enticements on Airport property or any structure thereon, without the prior written permission of the President - CEO, or in accordance with the provisions of a lease, contract, or permit executed with the Authority and only in such a manner as may be prescribed.

**7. Commercial Photography: Use existing language**

In order to preclude the potential for disruption of the orderly flow of pedestrian, vehicular, and aircraft traffic, no person may take still, motion, or sound motion records or recordings of voices or otherwise on the Airport for commercial purposes without written permission from and in a manner authorized by the President - CEO.

This regulation does not apply to bona fide coverage by the news media conducting their business in authorized areas and in accordance with standard operating procedures. Representatives of the working press desiring access to Air Operations Areas must first contact the Operations Office for an escort.

**8. Non-tenant Automobile Parking Concession**

Any non-tenant automobile parking concession seeking to pick up passengers at the airport, or supply service to passengers at the airport shall be considered a commercial activity and required to obtain the appropriate permit for such activity from the President - CEO, and pay the rates and charges prescribed for such use.

**4.08 – USE OF AIRPORT PROPERTY – BUILDING USE REQUIREMENTS: (Civil Infraction – 9.02)**

**1. General Use of Airport Property**

Use of airport property, especially which purchased with federal grant funds, is governed by numerous federal regulations. Use of airport property is restricted to airport / aviation related purposes. The use of buildings constructed on airport property must remain consistent with this restriction. Similarly, the use of airport property for commercial purposes is subject to additional restrictions regarding non-discrimination, reasonable rates and charges and other requirements related to offering services to the public in accordance with federal guidelines. In accepting grant funds, the Airport Authority has agreed to ensure that it, and all Airport users, comply with these various regulatory requirements. Accordingly, this directive is issued to assist Airport Authority, Leaseholders and Building Owners, in ensuring compliance with:

- a. DOT/FAA Order 5190.6A, Airport Compliance Requirements (10-2-1989)
- b. FAA Airport Sponsor Assurances, (3-2005)

**2. Hangar Development & Use Requirements**

**a. Master Planning**

Control of airport land use is initiated through the Airport Authority Master Plan, as approved by the FAA. The Master Plan sets aside areas of land expressly to be used for the development of hangars for aircraft storage.

b. Airport Layout Planning

Airport hangar development is permitted only in areas of the Capital Region International Airport defined for general aviation hangar development on the FAA approved Airport Layout Plan (ALP).

c. Pavement Requirement

All aircraft hangars shall be constructed adjacent to aviation ramp/apron areas having pavement appropriately stressed to accommodate the weight of the aircraft to be stored in the proposed hangar.

d. General Hangar Use – Aircraft Storage Requirement

The lease of ground sites for the construction of hangars, or the lease of an Authority owned hangar, is to be primarily for the storage of aircraft and associated equipment, offices, parts rooms, restrooms and passenger waiting rooms, in support of aircraft / aviation operations. In the absence of an aeronautical use for an aircraft hangar, the hangar owner may petition the Authority to apply to the FAA's Airports District Office for an "Interim Use of Aeronautical Property for Other Purposes." If the FAA/ADO consents to such an approved use, it would be considered a temporary / short term (normally not to exceed 3 years) use of aeronautical airport property for a specific non-aeronautical purpose. Approval of such interim use must be supported by the approval of the Authority, and information detailing the hangar owner's plan for promoting the return of the property to an aeronautical use within the defined interim period. In the absence of such Non-Aeronautical Interim Use approval, however:

- 1) Aircraft Requirement: No person, or organization, may lease, construct, or otherwise occupy a hangar at the Airport without demonstrating the continued ownership, or exclusive lease, of at least one aircraft and the continued occupancy of the hangar for related aviation purposes.
- 2) Storage of Non-Aeronautical items: It is recognized that hangar owners / tenants may have an occasional need to store items in hangars that do not have a direct aeronautical relationship. Such items, if stored, may not occupy more than approximately 10% of the hangar facility at any time.
- 3) Aircraft Registration: Only aircraft owned by, or exclusively leased to, the leaseholder or tenant, officially registered with the Operations Department may be stored in hangars at the Airport.
- 4) Vehicle Parking: To avoid conflicts with aircraft operations, hangar tenants, and guests, are expected to park their personal vehicles in their hangar or in the parking lot adjacent to the hangar area, outside the Airport's perimeter fencing, where available. Where parking inside the hangar is not possible when the tenant's aircraft is present, the tenant and guests shall park their private vehicles in a manner that does not block taxiways or impede aircraft movements. Hangar tenants remain solely responsible for escorting their guests and controlling the actions of their guests and guest vehicles, when inside the Airport perimeter fencing.
- 5) Maintenance: Aircraft maintenance conducted on leased hangar premises shall be accomplished in compliance with local building and fire codes; the Authority's Rules and Regulations/Minimum Standards; and in hangar/maintenance facilities specifically designed to accommodate the proposed maintenance activity. Aircraft maintenance shall be performed by aircraft owners, employees of the owners, or persons contracted by the owner to perform aircraft maintenance, who are airframe / power plant licensed mechanics authorized by the Authority to perform maintenance on aircraft on Airport property, as detailed in this Section 4, and Section 7.12.
- 6) Aircraft Fueling: Aircraft shall be removed from hangars during fueling operations. Fueling operations, including self-fueling shall be conducted in accordance with the Authority's Rules and Regulations.
  - The Airport has an aviation gasoline fuel storage and dispensing area approved and designated for the self-fueling of aircraft. The facility is operated by a Full Service FBO, and available for use for self-fueling of aircraft by the general public.
  - Independent of this designated self-fueling area, a person or organization owning aircraft shall be permitted, personally or using the organization's employees, to fuel their own aircraft in accordance with the Airport Rules and Regulations. Self-fueling activities must be accomplished through the use of an NFPA approved mobile fueler, having a capacity of not less than 500 gallons, and owned by the owner of the aircraft to be fueled. The aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel private aircraft or mobile fuelers.
  - Further, the Authority prohibits the use of a "CO-OP" (an organization formed by several aircraft owners for the purpose of self-fueling) as a single aircraft owner for the purpose of self-fueling. Self-fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. Further, the operator's fuels may not be sold, given, or ownership otherwise transferred, to other aviation operators.

e. Commercial Hangars

Within the land areas identified for general aviation development, specific sites are identified for the construction of large aviation hangars to be used for the commercial (for profit) aircraft storage, and providing other commercial aeronautical services to aircraft owners, in full compliance with the Authority's Rules & Regulations/Minimum Standards for Commercial Operators. Commercial aeronautical services may not be provided to the public from ground sites, or hangars constructed on ground sites, in areas of the Airport not designated for commercial operations.

f. Commercial T-Hangar Development and Use

Commercial T-Hangar owners, in accordance with the terms of a Commercial Operating - Lease Agreement with the Authority, are granted the right to rent or sublease individual hangar space to the aviation public. No other commercial aeronautical services, or the operation of any other commercial businesses, are permitted from T-Hangars. Rental agreements are subordinate to the terms of the Commercial Operating Lease Agreement and individual renters are obligated to meet the terms and conditions of the primary agreement as well as compliance with Airport Rules and Regulations.

g. Hangar Use/Storage/Disposal of Hazardous Materials

As detailed in Section 7 of the Airport Rules and Regulations, in order to ensure fire and environmental safety, no flammable, corrosive, hazardous, or explosive materials or fuels shall be used or stored in or around hangars on the Airport except for the fuel and fluids contained within the fuel tanks or engine of stored aircraft, vehicles, equipment or aviation related appliances, except:

- 1) Hangar tenants, whose approved use of the Airport is limited to storage of aircraft, and having the obligation to maintain areas outside of their hangar for such purposes as mowing grass, or removing snow, may store up to five (5) gallons of gasoline as required for the operation of such equipment, in an approved storage container, in support of these specific maintenance responsibilities. The transfer of fuel from the storage container to the equipment must not occur inside the hangar. Tenants may also store paint in quantities not to exceed 5 gallons, and other related products, that are specifically being used in the maintenance of their hangar.
- 2) Hangar tenants, whose approved use of the Airport is limited to storage of aircraft, may store no more aviation motor oil, or other aviation fluids used in the normal operation of their specific aircraft, than necessary to support one oil change or the "top off" of other fluids, in their hangar for the purpose of providing minor maintenance on their aircraft. These minimum requirements may be adjusted by the Authority to accommodate Operators having a fleet of aircraft to maintain. Used oil may not be stored and shall be immediately removed from Airport property after maintenance is performed. Waste aviation fuel, collected from aircraft fuel sumps, shall be collected in an approved container, not to exceed 10 gallons. In any case, storage or retention of gasoline or other aviation fuel shall not exceed a total of 15 gallons. Waste oil and fuel shall be removed from Airport property with 48 hours of the event generating the waste.

h. Insurance Coverage – Hangar Buildings and Vehicles: Minimum insurance requirements are detailed in Section 4.06.

i. Liability for Damage & Injury

Hangar tenants, receiving authorization to operate a motor vehicle in the aviation areas of the Airport, and hangar tenants authorized to escort guests to their hangar inside the Airport's perimeter fence, shall be solely responsible for damage or destruction of property and the injury or death of persons resulting from their actions or failure to act.

#### **4.09 - MAINTENANCE OF BUILDINGS AND GROUNDS (Civil Infraction – 9.02)**

Generally, in accordance with the terms of the lease agreement, a Building Owner (Operator or Leaseholder) shall maintain the leased premises at all times in a safe, neat and clean condition. The Operator shall repair all damage to the building and ground site; shall maintain repair and/or replace all equipment, including any building's structural components and the roof; and shall paint the buildings as necessary to ensure that the leased site remains attractive to the public visiting the Airport.

In the event the terms of the lease agreement do not specifically address the maintenance of buildings and grounds, a building owner or leaseholder shall be responsible for and perform all building and ground site maintenance, including but not limited to:

1. Janitorial services, providing janitorial supplies, window washing, rubbish, and trash removal.
2. Supply and replacement of light bulbs in and on all buildings, obstruction lights and replacement of all glass in building, including plate glass.

3. Cleaning of stoppages in plumbing fixtures, drain lines and septic system to the first manhole outside the Premises.
4. Replacement of floor coverings.
5. Maintenance of all building and overhead doors and door operating systems including weather stripping and glass replacement.
6. Building interior and exterior maintenance, including painting, repairing and replacement.
7. Repair or replacement of equipment and utilities to include electrical, mechanical and plumbing in all buildings, including but not limited to air conditioning and heating equipment. All repairs may be made without the Authority's consent as long as said changes meet all applicable code requirements.
8. The Operator shall be responsible for all snow removal on the premises and auto parking areas if any in its use. The Operator shall do so in a manner which does not interfere with airport operations or damage property.
9. The Operator shall perform all maintenance on Premises or Operator-constructed structures, pavements and equipment and utilities to the point where connected to the main source of supply or the first manhole outside of the Premises or to the utility corridor.
10. The Operator shall advise the Authority and obtain Authority's written consent in writing before making changes involving structural changes to buildings or premises, modifications or additions to plumbing, electrical or other utilities. Any penetration of the roof shall be considered a structural change.
11. The Operator is responsible for maintaining electric loads within the designed capacity of the system. Prior to any change desired by the Operator in the electrical loading which would exceed such capacity, written consent shall be obtained from the President - CEO of the Authority.
12. The Operator shall maintain and replace all lights in and on the building and on the Premises.
13. The Operator shall provide and maintain hand fire extinguishers for the interior of all buildings, shop, parking, storage and ramp areas in accordance with applicable fire - safety codes.
14. The Operator shall maintain all landscaping and grounds as originally approved and installed, to include, but not limited to, the mowing of grass, trimming of bushes, and watering of trees.

#### **4.10 ANNUAL BUILDING / GROUND SITE INSPECTION PROGRAM (Civil Infraction – 9.02)**

The President - CEO, or his designated representative, shall have, at any reasonable time, with prior notice, the full and unrestricted right to enter the Premises for the purpose of periodic inspection for fire & safety protection; building maintenance; and to confirm compliance with NFPA Standard #409 (Aircraft Hangars) as well as other local building fire codes, and Airport Rules and Regulations, and compliance with the terms of the lease agreement. Airport Operations will maintain a copy of the applicable standards and fire / safety codes for hangar owner review.

Building inspections will be administered as follows:

1. Building inspections will be scheduled and conducted at least once annually by Airport Public Safety with the assistance of Airport Maintenance, as necessary.
2. T-Hangar owners will be expected to arrange for access to each of the rental hangar spaces in their building.
3. The inspecting Public Safety Officers will submit a report to the Director of Public Safety. After review, the Director of Public Safety will either (1) notify building owners of the modifications to the building or grounds necessary to ensure compliance or (2) advise the owner that they are in compliance with no concerns identified.
4. Building owners who disagree with the Director of Public Safety's assessment may contact the Sr. Vice President - COO and request reconsideration.
5. Building owners who disagree with the assessment of the Sr. Vice President - COO may contact the President - CEO and request reconsideration.
6. In accordance with the Authority's Rules and Regulations, the President - CEO is charged with the ultimate enforcement of Airport Regulations and lease requirements. Accordingly, the ultimate determination of the President - CEO shall be communicated in writing to the affected tenant.
7. Building owners shall be given a reasonable period of time (i.e., 30 days more or less), depending on the seriousness of the identified concerns, to make the necessary corrections or modifications. When possible, such time frames shall be mutually agreed upon between the building owner and Authority staff. In the event that corrections are not achieved within the time allotted, the following dispositions are available to the Authority:
  - a. The building owner may be contacted to determine if an extension of time is warranted,
  - b. The building owner may be sent a letter advising that the owner is in default of their lease agreement,
  - c. The building owner may be issued a citation for specific violations,

- d. Ultimately, if identified maintenance or violations are not corrected, after thirty (30) days from receipt of written notice, the Authority shall have the right to enter upon the premises and make necessary corrections or perform the necessary maintenance, the cost of which shall be born by the hangar owner as additional rent, which shall be paid by the building owner to the Authority within ten (10) days after invoiced, or
  - e. Any and/or all of the above, depending on the circumstances.
8. The building owner, or hangar lessee, may submit a written appeal regarding the President - CEO's determination, submitted through the Authority Board Chairman, at the Authority's administrative offices. The Authority Board shall consider the matter within the time period established in paragraph 6, above. Only those matters that relate to specific violations of Rules and Regulations will be considered by the Board. Appeals regarding fire codes, building codes, or violations of other local, State or Federal laws or regulations must be submitted to the appropriate authority having jurisdiction.

## **SECTION 5 - MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES (Civil Infraction – 9.02)**

### **5.01 - INTRODUCTION**

The following Minimum Standards for Commercial Aeronautical Services incorporated by Reference FAA Advisory Circular No. 150/51909-1A, Minimum Standards for Commercial Aeronautical Activities on Public Airports (1985). The Authority does not certify that the required minimum land, and building areas, personnel or equipment levels are adequate for the successful operation of the commercial service activities described. Additional land and building space, personnel and equipment exceeding the minimums, may be necessary for the operator to ensure that services are effectively provided to meet the needs of the public. All Aeronautical services and use of the Capital Region International Airport shall be conducted in strict compliance with federal regulations and state and local laws.

### **5.02 - DEVELOPMENT OF QUALITY SERVICES**

It is the Authority's intent to ensure that the Airport, through its authorized commercial service operators, provide a full range of quality services to the aviation public. To accomplish this objective, the Authority has established an FBO development process. The development process is founded on the principle that only experienced, well capitalized; operators have the greatest chance of successfully providing these quality services. The process also provides opportunities for interested parties, with limited experience, to establish aviation service businesses, to gain the necessary experience, and to grow into FBO service levels of greater responsibility to the public.

### **5.03 - EXCLUSIVE RIGHTS**

No private aeronautical service provider will be granted an exclusive right to solely provide any aeronautical service on the airport. Any interested party meeting the Minimum Standards may qualify for authorization to initiate a commercial aeronautical service business.

It is the intent of the Airport Authority to promote the development of private aeronautical service businesses on the airports it owns. The Authority, however, reserves the right to establish and/or provide aeronautical services at any time it deems that the services provided by private operators no longer meets the defined needs of the Airport public.

In the absence of a qualified Full Service Fixed Base Operator, the Authority reserves the right to provide retail fuel sales, and any other aeronautical service, absent an authorized commercial service provider, as an "exclusive right" unto itself in accordance with Federal Regulations. Once such an aeronautical service is thus declared an "exclusive right" of the Authority, the service can no longer be considered a service that can be offered by private commercial operators at the airport until such time that the Authority relinquishes such "exclusive right."

### **5.04 - SINGLE SERVICE FIXED BASE OPERATOR**

A person or organization, meeting the Minimum Standards of any one (1) of the following aeronautical services, may apply to the Airport Authority for permission to operate as a Single Service FBO in accordance with these Minimum Standards. Single Service Operators are prohibited from retail sales of fuel or petroleum products and providing aviation line services. Fuel/petroleum retail sales and line services are privileges reserved for qualified Full Service Fixed Base Operators. Single Service Operations are considered to be "entry level" business activities and thus no actual experience in operating such a business is required. Some experience is, however, recommended. A Single Service Operator may conduct business under the "umbrella" of an authorized Full Service Operator; however, a Commercial Operating Agreement is still required.

#### **1. Aircraft and Aircraft Parts Sales:**

Any Lessee desiring to engage in the sales of aircraft and/or aircraft parts to the public shall meet the following minimum operating standards:

##### **a. Land**

The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, aircraft parking, paved ramp area, employee parking and customer parking.

##### **b. Buildings**

Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space for work and office space, storage, and a public waiting area that includes indoor rest room facilities and

a public telephone.

- c. Personnel  
Two commercial pilots currently certificated by the Federal Aviation Administration, with appropriate ratings to cover the type of training offered.
- d. Aircraft  
Two airworthy, properly equipped single engine and/or multi-engine aircraft owned or leased in writing to the Lessee.
- e. Federal Requirements  
The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration and federal environmental authorities.
- f. State and Local Requirements  
The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

## **2. Aircraft Rental:**

Any person desiring to engage in the rental of aircraft to the public must meet the following minimum operating standards:

- a. Land  
The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, aircraft parking, paved ramp area, employee parking, and customer parking.
- b. Buildings  
Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space hangar and office space, storage, and a public waiting area that includes indoor rest room facilities and a public telephone.
- c. Personnel  
One commercial pilot, with appropriate ratings, currently certificated by the Federal Aviation Administration.
- d. Aircraft  
Three airworthy single engine and/or multiengine aircraft owned or leased in writing to the Lessee.
- e. Federal Requirements  
The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, environmental, fire, building, and safety matters.
- f. State and Local Requirements  
The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, environmental, fire, building, and safety matters.

## **3. Airframe and Power Plant Repair**

Any Lessee desiring to engage in airframe and/or power plant repair service must meet the following minimum operating standards:

- a. Land  
The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, temporary parking of aircraft, employee parking, and customer parking.
- b. Buildings  
Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space for work and office space, storage, and a public waiting area that includes indoor rest room facilities and a public telephone.
- c. Personnel  
One mechanic currently certificated by the Federal Aviation Administration, with ratings appropriate for the work being performed.
- d. Equipment  
Sufficient equipment, supplies and availability of parts to perform maintenance in accordance with manufacturers' recommendations or equivalent.
- e. Federal Requirements  
The Lessee shall comply with all applicable federal statutes and all regulations, including, but not limited

to, those promulgated by the Federal Aviation Administration.

f. State and Local Requirements

The Lessee shall comply with all state and local statutes, rules and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

g. Environmental Requirements

The Lessee shall comply with all applicable local, state and federal environmental statutes and regulations, including, but not limited to, requirements for the disposal of waste oil and other potentially hazardous substances.

**4. Air Taxi Operations**

Lessees desiring to engage in non-scheduled air taxi operations must be certificated by the Federal Aviation Administration under Federal Aviation Regulation, Part 135. (Note, FBOs desiring to offer scheduled passenger and/or cargo operations are required to possess a separate Airline Operating Agreement or Operating Permit):

a. Land

The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, aircraft parking, paved ramp area, employee parking, and customer parking.

b. Buildings

Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space for work and office space, storage, and a public waiting area that includes indoor rest room facilities and a public telephone.

c. Personnel

At least one commercial pilot currently certificated by the Federal Aviation Administration and appropriately rated to conduct the air taxi service offered.

d. Aircraft

It shall be left to the discretion of the Lessee to provide the type, category, class, size, and number of aircraft to meet the scope and magnitude of the service performed. All aircraft will be owned or leased in writing to the Lessee, and will be airworthy and meet all requirements of the certificate held.

e. Federal Requirements

The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration.

f. State and Local Requirements

The Lessee shall comply with applicable state and local statutes, rules and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

g. Environmental Requirements

The Lessee shall comply with all applicable local, state and federal environmental statutes and regulations, including, but not limited to, requirements for underground storage tanks, for the disposal of waste oil and other potentially hazardous substances and for the refueling of aircraft and vehicles.

**5. Avionics, Instrument, and Propeller Repair Service**

Lessees desiring to provide avionics, instrument, or propeller repair service must be certificated as a Repair Station, with appropriate ratings, by the Federal Aviation Administration and meet the following minimum operating standard.

a. Land

The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, aircraft parking, paved ramp area, employee parking and customer parking.

b. Buildings

Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space for work and office space, storage, and a public waiting area that includes indoor rest room facilities and a public telephone.

c. Personnel

One person certificated by the Federal Aviation Administration, in accordance with the terms of the Repair Station Certificate.

d. Federal Requirements

The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited

to, those promulgated by the Federal Aviation Administration.

e. State and Local Requirements

The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

f. Environmental Requirements

The Lessee shall comply with all applicable local, state, and federal environmental statutes and regulations, including, but not limited to, the disposal of waste oil and other potentially hazardous substance.

**6. Flight Training**

Any Lessee desiring to engage in pilot flight instruction shall meet the following minimum operating standards:

a. Land

The Leasehold shall contain an area of 10,000 square feet to provide space for all buildings, aircraft parking, paved ramp area, employee parking and customer parking.

b. Buildings

Lease or construct a building which will provide 4,800 square feet of properly lighted and heated space for work and office space, storage, and a public waiting area that includes indoor rest room facilities and a public telephone.

c. Personnel

Two commercial pilots currently certificated by the Federal Aviation Administration, with appropriate ratings to cover the type of training offered.

d. Aircraft

Two airworthy, properly equipped single engine and/or multi-engine aircraft owned or leased in writing to the Lessee.

e. Federal Requirements

The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration and federal environmental authorities.

f. State and Local Requirements

The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

g. Insurance Requirements: Equal to the minimum limits detailed in Section 4.06, 2. b.

**7. Flying Clubs**

The following requirements pertain to all flying clubs desiring to base their aircraft on the airport and be exempt from certain minimum operating standards that apply to commercial operators.

a. Regulations:

- 1) Each club must be registered as a Michigan non-profit corporation or partnership.
- 2) Each club member must either be a bona fide owner of an aircraft or be a shareholder, member or director of a Michigan non-profit corporation that owns aircraft for the use of its shareholders, members, or directors or be a general partner in a Michigan Partnership that owns aircraft for the use of its general partners.
- 3) The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual operation, maintenance, and replacement of its aircraft.
- 4) The club will file and keep current with the airport owner, a complete list of the club's membership and the investment share held by each member.
- 5) The club's aircraft will not be used by other than bona fide members for rental and by no one for commercial operations other than for flight instruction as provided below.
- 6) Student instruction can be given in club aircraft to club members, provided such instruction is given by (1) an Operator based on the airport that is authorized by the Authority to provide such service; (2) by a properly certificated instructor who is a club member and whose activities are insured through the applicable policies of insurance held by the club; or (3) in the absence of an Airport operator providing based flight instruction services, the club may contract with a certified flight instructor having an Airport Operation Permit in accordance with Section 5.04 authorizing the instructor to provide flight instruction services on a case by case basis.
- 7) Aircraft maintenance performed by the club shall be limited to only that maintenance that does not require a certificated mechanic. All other maintenance which is performed on the airport must be

provided by a Lessee based on the airport that provides such service, or by a properly certificated mechanic who is a club member.

b. Federal Requirements

The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration.

c. State and Local Requirements

The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.

d. Environmental Requirements

The Lessee shall comply with all applicable local, state, and federal environmental statutes and regulations, including, but not limited to, the disposal of waste oil and other potentially hazardous substances and for the refueling of all aircraft and vehicles.

e. Insurance Requirements: Equal to the minimum limits detailed in Section 4.06, 2. b.

**8. Hangar Rental**

Any Operator desiring to engage in the rental of aircraft hangars to the public must meet the following minimum operating standards.

a. Land

The Leasehold shall contain an area approved by the Authority containing sufficient square footage to provide space for all buildings, aircraft parking, and paved ramp areas.

b. Buildings

Lease or construct a building which will provide adequate square footage of properly lighted space for aircraft storage, as approved by the Authority.

c. Federal Requirements

The Operator shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration and federal environmental authorities.

d. State and Local Requirements

The Operator shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, the hangar use requirements in 4.08, requirements/regulations relating to tax, environmental, fire, building, and safety matters.

e. Insurance Requirements: Equal to the minimum limits detailed in Section 4.06, 2. b.

**9. Airline Ground Handling Services**

All air carriers and charter carriers retain full and primary responsibility for ensuring that they have made sufficient arrangements for all ground handling functions as outlined in this section, regardless of whether the carrier is self-performing these functions, or retaining the services from a separate commercial entity. This primary responsibility remains with the air carrier or charter operator even though the Authority requires a separate Commercial Operating Agreement for Fixed-Base Operators or independent ground handling businesses.

All air carriers and charter carriers also retain full responsibility for sufficient advance planning of their flight operations and associated functions, including ensuring effective coordination and communication among and between their own employees and any contractors they choose to employ. This includes advance determination of precisely what services will be required (and when) to ensure that 85 percent of all scheduled flight operations depart within 15 minutes of the scheduled departure time, while continuing to comply with all safety and other regulatory requirements.

These Minimum Operating Standards for providing Airline Ground Handling aeronautical services provide the minimum operating requirements for the processing of, regularly scheduled airline, or charter airline, flights (passenger or cargo) by operators approved by the Airport Authority, for FAA certificated airlines at the Capital Region International Airport.

An approved operator processing airline passenger or cargo flights, must provide for all necessary aircraft services, and passenger / cargo processing, for commercial flights including, but not limited to: Passenger ticket counter check-in, baggage processing, boarding gate passenger processing, loading bridge operation,

aircraft parking, fueling, maintenance, lavatory servicing, aircraft deicing, in-flight food services, coordination with TSA for security screening, and other services necessary for the effective and timely operation of commercial airline flights, in accordance with the requirements of the contracting airline. In the application process for an authority to provide this service the prospective operator must demonstrate the applicant's ability to meet the following minimum requirements:

a. Terminal Space Rental

- 1) Passenger Processing: Operator, or the contracting airline, must lease/rent square footage space within the terminal building of sufficient type and quantity to provide effective passenger processing. Total space leased should include ticket counter, operations offices, and bag make up space. Operators processing two or more regularly scheduled flights daily must retain a specifically designated ticket counter location for easy passenger identification. Operators processing one flight daily, or less, may rent temporary space, identified by, and at the discretion of, the Authority, on a flight / passenger basis.
- 2) Administration, Operations, Equipment Storage & Maintenance: Operator must lease space on the Airport, either in conjunction with terminal passenger processing space, or independent thereof, for the operations of its ground handling business and the storage and maintenance of its vehicles, equipment, and hazardous materials used in conjunction with its authorized aircraft ground handling activities.

b. Personnel

Operator shall employ the staff necessary to ensure that flights are processed in a timely fashion without delay. Staff shall include supervision, ticket counter/customer service representatives, ramp agents, and boarding gate attendants.

**Ticket Counter:** Operator shall provide for the minimum staffing of two (2) ticket counter check-in positions for aircraft having a seat capacity of 50 seats or more, and sufficient ticket counter check-in positions for aircraft larger than 125 seats.

**Ramp Agents:** Sufficient and cross-trained staffing on the ramp to service the aircraft includes; 2-baggage loading/unloading; 1 lavatory / water servicing; 1- for delivery of bags to bag claim; and as necessary 2 for aircraft deicing for a total of six (6) ramp side personnel positions.

The air carrier or charter operator must make sufficient staffing or contractual arrangements to ensure compliance with the following performance requirements:

- Eighty-five (85) percent of all scheduled flight operations within any given calendar month (including scheduled charter flights) depart within 15 minutes of the scheduled departure time, while continuing to comply with 100 percent of all safety and other regulatory requirements.
- The air carrier or charter operator is responsible for ensuring that checked baggage is available to arriving passengers no later than 20 minutes after arrival at the gate.
- Providing assistance to mobility-challenged passengers in accordance with Federal laws and regulations, including use of wheelchairs provided by the Authority.

c. Hours of Operation

Passenger check-in shall commence a minimum of two (2) hours prior to the scheduled departure of the flight. Staff shall remain on duty until 30 minutes after the departure in case the flight should return to the Airport. Staff processing an arriving flight that will be remaining over night (RON) shall arrive to process the flight arrival a minimum of one (1) hour prior to the scheduled arrival of the flight.

d. Equipment

Operator shall own, lease, or otherwise make contractual arrangements to have (and fully train the appropriate personnel) for the following minimum levels of equipment for passenger / flight processing:

- Computers for each passenger ticket counter check-in stations.
- Baggage conveyors – 2.
- Ground power cart – 1
- Tugs – 2
- Baggage carts – 8
- Deicing Truck – 1 with prearranged backup plans in place, either internally or through a contractual mechanism)
- Lavatory cart – 1
- Water cart – 1
- Air start cart – 1

e. Fees, Charges, and Reports

- Non-Scheduled Charter Flights: Operators processing non-scheduled charter flights shall be required to collect and remit all fees and charges associated with the use of the terminal and the airfield including, but not limited to, terminal rents, passenger processing fees, landing fees, loading bridge fees and aircraft parking charges when the operating airline does not have an operating agreement with the Authority.
- Regularly Scheduled Flights: Operators processing flights for regularly scheduled airline flights, or charter flights, of airlines having an operating agreement with the Authority are not obligated to collect fees. Authority Administration will invoice the airline for the appropriate charges.
- Monthly Reports: Operator shall be required to submit a monthly report, within 10 days following the end of the previous month, detailing the number of flights operated, and aircraft type, by which airline, along with the number of passengers and cargo processed, and the amount of fees collected. Authority Administration will provide operators with the appropriate standardized form to be used.

f. Other Requirements:

- Federal Requirements: The Operator shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to taxes, environmental, fire, building, security, and safety matters.
- State and Local Requirements: The Operator shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to taxes, environmental, fire, building, security, and safety matters.
- Environmental: The Operator shall comply with all applicable local, state, and federal environmental statutes and regulations, including but not limited to, requirements for the handling and disposal of de-icing fluids, waste oil and other potentially hazardous substances and rules governing the refueling of all aircraft and vehicles.

**10. Multiple Commercial Service Operators:**

Prospective Operators, desiring to provide multiple commercial services, may select a combination of the aeronautical services listed above in these Minimum Standards and request Authority approval to provide services as a Limited Service Operator, or a Full Service Operator as defined below.

Where more than one activity is proposed, the actual building, land, equipment, and personnel requirements may have to exceed the minimum space requirements listed below for Limited Service Operator and Full Service Operator classifications in order to ensure that safe and comfortable services are provided for the customer. When determining actual space and other requirements, all doubts, questions, or decisions will be resolved in the favor of the customer. Ultimately, the actual space requirements will also be dependent upon:

- The nature of proposed individual commercial services to be operated combination,
- The design and configuration of the proposed building, the operator's expansion plans,
- The proposed geographic location on the airport, and
- What has been required of other operators on the airport who provide a similar combination of services.

Additionally, the ultimate space requirements will not necessarily be the sum of the minimums for each individual aeronautical service in all instances. Because of the above variables, the applicable Minimum Standards on combinations of services will be determined in cooperation with the prospective Operator at the time of the application.

**5.05 - LIMITED SERVICE OPERATOR**

A person or organization meeting the Minimum Standards of any two (2) or three (3) aeronautical services described in this Section 2, may apply for permission to conduct business as a Limited Service Operator on the Capital Region International Airport. Limited Service Operators are prohibited from selling fuel or petroleum products and providing line services. Fuel sales and line services are business privileges reserved for qualified Full Service Operators, committed to providing or developing a full range of aeronautical services to the benefit of the Airport's aviation public. Minimum facilities required of Limited Service Operators are:

a. Land

A minimum of 13,000 s.f. of land on Airport property is required for Limited Service operations not involving

Airframe and Powerplant (aircraft maintenance and repair) services, to accommodate buildings, and aircraft parking, equipment, and customer parking. A minimum of 20,000 s.f. of land is required of Limited Service operations that include Airframe and Powerplant services. This land need not be the sum of the combined services, so long as a combination can be feasibly used to provide the services proposed. The land area, however, shall not be less than the largest land area required of any one aeronautical service.

b. **Buildings**

A minimum of 6,400 s.f. of total building floor space, including a minimum of 4800 s.f. of hangar, is required of Limited Service operations, not involving Airframe and Power plant services, to include hangars, shops, offices, classrooms, a pilots lounge, public restrooms, a flight planning/weather information area, and public telephones. A minimum of 9600 s.f. of total building space, including 7200 s.f. of hangar, is required if Airframe and Power plant services are offered.

**5.06 - FULL SERVICE FIXED BASE OPERATOR (FBO):**

A person or organization meeting the Minimum Standards of the following required aeronautical services as described in this Section may apply for permission to conduct business as a Full Service Fixed Base Operator on the Capital Region International Airport. Full Service Operator is the only commercial operator classification authorized to sell fuel or petroleum products and provide line services at the Airport. Fuel sales and line services are business privileges reserved for qualified Full Service Operators, committed to providing or developing a full range of aeronautical services to the benefit of the Airport's aviation public. Minimum facilities and services required of Full Service Operators are:

**1. Aircraft Maintenance and Repair Services**

- a. FAA approved repair facility
- b. Jet Aircraft (DC9/727 and smaller)
- c. Twin engine (turbine/reciprocating) aircraft
- d. Single engine aircraft

**2. Pilot Training**

Operator shall own or have contractual arrangements with an approved Single Service Operator to provide pilot training, having available at all times at least one (1) aircraft capable of providing each of the following services:

- a. Basic pilot training (private license - ground school/VFR certification in single engine)
- b. Twin engine aircraft instruction/certification
- c. IFR/Instrument ratings
- d. Commercial pilot ratings.

**3. Air Taxi - Charter Service (Part 135 Certificate)**

Operator shall own, or have contractual arrangements making immediately available, at least one (1) aircraft capable of providing non-scheduled twin engine turbo prop, or passenger / cargo on demand air taxi - charter services. Operator shall also provide or coordinate jet aircraft charter services upon request with at least a 5 day notice.

**4. Aircraft Rental**

Operator shall own, or be able to arrange for the rental of, a minimum of two (2) aircraft, single-engine and or multi-engine, with one (1) aircraft equipped for flight under instrument flight rules and conditions. Rental Aircraft will be available for rent to general aviation pilots who meet the FBO criteria for renting aircraft.

**5. Commercial Fuel Sales/Line Services**

Operator shall have available at all times a minimum of one (1) 750 gallon aviation gasoline truck and one (1) 3000 gallon jet fuel truck equipped and maintained in accordance with State and Federal Regulations and Authority standards. Operator is prohibited from selling fuels or other aviation products to individuals or organizations that plan to resale those products to others at the Capital Region International Airport. Operator shall provide, but not be limited to, the following services in a quantity and level of quality to meet the needs of the airlines and general aviation:

- a. Aviation fuel sales for end user consumption.
- b. Into-plane Airline Fueling
- c. Associated aviation line (ramp) services including, but not limited to:

- Aircraft deicing
- Aircraft preheating / air starts
- Aircraft towing/parking
- Pilot supplies
- Aircraft meeting/greeting
- Tie down services
- In/out hangar services
- Aircraft washing

**6. Aircraft Hangar/Tie-down Services**

Operator shall provide space as available for the storage of aircraft visiting or based at the Airport on a first come, first serve basis.

**7. Additional Services**

Operator shall arrange for, or provide, the following services:

- Avionics Repair
- Propeller Repair
- Aircraft Painting
- Aircraft Engine Rebuilding (Recip/Turbine)

The Operator will make an effort to recruit or establish these services physically, on the Airport, as part of an FBO 5 year development plan.

**8. Marketing / Promotion**

Operator must demonstrate the ability to develop and maintain a marketing and promotion program in an effort to market Capital Region International Airport general aviation services on a regional, national, and international basis.

**9. Hours of Operation**

a. Fuel and Line Services

Operator agrees to have qualified staff available in levels necessary to meet airline and public fuel and line service needs 7 days a week, 24 hours daily (or at operating hours agreeable to the Authority), to meet the aircraft fueling and line service demand at the Airport.

b. Aircraft Maintenance, Repair, Pilot Training Services

Operator agrees to have qualified staff available a minimum of eight (8) hours per day, five (5) days per week, for the purpose of providing aircraft maintenance, repair, pilot training, and other services to the general public, with provisions for emergency on-call service for aircraft maintenance during nights, weekends, and holidays.

**10. Future Development and Expansion**

As a condition of receiving Full Service FBO operating authority, the Operator represents that it has, and will continuously maintain, the knowledge and experience to work in partnership with the Authority in the further expansion and development of general aviation services (quality and quantity).

**11. Required Facilities**

a. Land: A minimum of 45,000 s.f. of land on Airport property is required for Full Service FBO operations to accommodate buildings, and aircraft, equipment, and customer auto and aircraft parking.

b. Buildings: A minimum of 17,000 s.f. of building space is required to include hangars, shops, offices, classrooms, a pilot's lounge, public restrooms, a flight planning/weather information area, and public telephones. A minimum of 15,000 s.f. of hangar is required.

**12. Maintenance**

All of the Operator's aircraft and equipment must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

**13. Termination or Modification of Commercial FBO Operating Authority**

The Authority reserves the right, with 30 day notice, to terminate FBO operating rights, or reduce a Full Service FBO Operator's operating authority to that of a Limited Services Operator, or Single Service Operator, if the Operator discontinues one or more of the required services or the quality and/or quantity of required services which, in the Authority's sole opinion, deteriorates to a level at which they fail to meet the operating needs of the airlines or the general aviation public.

Any commercial operating authority, where the authorized commercial business operation has been discontinued and remains inactive for 12 months or more is considered to have been automatically lapsed.

Should the tenant desire to reestablish such aeronautical services, the tenant must apply for operating authority as a new commercial operator in accordance with Sections 4 and 5 of these Rules and Regulations.

Scheduled Airline services are not Commercial Aeronautical Services managed through these Minimum Standards. The operation of Scheduled Airline flights by an Operator having authority to provide Commercial Aeronautical Services is prohibited. Such Operator must apply for special permission to provide Scheduled Airline services from the Airport in accordance with the Airline Operating Agreement / Permit.

#### **5.07 - AIRCRAFT/AUTO FUELS, DISPENSING, STORAGE AND LINE SERVICES**

The storage and dispensing of aircraft and automobile fuels and other petroleum products by commercial businesses or private aircraft operators, shall be conducted in accordance with applicable Federal Aviation Regulations, Federal and State environmental laws, and Airport Rules, Regulations and Standards, including NFPA 407, Standard for Aircraft Fuel Servicing, and ATA Specification 103, as applicable to any specific business.

##### **1. Fuel Storage**

Fuel storage activities shall be controlled in accordance with the following conditions:

- a. Only fuel deliveries authorized by the Authority may be brought onto airport property. Deliveries must be coordinated through Airport Operations in accordance with the Directive on Flammable Liquids – Hazardous Materials Access Controls.
- b. All fuels brought onto airport property shall be stored in a designated Airport Authority fuel storage facility (fuel farm).
- c. Fuel deliveries brought onto Airport property shall be in trucks having a capacity of not less than 7,000 gallons, unless otherwise approved in writing by the Authority.
- d. Mobile fuelers, or fuel trucks/trailers, may not be used solely for fuel storage. Fuel trucks, approved by the Authority to dispense fuels directly into aircraft, shall not be considered to be “storage” as long as the fuel truck is used to fuel aircraft daily.
- e. Authorized commercial operators, and aircraft owners desiring to self fuel their privately owned aircraft fleet, may request authorization to lease storage space in the Authority’s fuel storage facility for their exclusive use. Such an exclusive use fuel space set-a-side will only be considered by the Authority when the operator or self fueler demonstrates that their fueling activities exceed 100,000 gallons per year. Authorized exclusive fuel storage space shall be discontinued if the operator fails to maintain fueling levels of at least 100,000 gallons annually for two consecutive years. If space is limited, commercial fuel operators, serving the general public, shall be given priority.
- f. Tenants, having the obligation to maintain areas outside of their hangar for such purposes as mowing grass, or removing snow, may store up to five (5) gallons of gasoline, in an approved storage container, in support of these specific maintenance responsibilities. The transfer of fuel from the storage container to the equipment must not occur inside the hangar.

##### **2. Commercial Aviation Fueling**

Sales of aviation fuels and petroleum products, and providing flight line services, are specifically reserved for qualified Full Service Fixed Base Operators, as detailed in Chapter IV of the Authority’s Airport Rules and Regulations. Private fuel storage users are prohibited from storing or dispensing fuels to the general public and their fueling activities are limited to the servicing of their privately owned aircraft.

##### **3. Self Fueling of Private Aircraft**

The Airport has an aviation gasoline fuel storage and dispensing area approved and designated for the self-fueling of aircraft. The facility is operated by a Full Service FBO, and available for use by the general public.

Independent of this designated self fueling area, a person or organization owning aircraft shall be permitted, personally or using the organization’s employees, to fuel their own aircraft in accordance with the Airport Rules and Regulations. Self-fueling activities must be accomplished through the use of an NFPA approved mobile fueler, having a capacity of not less than 500 gallons, and owned by the owner of the aircraft to be fueled. The aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel private aircraft or mobile fuelers. Further, the Authority prohibits the use of a “CO-OP” (an organization formed by several aircraft owners for the purpose of self fueling) as a single aircraft owner for the purpose of self-fueling. Self-fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. Further, the operator’s fuels may not be sold, given, or ownership otherwise transferred, to other aviation operators.

#### **4. Use of the Designated Fuel Storage Area**

- a. Authorized use of the Authority's specifically designated fuel storage area by commercial fuel operators, or approved private aircraft operators, is limited to the storage of aviation (100 octane) gasoline, and jet fuel, both being purchased by the operator. The selection of fuel, assuring fuel quality once placed into storage and into the operator's fuel trucks, as well as the dispensing of quality fuel to the general public or into privately owned aircraft, are the sole responsibility of operator / owner.
- b. Authorized operators shall have the access to the Authority's fuel storage area in accordance with the Authority's Flammable Liquids – Hazardous Materials Access Controls to refill mobile fuelers.
- c. Authorized operators shall fully comply with the operating procedures of the fuel storage facility including those procedures required to test for contaminated fuel, and EPA, FAA, and Authority regulations regarding the handling and dispensing of hazardous materials.
- d. Evidence of contaminated fuel, fuel storage leaks, system malfunctions, or fuel spills shall be immediately reported to Airport Operations.
- e. Design of Fuel Storage Facilities: Metered, filter equipped dispensers, fixed and/or mobile, to be located in the Authority's designated fuel storage area are limited to the dispensing Avgas and/or jet aviation fuels from aboveground storage tanks having a minimum capacity of 12,000 gallons each. Mobile dispensing equipment shall have at least a total capacity of 500 gallons for each grade and/or type fuel.

For all existing leases used for underground fuel storage tank sites on which the tenant may achieve compliance to all federal and state statutory and regulatory requirements for underground fuel storage tanks without amendment or alteration to the lease, the tenant may continue to maintain underground fuel storage tanks on those lease sites consistent with the requirements of law; subject however to construction plan review and approval rights of the Authority pursuant to the leases entered and the policies, practices, rules and regulations of the Authority since 1971.

For all existing leases of sites for underground fuel storage tanks for which the tenant may not achieve compliance with federal and/or state statutory or regulatory requirements without a lease amendment, no lease amendment shall be granted. The tenant shall be permitted to terminate the lease, subject to the tenant complying with all environmental cleanup requirements. The tenant may re-enter a new lease for underground fuel storage tanks at the facility established and designated by the Authority.

- f. Federal Requirements: The Lessee shall comply with all applicable federal statutes and all regulations including, but not limited to, those promulgated by the Federal Aviation Administration.
- g. State and Local Requirements: The Lessee shall comply with all applicable state and local statutes, rules, and regulations including, but not limited to, those relating to tax, fire, building, and safety matters.
- h. Environmental Requirements: The Lessee shall comply with all applicable local, state, and federal environmental statutes and regulations, including, but not limited to, requirements for underground storage tanks, for the disposal of waste oil and other potentially hazardous substances and for the refueling of aircraft and vehicles.

#### **5.08 - EXCEPTION TO MINIMUM OPERATING STANDARDS FOR FLIGHT INSTRUCTORS IN CERTAIN CIRCUMSTANCES**

At any time that there does not exist, a tenant or subtenant, that provides a Flight School, open to the general public meeting the Minimum Operating Standards set forth herein, any tenant or subtenant, including for purposes of this subsection a member of a flying club that is a tenant or subtenant, may engage the services of a licensed Flight Instructor to provide flight instruction or flight examinations to the tenant or subtenant subject to the following:

All tenants or subtenants and all flight instructors operating pursuant to this paragraph shall be solely responsible for all personal injury and property damages resulting from or arising out of their acts, non-acts, errors, and omissions.

No Flight Instructor providing instruction pursuant to this paragraph shall maintain an office or other place of business at the Capital Region International Airport except in conformance with the Minimum Operating Standards of these Rules. No Flight Instructor shall advertise or in any manner hold himself/herself to the public as operating from a business located at Capital Region International Airport unless the person is doing so in conformance with the Minimum Operating Standards of these Rules.

## **SECTION 6 - NON-COMMERCIAL/FIRST AMENDMENT RIGHTS ACTIVITIES (Civil Infraction – 9.02)**

### **6.01 - USE OF THE AIRPORT**

Permission by the Authority or an authorized agent thereof, expressly or by implication, to enter upon or use the Airport or any part thereof, for non-commercial purposes shall be conditioned upon compliance with Airport Rules and Regulations. The purpose of this Section of the Rules and Regulations is to set forth the Authority's respect for free speech and other expressive communications and activities. While the Authority shall not discriminate based on content or viewpoint in its limited public fora, nevertheless, the Airport is not a public forum and is not a place of unrestricted public access. The Airport may regulate the time, place and manner of speech and activities to prevent unreasonable interference with or disruption of the Airport's official activities or the safety and welfare of the Airport community.

No person shall conduct or host events, activities, or demonstrations, except as outlined below in Section 6, or distribute flyers, brochures, pamphlets, books, or other printed or written material in or upon Authority premises not occupied by a Lessee of buildings, grounds, roads, walks, approaches, or any other property known as Capital Region International Airport or Mason Jewett Field without a permit approved by the Chief Operating Officer or their designee. The Authority reserves the right to issue a standing permit for certain recurring functions.

### **6.02 – PERMITS**

The Authority prohibits planned expressive events or activities on Airport premises without a permit. An application for a permit shall be made to [info@craa.com](mailto:info@craa.com) no less than fourteen (14) calendar days in advance of the activity underlying the request.

#### **1. Conditions of Issuance**

The permit shall be issued only upon written application to the Authority. The Authority may independently verify the truthfulness and completeness of the information provided in the application and may take adequate precautions to protect the public health and safety and assure the efficient and orderly use of Airport property for its primary purpose: the facilitation of air travel, including compliance with Section 6.07.

#### **2. Application**

The written application for permit shall state:

- a. The name and address of the applicant and the applicant's legal status, i.e., natural person, partnership, corporation, association, or other organization.
  - 1) If a partnership, the names and both business and residence addresses of all partners.
  - 2) If a corporation, the laws under which such corporation was organized, the address of the Michigan office of such corporation, and the names and addresses of all officers and directors or trustees of said corporation.
  - 3) If an association or other organization, the principal office and place of business of the association or organization, and the names and addresses of all members of the association or organization, unless they exceed twenty in number, in which case the application shall so state, and the names and addresses of the officers of the association or organization shall be given.
- b. The period within which the activity is to be conducted, giving the dates of beginning and ending.
- c. The purpose and nature of the activity, in sufficient detail for the Authority to determine compliance with Section 6 of this document, particularly including Section 6.07.
- d. The names and addresses of all individuals who will act as agents for the applicant on airport property.
- e. A statement to the effect that, if a permit is to be granted, such permit will not be used as or represented to be an endorsement by the Authority or any of its officers or employees.
- f. A statement whether or not the applicant (including all partners, officer, directors, or trustees of the applicant) or any of its agents has had a prior permit revoked for violation of the Airport Rules and Regulations.
- g. The application shall be subscribed and sworn to before an officer authorized to administer oaths, by the applicant; if partnerships, by a member of the firm; if a corporation, trust, or association, by one of the officers or trustees. Immediately above his or her signature, the individual signing shall write out the following statement in his or her own handwriting:

"I have carefully read the foregoing application and swear that every statement therein is true and correct."

If the applicant is an agent, his principal or a duly authorized member, officer or trustees of his principal shall certify by endorsement on the application that the agent has been employed for the purposes outlined therein.

**3. Filing**

The application required herein shall be filed with the Authority and shall be available upon request for public inspection.

**6.03 - ISSUANCE/DENIAL OF PERMITS**

**1. Issuance**

The permit shall be issued promptly within three (3) working days following receipt of application by the Authority, or the applicant shall be furnished a written statement within that same period setting forth why the permit was denied. The Authority reserves the right to issue a conditional approval, which may outline specific requirements that the applicant must abide by, including, but not limited to providing indemnification or insurance and naming the Authority as an additional insured, the provision of a reasonable fee, a safety plan, approval for use of any amplification, cooking or electrical devices or materials, or other time, place, and manner restrictions. Any individual or organization holding a permit will be required to pay for any damages that occur as a result of the event to the Airport premises.

**2. Grounds for Denial**

Grounds for denial of a permit shall be any of the following:

- a. The applicant has not fully complied with the disclosure provisions as set forth herein.
- b. The applicant has made statements in the application which are not true.
- c. The applicant (including any partner, officer, director, or trustee) or its agent has had a permit revoked for violation of the Airport Rules and Regulations within the past sixty (60) days.
- d. The proposed activity for which the permit is requested is commercial and subject to other provisions regulating such activity or otherwise prohibited by the Authority's Rule and Regulations.
- e. As the Authority will process applications on a first-come, first-served basis, an application may be denied or limited if in conflict with another event.

The proposed activity would interfere with an Airport activity or purpose, the safe and unfettered flow of pedestrian or vehicle traffic, the health and safety of the Airport and its community, or the integrity of Airport premises.

**6.04 - PERMIT/APPEALS:**

Any applicant who is denied a permit after submission to the Authority or whose permit has been revoked may appeal in writing, first to the President/CEO of the Authority, and then to the Authority Board if the applicant wishes to pursue the matter. The Authority Board, after a hearing at a time and place to be set by the Board at its next regular meeting after the date of filing of such appeal, shall either grant, deny, reinstate, or refuse to reinstate such permit.

Permits issued under this chapter shall bear the name and address of the permit holder who shall conduct the activity, the date issued, the dates within which the permit holder may conduct its activity and a statement that the permit does not constitute an endorsement by the Authority.

**Expiration:** Every permit granted under authority of this chapter shall expire at the termination of the period specified on the permit.

**Required Permit:** A separate permit is required for each program or activity.

**6.05 - IDENTIFICATION:**

Each person proposing to act on behalf of a permit holder shall use as identification the permit issued by the Authority. The permit shall be issued after the applicant has identified themselves by means of a birth certificate, social security card or driver's license, and has presented written authorization from the permit holder to act as its agent. The permit shall be carried by the person to whom it is issued at all times while they are engaged in any activity on behalf of the permit holder. The permit shall be surrendered to the Authority upon termination of authority to act for or on behalf of the permit holder whose name appears on the permit or upon a revocation of the permit for any violation of this chapter.

**6.06-CONDITIONS GOVERNING REVOCATION OF A PERMIT**

Any of the following conditions if violated shall be sufficient cause for cancellation of the permit by the Authority.

**1. Offering of Goods/Services**

It is unlawful for any individual to solicit funds or offer any goods or services for sale on behalf of any permit holder, or to solicit funds on behalf of any candidate, ballot question committee, or political committee under state or federal law.

**2. Terminal Building**

Due to the number of people passing through the Terminal Building and the narrowness or limited size of the following areas of the Terminal Building, to facilitate the free and safe movement of people through the Terminal Building, conducting activities in the following areas of Capital Region International Airport are prohibited:

- a. Sterile areas (those beyond screening checkpoints) unless the Authority itself is hosting the event and can make the necessary provisions for adequate security.
- b. Leased Space: It is unlawful to conduct activities under a permit in any area of Capital Region International Airport which is under lease to any private person, corporation, or organization without the permission of the Lessee.
- c. Escalator/Stairs/Doorway: It is unlawful for any person conducting activities under a permit within twenty (20) feet of any escalator, stairs, or doorway.
- d. Person Waiting in Line: It is unlawful for any person conducting activities under a permit to approach any person waiting in any line (i.e., ticket counter, baggage check-in, car rental, or security screening).
- e. Specified Limited Public Forum Airport Areas: Permittees shall conduct their proposed activities in or upon the specified Limited Public Forum Airport areas, with the number of persons allowed and at such times as set forth in their permits and as otherwise may be prescribed from time to time by the Authority; however, any restrictions shall be both reasonable and appropriate and prescribed only after a finding by the Authority that the restrictions are necessary to avoid injury to persons or to property or to assure the safe and orderly use of the Airport facilities by the air traveling public.
- f. Obstruction: No permit holder or agent, while engaging in any permitted activity, shall prevent, interfere with or obstruct any person's access to, egress from, or free movement along any Airport building, hallway or passageway, airline lease area of premises, nor shall any permit holder or agent in any manner assault, coerce, threaten, offensively touch, or physically restrain or disturb any other person for any reason, nor shall such activity prevent, interfere with, hamper or curtail the conduct of business at the Airport.
- g. Unattended Distribution Materials: The intentional leaving of any item intended for distribution unattended is prohibited.
- h. Placard/Sign/Circular: The attachment of any placard, sign, circular, or other written material on any wall, post, counter, billboard, or any other surface is prohibited.
- i. Structure: The erection of any table(s), chair(s), mechanical device, electronic equipment, or other structure is prohibited, unless specifically requested of (and approved by) the Authority in a permit. Any materials or structures shall be entirely removed at the conclusion of the event and the area will be cleared of all debris, trash, and materials and returned to its original condition. Any individual or organization who fails to properly clean up the Airport premises after an event or activity shall be liable for the cost of cleaning or repairs, regardless of whether the Authority has to undertake such cleaning or repairs directly or with the assistance of a contractor. Defacing or damaging any Airport premises, facilities or structures, including but not limited to trees, shrubbery, flowers, lawns, sidewalks, parking lots, fences, lighting fixtures, light wells, fire hydrants, benches, statues, monuments, plaques, interior or exterior walls of buildings, surfaces of buildings, entrances, porches, staircases, such subterranean features as are necessary for the maintenance and operation of the Airport or any other feature, are all strictly prohibited and subject to disciplines, fines, civil, and criminal liability.

**6.07 - PROHIBITED ACTIVITIES**

The following conduct is prohibited in designated Limited Public Forum areas of the Airport which are not occupied by a Lessee if conducted by any person without a permit or in a continuous or repetitive manner:

**1. Goods/Services**

No person shall offer goods or services for sale or solicit alms or contributions of funds for political purpose within the interior areas of Airport buildings or parking areas or within twenty (20) feet of any entrance to any

other Airport buildings or parking areas.

**2. Danger to Persons/Property or Interference with Formation/Progression of Traffic**

No person shall perform any ceremony, speech, song, carrying of any sign or placard, or other such activity which constitutes a danger to persons or property, or which interferes with the orderly formation and progression of waiting lines, or which interferes with any of the following: pedestrian and/or vehicular travel; the issuance of tickets or boarding passes or equivalent documents for air or ground transportation; luggage or cargo movement or handling; the entry to and exit from vehicles; security procedures; government inspection procedures; cleaning, maintenance, repair or construction operations.

**3. Spontaneous expressive activities**

Spontaneous speech activities which are not planned in advance, or which do not require a permit may be reasonably accommodated by the Authority, within areas designated as Limited Public Forums, subject to adequate space and availability of key resources, and where such locations have not otherwise been reserved, or the activity is not otherwise in violation of the Airport's Rules and Regulations. However, the Authority will consider the presence of any representatives of media or press as evidence that the activity is not spontaneous. The Authority reserves the right to intervene and either restrict or stop the activity if (in the Authority's sole judgment) the activity is jeopardizing any aspect of safety or security.

**4. Events and Activities Including Political Campaign and/or Fundraising Events**

The Authority reserves the right to establish specific areas of the Airport that may constitute a Limited Public Forum for certain purposes. The Airport will review and either approve, conditionally approve, or deny permit requests as provided for elsewhere in Section 6 of this document.

No person shall host or conduct a meeting, rally, protest, or any other type of assembly, if (in the sole judgment of the Authority) the purpose of the event or activity is to advance the political interests of one or more candidates for public office except as provided for in the following table:

|  | <b>Permitted Activities</b>   | <b>Prohibited Activities</b>  | <b>Additional Criteria</b>   |
|--|---|---|--|
| 3(a)—Facilities that are<br>(a) outside of the passenger terminals or<br>(b) leased from the Authority (e.g., hangars, Fixed-Base Operators, etc.) | <ul style="list-style-type: none"> <li>Any peaceful event, meeting, or other activity as long as it is wholly contained within the leased facility, , and does not otherwise violate this Section.</li> </ul> | <ul style="list-style-type: none"> <li>Any aspect of any event, meeting, or activity that in any way jeopardizes the safe and efficient operation of the airport, including airside, landside, terminal, parking, and supporting infrastructure.</li> <li>To solicit funds on behalf of any candidate, ballot question committee, or political committee under state or federal law.</li> </ul> | <ul style="list-style-type: none"> <li>Lessee shall retain full responsibility for protecting the public peace as well as full compliance with all leasehold requirements.</li> <li>This includes any and all arrangements that may be needed, at the Lessee or permit holder's expense, to ensure compliance with Federal, State, and Authority rules and regulations including (but not limited to) FAA and TSA regulations, and the Airport Security Program..</li> <li>The Authority, it its direction, may require the Lessee or permit holder to obtain additional insurance, naming the Airport as an additional insured, for the event.</li> </ul> |
| 3(b)—Facilities and spaces within the passenger terminals,   | <ul style="list-style-type: none"> <li>Educational, historical, or other</li> </ul>   | <ul style="list-style-type: none"> <li>Any meeting, event, or activity whose</li> </ul>   | <ul style="list-style-type: none"> <li>Application and permit required.</li> </ul>   |

|   | Permitted Activities   | Prohibited Activities  | Additional Criteria  |
|---|--|--|--|
| including open spaces as well as specific spaces that may be rented (e.g., the Friendship Room, Chris Holman Room, or Community Room) | <p>types of non-partisan events, particularly related to aviation or multimodal transportation.</p> <ul style="list-style-type: none"> <li>Events hosted by elected or appointed officials who wish to hold an open, public, community roundtable, for the purpose of soliciting perspectives and other input. Such events must allow any member of the public to speak or otherwise present viewpoints (although reasonable, consistently applied time limits may be permissible).</li> </ul> | <p>purpose is to advance political candidacy.</p> <ul style="list-style-type: none"> <li>To solicit funds on behalf of any candidate, ballot question committee, or political committee under state or federal law.</li> </ul> | <ul style="list-style-type: none"> <li>Authority retains right to approve or deny the request.</li> <li>The organizer of the event shall retain full responsibility for protecting the public peace as well as full compliance with all leasehold requirements.</li> <li>This includes any and all arrangements that may be needed, at the Lessee's or permit holder's expense, to ensure compliance with Federal, State, and Authority rules and regulations including (but not limited to) FAA and TSA regulations, and the Airport Security Program.</li> <li>The Authority, at its direction, may require the Lessee or permit holder to obtain additional insurance, naming the Airport as an additional insured, for the event.</li> </ul> |

#### **6.08 - PICKETING/MARCHING/DEMONSTRATIONS**

No person shall walk in a picket line as a picket or take part in a labor or other form of demonstration including, but not limited to, parades, marches, patrols, sit-ins, and public assemblies on any part of the Airport premises (either indoors or outdoors) without written permission in the form of an approved permit from the Authority. The number of picketers and areas used for these, or other purposes must be specifically assigned by the Authority's Chief Operating Officer or their designee for such picketing in accordance with the provisions of state law. The permit shall be issued or denied for cause within three (3) business days after a written application for the same has been submitted to the Authority at [info@craa.com](mailto:info@craa.com).

**1. Use of Airport:** Any picketing or demonstration shall be conducted:

- In a peaceful and orderly manner contemplated by law, without physical harm, molestation, threat or harassment of persons, obscenities, violence, breach of the peace or other unlawful conduct.
- Without obstructing the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly, and efficient operations of the Airport and the activities conducted thereupon.
- In strict accordance with the Airport Rules and Regulations, operating procedures governing such activities on the Airport and pursuant to directions and conditions outlined in writing by the Authority's Chief Operating Officer or their designee in each instance.

**2. Prohibitions:** While taking part in any picketing or demonstration, no person may:

- Intentionally operate a motor vehicle so as to delay, impede or interfere with the ability of persons or vehicles to enter or leave the Airport roadway system.
- Knowingly spread, drop, throw, or otherwise disperse nails, tacks, staples, glass, or any other objects that may cause harm in any entrance or passageway.

## **6.09 – NEWS RACKS**

The Authority has determined that prohibiting or limiting news racks is reasonably required, without limitation, in order to (1) reduce congestion and interruption of passenger flow; (2) reduce safety and security concerns; (3) protect Airport revenue by encouraging the sale of newspapers and other publications through the gift shop concessionaire and by reducing nonrevenue-generating Terminal Building floor space; and (4) enhance the Terminal Building appearance and aesthetic. "News rack" shall mean any machine or device by means of which newspapers or other published materials are sold or distributed. Enclosed, coin-operated news racks are prohibited anywhere in the Airport Terminal Building. Use of unenclosed wire news racks for distribution of free publications will be limited; complying with Sections 6.01 – 6.06, applicants may place free publication materials in unenclosed wire racks only in those areas designated by the Authority.

The Authority will limit the total number of such unenclosed wire racks in any given designated area. Available spaces shall be assigned on a first-come, first served basis without regard to content; provided, that the Authority will prohibit the distribution of any material that is pornographic or obscene pursuant to the public acts of Michigan, 1984 P.A. 343. Notwithstanding anything to the contrary, a news rack permit shall expire one (1) year from the date of issuance. The Authority reserves the right to charge a fee for the privilege of placing a news rack or publication materials in designated areas of the Terminal Building.

## **6.10 AIRPORT DISCLAIMER**

Neither the Authority's nor Airport's name shall be used in connection with any non-Airport sponsored organization, business, or person in any manner or medium that implies that the Authority or the Airport supports, approves, or endorses any product, service, interest, position, or ideology of that organization, business, or person. The Authority may require, in a permit, that approved activities clearly and conspicuously display the following disclaimer: "This event/activity is not sponsored by Capital Region Airport Authority." The Airport cannot, in any way, be used in a manner that would involve or imply that the Authority or Airport are endorsing or sponsoring a partisan, political, sectarian, or religious position or candidate for political office.

## **SECTION 7 - ENVIRONMENT, SAFETY, AND STANDARDS OF CONDUCT**

Specific Federal Regulations provide the bases for safety and environmental provisions contained in these Rules and Regulations. Specific attention is given to the Authority's obligations to comply with FAR Part 139, Part 150, and Federal / State EPA permit compliance and inspection requirements. The Operations Department is responsible for the management and control of Airport safety compliance.

### **7.01 - NOISE CONTROL PROCEDURES (Civil Infraction – 9.02)**

#### **1. Departure Procedures**

Initial departure procedures shall be in accordance with FAA Regulations, Part 150, as approved by the Authority and the FAA and published in the Noise Compatibility Program of Capital Region International Airport.

#### **2. Turbo Jet Engine Maintenance Run-up**

Engine run-ups (other than in preparation for immediate departure) will not be allowed between the noise sensitive hours of 10 p.m. and 6 a.m. local time unless an emergency situation exists. Permission for emergency run-ups shall be obtained by contacting the AOC (321-8525).

### **7.02 - HAZARDOUS MATERIALS (Misdemeanor – 9.01)**

No person shall, without prior permission from the President - CEO, keep, transport, handle, or store at, in or upon the Airport any cargo of explosives or other hazardous articles which is barred from loading in, or for transportation by civil aircraft in the United States under the current provisions of Federal Aviation Regulations or by any other competent authority. Compliance with said Federal Aviation Regulations shall not constitute or be construed to constitute a waiver of the required notice or an implied permission to keep, transport, handle, or store such explosives or other dangerous articles at, in, or upon the Airport. Advance notice of at least 24 hours shall be given the President - CEO to permit full investigation and clearances for any operation requiring a waiver of this rule.

#### **1. Transport/Storage**

No person may offer, and no person may knowingly accept, any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with the current Federal Aviation Regulations.

- a. Any person engaged in transportation of hazardous articles shall have designated personnel at the Airport authorized and responsible for receiving and handling such shipments in compliance with the prescribed regulations.
- b. Any person engaged in the transportation of hazardous articles shall provide storage facilities which reasonably insure against unauthorized access or exposure to persons and against damage to shipments while in the Airport. No person shall keep or store material or equipment in such manner as to constitute a fire hazard or be in violation of applicable local fire codes approved by governmental organizations having jurisdiction over buildings located on airport property, or related standards, recommended practices, or Operating Directives of the Authority.
- c. Bona fide law enforcement officers or organizations may be authorized to transport or store firearms and munitions on the Airport with Authority permission.

#### **2. Doping/Spray Painting/Stripping**

For doping, paint, varnish, or lacquer spraying or stripping operations, the arrangement, construction, ventilation, and protection of spraying booths and the storing and handling of materials shall be in accordance with fire and building codes adopted by DeWitt Township.

#### **3. Flammable Gases or Liquids**

Gasoline, kerosene, ethyl jet fuel, ether, lubricating oil, or other flammable gases or liquids, including those used in connection with the process of "doping" shall be stored in accordance with the applicable codes, standards, and recommended practices of the approved fire / building codes. Buildings shall be provided with suitable fire appliances and first aid equipment.

#### **4. Use of Cleaning Fluids**

Cleaning of aircraft parts, and other equipment shall preferably be done with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, only liquids having flash points in excess of 100 degree F shall be used and special precautions shall be taken to eliminate ignition sources in compliance with good practice recommendations of approved fire codes.

## **7.03 - FUELING/DEFUELING OPERATIONS (Misdemeanor – 9.01)**

### **1. Emergency Operations**

In an emergency situation whereby the on-board auxiliary power unit is inoperative and in the absence of suitable ground support equipment a jet engine mounted on the rear of the aircraft or on the wing opposite from the fueling location may be operated providing:

- a. The operation follows procedures published by the operator to assure safety of the operation.
- b. Prior approval is obtained from the AOC.
- c. Emergency equipment is positioned on standby watch at the aircraft involved.

### **2. Normal Operations**

The following are general conditions relating to normal fueling/defueling operations:

- a. Positioning of aircraft fuel servicing vehicles shall be arranged as follows:
  - 1) Aircraft fuel servicing vehicles shall be positioned so that they can be moved promptly after all aircraft fuel hoses have been disconnected and stowed.
  - 2) The propulsion or pumping engine of aircraft fuel servicing vehicles shall not be positioned during over wing fueling where aircraft fuel system vents are located on the upper wing surface. Aircraft fuel servicing vehicles shall not be positioned under the wing of aircraft within a ten (10) foot (3m) radius of aircraft fuel system vent openings.
- b. Prior to fueling and defueling of aircraft, the aircraft and the transfer fuel apparatus used in fueling or defueling aircraft shall be maintained in good condition and must be properly bonded to prevent ignition of volatile liquids.

### **3. Prohibited Operations**

No aircraft shall be fueled, or defueled, while inside any building or structure. No aircraft shall be fueled, or defueled, while one or more of its engines are running or is being warmed by external heat.

- a. Fuel trucks, whether loaded or empty, shall never enter hangars nor shall they be parked unattended within a distance of fifty (50) feet of hangars, paint and dope shops, fuel storage systems, or any other buildings except that emergency maintenance of aircraft fuel-servicing vehicles will be permitted in aircraft hangars subject to the following conditions and requirements:
  - 1) The vehicle in question must be in need of emergency repair which cannot be reasonably accomplished out-of-doors.
  - 2) Prior to the placement of any fuel servicing vehicle in an aircraft hangar, the operator must notify the Airport Operations Center by telephone of its intention, the specific reason for doing so, and the estimated time to repair the vehicle and remove it from the hangar.
  - 3) Only one vehicle at a time will be permitted in any one hangar at any one time.
  - 4) The vehicle must be properly grounded at all times.
  - 5) No more than five hours will be allowed to repair any single vehicle unless approval for a longer period is obtained from the Authority.
  - 6) Immediately following removal of the vehicle from the hangar in which the vehicle has undergone repair, the operator shall notify the Airport Operations Center.
- b. No fuel, grease, oil, dopes, paints, solvents, acid, flammable liquids or contaminants of any kind shall be allowed to flow into or be placed in any Airport sanitary or storm drain system. Aircraft and runway deicing fluids may be discharged into sanitary or storm drains until such time as specifically prohibited. This discharge is without prejudice to any claims and rights of any person for cleanup costs or otherwise as such rights exist or in the future may exist under federal or state law.
- c. No aircraft shall be fueled or defueled 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 cabin attendant is at or near the cabin door.
- d. No fueler shall be backed within twenty (20) feet of an aircraft unless a person is posted to assist or guide, or cones are placed for guidance.
- e. No fuel vehicle designed for or employed in the transportation of fuel shall be operated on any runway at any time without prior permission from the President - CEO. Such vehicles may be operated on taxiways but only on those taxiways located south of Taxiway "B".
- f. No person shall engage in aircraft fueling or defueling operations without adequate fire extinguishing equipment readily accessible at the point of fueling.
- g. No person shall start the engine of an aircraft on the Airport if there is any gasoline or other volatile fluid

on the ground within the vicinity of the aircraft.

- h. No person shall operate a radio transmitter or receiver or switch electrical appliances on or off, in an aircraft while it is being fueled or defueled.
- i. No person other than persons engaged in the fueling, servicing, and operation of an aircraft shall be permitted within 100 feet of such aircraft during fueling or defueling, other than passengers.
  - 1) Fueling or defueling operations shall not be conducted during periods when intense thunderstorm activity is occurring within five (5) miles of the Airport.
  - 2) Aircraft fuel servicing personnel shall not carry lighters or matches on their person while performing fuel servicing operations.

#### **4. Flammable Liquids – Hazardous Materials Access Controls**

- a. Access Authorization: Aviation fuels, auto fuels, or other hazardous materials may not be brought onto the Air Operations Area (AOA) of the Airport without authorization to do so for each transport movement by the President - CEO.
- b. Delivery Notice: Authorization to deliver aviation fuels or other hazardous materials onto the AOA must be coordinated through the Airport Operation Center (886-3723) at least 15 minutes prior to the intended arrival of the delivery at the Airport.
- c. Access Authorization Process: Transport vehicles, and a representative of the organization receiving the shipment, will be met at the designated AOA access point by an Airport Police or Operations Officer. The Officer will:
  - 1) Determine that the representative of the organization receiving the delivery has the appropriate security authorization to escort vehicles containing flammable or hazardous materials onto the AOA.
  - 2) Complete an inspection of the Transport vehicle (inside / outside) to ensure that it is free of any potential security violations.
  - 3) Verify the transport driver's identity, the type of product, and the quantity of product being delivered, by reviewing the bill of lading (shipping paperwork) as presented by the transport driver.
  - 4) Obtain a copy of the bill of lading, showing the time & date of delivery, the product, the quantity, the name of the transport company and the name of the organization receiving the shipment, for airport records.
  - 5) Once the above items have been satisfactorily accomplished, the Officer is authorized to grant AOA access to the transport vehicle.

#### **7.04 - FUEL SPILLS (Misdemeanor – 9.01)**

Fuel spills present a hazardous fire potential and should be handled as such. Each fuel spill should be treated as an individual case because of such variables as the size of the spill, type of flammable or combustible liquid involved, wind and weather conditions, equipment arrangement, aircraft occupancy, emergency equipment, and available personnel.

##### **1. Reporting Procedure**

When any spill is observed originating from an aircraft or vehicle, fuel servicing shall be discontinued immediately by release of the fuel shutoff. Fueling operations may be continued when the Authority personnel determine that it is safe to do so.

Any fuel spill, regardless of magnitude, shall be reported immediately to the AOC (321-8525). The AOC, after being notified of a fuel spill, will inform the Public Safety Officer in charge and the ATCT of the fuel spill.

##### **2. Public Safety Division**

Upon arrival at the incident scene, the senior Public Safety Officer (PSO) on site is in charge. PSO personnel will respond to the area of a reported fuel spill to command the incident scene until they make a determination that no fire hazard or potential fire hazard exists, and the area has been declared safe.

- a. If a fuel spill is less than 25 gallons, and the PSO has determined that it is safe to do so, the tenant fueling agent will clean up the fuel spill utilizing absorbent material. The cleanup shall be performed

immediately.

- b. In the event a safety hazard or emergency situation has been determined by the PSO officer in charge, fuel may be dispersed by means of washing and all appropriate precautions shall be taken to retain the hydrocarbons in an area which allows safe recovery. The tenant fueling agent/aircraft owner shall be responsible for cleanup of the fuel spill. The cleanup shall begin immediately. If the fuel spill is too large to be handled by available absorbent material, the Authority will provide equipment and material, to the extent available, to clean up the spill at the responsible party's expense.

### **3. Fueler/Aircraft Owner Responsibility**

Any person, including the owners or operators of Aircraft causing overflowing or spilling of fuel, oil, grease, or other contaminants anywhere on the Airport shall be responsible for ensuring the immediate cleanup of such spillage. Sumping of fuel upon the ground whether paved or otherwise is specifically prohibited. In the event of failure or refusal to comply with such cleanup, the spillage will be cleaned up by the Authority at the responsible party's expense.

- a. Fueling personnel operating fuel servicing equipment at the time of a fuel spill will stand by to act as a fire guard, until relieved by his/her supervisor or designated representative and provide any necessary information that the PSO may require. The fire guard will have at least one (1) dry chemical extinguisher with a 20 lb. rating or equivalent Halon extinguisher or two (2) 20 lb. dry chemical extinguishers available for immediate use if a tanker is used for fueling.
- b. Aircraft, automotive, or spark-producing equipment in the area of a fuel spill should not be started until the spilled fuel is removed or rendered harmless. If a vehicle engine is running at the time of the spill, it is normally good practice to drive it from the hazard area unless the hazard to personnel is judged too severe. Spark-producing equipment, other than removable vehicles, should be shut down unless the danger to personnel is judged too severe.
- c. If the fuel from a spill begins flowing toward a drainage system, action should be taken quickly, if possible, to prevent the fuel flow from reaching drain inlets. To facilitate the prevention of fuel flowing into drains, materials such as sand or absorbent "snakes" should be readily available for impeding the flow.
- d. Each tenant fueling agent will maintain a stockpile of absorbent material capable of safely and effectively handling a one hundred (100) gallon fuel spill. This stockpile will be in a location so as to be easily and quickly accessible in the event of a fuel spill. All other items necessary for expended absorbent material removal shall be kept with the absorbent material stockpile. Each storage area will have a cart or similar piece of equipment available to deliver the absorbent material and related equipment to the fuel spill site.
- e. The tenant fueling agent is responsible for securing the fuel spill area from pedestrian and vehicular traffic. Securing of the fuel spill area shall be done as quickly as possible.
  - 1) Application of the absorbent material will be done in a safe manner, so as not to pose a hazard to personnel, equipment, or facilities.
  - 2) After the absorbent material has been applied and the fuel spill fully absorbed, the absorbent material will be removed from the ground in a safe manner so as not to expose personnel, equipment, or facilities to any hazard.
- f. Aircraft on which fuel has been spilled should be inspected thoroughly to assure that no fuel or fuel vapors have accumulated in flap well areas or internal wing sections not designed for fuel tankage. Any cargo, baggage, mail sacks or similar items that have been wetted by fuel should be decontaminated before being placed aboard any aircraft.
  - 1) Expended absorbent material shall be handled and/or disposed of in a manner that is approved by the Environmental Protection Agency/Michigan Department of Natural Resources (EPA)/(MDNR) and the Authority PSO. A copy of the tenant fueling agent's contaminated absorbent handling procedures which are approved by the EPA must be on file with the Airport Operations Department.
  - 2) All tenant fueling agents will have the responsibility of cleaning up any fuel spill which involves their vehicles, equipment, and personnel, even if the spill is the result of aircraft equipment failure.
- g. Should any discrepancy arise as to the size of a fuel spill, the larger figure will be used, i.e., if a tenant fueling agent states that a spill is 20 gallons and the PSO states that it is 30 gallons, the spill will be treated as if it were 30 gallons.
- h. When a fuel spill is 10 gallons or more, the MDNR as the lead agency for the EPA, shall be notified via its telephone hot line within 24 hours.

- i. Every fuel spill should be investigated by the tenant fueling agent involved in the spill, to determine whether emergency and/or standard operating procedures were properly carried out, and what corrective measures are required. A copy of the investigation report must be sent to the Airport Operations Department.
- j. All tenant fueling agents will provide appropriate training to their employees involved in fueling and fuel spill cleanup. All tenant fueling agents must have the training records concerning fuel spill handling and cleanup procedures used by their employees involved in fueling operations on file with the Airport Operations Department.
- k. Each tenant fueling agent will have written Standard Operating Procedures (SOPs) for loading aircraft fuel servicing tank vehicles, fueling, and defueling of aircraft. A copy of the written SOPs must be on file with the Airport Operations Department.

#### **7.05 – SMOKING (Misdemeanor – 9.01)**

Smoking or carrying lighted smoking materials or striking matches or other lighting devices shall not be permitted anywhere on the AOA, nor in any area on the Airport where smoking is prohibited by the Authority by means of posted signs, nor in any fueling vehicles or tankers, nor in any hangars, shops, or other buildings in which flammable liquids are stored or used except in cases where specific smoking areas have been designated by the Authority for that purpose.

#### **7.06 - OPEN FLAME OPERATIONS (Misdemeanor – 9.01)**

No person shall conduct any open flame operations on the Airport unless specifically approved in advance by the President - CEO. Lead and carbon burning, fusion gas and electric welding, blowtorch work, reservoir repairs, aircraft pre-heating (engine or cabin interior), engine testing, battery charging (aircraft or auto), and all operations involving open flames shall be restricted to the repair shop section removed from the storage section of any hangar. During such operations, the shop shall be separated from the storage section by closing all doors and openings to the storage section.

#### **7.07 - LEASEHOLD HOUSEKEEPING (Civil Infraction – 9.02)**

All persons occupying space at the Airport shall keep the space allotted to them policed and free from rubbish and accumulation of any material. All floors shall be kept clean and free from fuel and oil. The use of volatile or flammable solvents for cleaning floors is prohibited. Metal receptacles with a self-extinguishing cover shall be used for the storage of oily waste rags and similar material. The contents of these receptacles shall be removed daily by persons occupying space; drip pans shall be placed under engines and kept clean at all times; and clothes lockers shall be constructed of metal or fire resistant material. No tenant, Lessee, concessionaire, or agent thereof doing business on the Airport, may keep uncovered trash containers adjacent to sidewalks or roads in a public area of the Airport.

**Disposal:** No person shall dispose of any fill, building materials, receptacles, or discarded or waste materials on Airport property except as approved in writing by the President - CEO, and no liquids shall be placed or dumped on Airport property storm drains or the sanitary sewer system at the Airport which will damage such drains or system or will result in water pollution upon having passed through such drain or system.

1. No person shall use a comfort station or rest room, toilet, or lavatory facility at the Airport other than in a clean and sanitary manner.
2. Any solid or liquid material spilled at the Airport shall immediately be cleaned up by the person responsible for such spillage and in no case shall any refuse be burned at the Airport except as specifically authorized by the President - CEO.
3. No person shall cause unnecessarily or unreasonably any smoke, dust, fumes, gaseous matter, or any other matter to be emitted into the atmosphere or carried by the atmosphere except normal emissions from internal combustion engines or jet engines or smoke from cigarettes, cigars, or pipes. The Terminal Building is considered a non-smoking area except where designated by the President - CEO.
4. No person shall operate an uncovered vehicle to haul trash, dirt, or any other material on the Airport without prior permission of the President - CEO.
5. No person shall dispose of garbage, papers, refuse, or other forms of trash, including cigarettes, cigars, and matches, except in receptacles provided for such purpose.

#### **7.08 - MOTORIZED GROUND EQUIPMENT (Civil Infraction – 9.02)**

No person shall park motorized ground equipment near any aircraft in such manner so as to prevent it or the other ground equipment from being readily driven or towed away from the aircraft in case of an emergency.

#### **7.09 - FIRE EXTINGUISHERS (Civil Infraction – 9.02)**

Fire extinguishing equipment at the Airport shall not be tampered with at any time nor used for any purpose other than firefighting or fire prevention. All such equipment shall be maintained in accordance with the standards of the NFPA or local fire codes. Tags showing the date of the last inspection shall be attached to each unit or records acceptable to Fire Underwriters shall be kept showing the status of such equipment.

**Tenants:** All tenants or Lessees of hangars, aircraft maintenance buildings, or shop facilities shall supply and maintain an adequate number of readily accessible fire extinguishers. Fueling vehicles designed for the transport and transfer of fuel shall carry on board at least two (2) fire extinguishers, one located on each side of the vehicle.

#### **7.10 - POWDER ACTIVATED TOOLS (Civil Infraction – 9.02)**

No person shall use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior approval of the President - CEO.

#### **7.11 - HEATED HANGARS (Civil Infraction – 9.02)**

Heating in any hangar shall only be through or by approved systems or devices as listed by the Underwriters Laboratories, Inc. as suitable for use in aircraft hangars and shall be installed in the manner prescribed by the Underwriters Laboratories, Inc.

#### **7.12 - AIRCRAFT REPAIRS (Civil Infraction – 9.02)**

Repairs to aircraft, aircraft engines, propellers, or other aircraft apparatus on the Airport must be accomplished in buildings or locations specifically approved by the Authority, in compliance with local building and fire codes, for such repair activities. Aircraft maintenance authorized on the Airport are:

1. Minor adjustments or repairs as would normally be performed by an aircraft owner without the benefit of a certificated airframe/power plant mechanic;
2. Work performed by licensed mechanics working for an approved Fixed Base Operator having an agreement with the Authority in accordance with these Rules;
3. Work performed by an aircraft owner who is also a certificated airframe/power plant mechanic;
4. Work performed on airline aircraft by licensed mechanics employed or contracted by the airline; and
5. Work performed on private or club-owned aircraft by certificated airframe/power plant mechanics that donate or volunteer their time and receive no compensation for such services.
6. An aircraft owner who is also an owner or Lessee of an aircraft hangar may employ an FAA-licensed airframe and power plant mechanic to provide services for the Lessee's or owner's own aircraft, as long as the mechanic obtains a Temporary Operating Permit, as detailed in Section 4.02, from the Authority authorizing the mechanic to conduct commercial business activities on the Airport.
7. **Prohibitions:** The starting or operating of aircraft engines inside any hangar is prohibited. This shall not be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving planes within any hangar.

#### **7.13 - FIREARMS AND WEAPONS (Misdemeanor – 9.01)**

No person, except those persons authorized to do so under Michigan State Law and federal government regulations may carry or transport any firearm or weapon on the Airport except when such firearm or weapon is properly encased for shipment and not in the individual's immediate possession. The Authority reserves the right to restrict the carrying of firearms and weapons by watchmen and guards on the Airport.

**Conditions Governing Use:** No person shall discharge any firearm or weapon on the Airport except in the performance of official duties requiring the discharge thereof. The carrying of a firearm or weapon on the Airport must be in conformity with all applicable governmental regulations.

#### **7.14 – ANIMALS (Civil Infraction – 9.02)**

No person shall enter any part of the Airport with an animal domestic or otherwise, unless such animal is kept restrained by a leash or is confined so as to be completely under control. Animals that are to be or have been transported by air must be properly confined for air travel. Any person bringing a dog or other animal on the Airport agrees to indemnify fully, defend and save and hold harmless the Authority, its officers, agents and employees from and against all losses, damages, claims, liabilities, and causes of action of every kind or character and nature, as well as costs and fees, including reasonable attorney fees connected therewith and expenses of the investigation thereof based upon or arising out of damages or injuries to third persons or their

property caused by the negligence of such person or animal. The Authority shall give to such person prompt and reasonable written notice of any such claims or action and such person shall have the right to investigate, compromise, and defend the same to the extent of his or her own interest.

**1. Prohibitions:**

- a. No person other than in conduct of an official or permitted act shall hunt, pursue, trap, catch, injure, or kill any animal on the Airport.
- b. No person shall feed or do any other act to encourage the congregation of birds or other animals on the Airport.

**2. Terminal Regulations:**

- a. No person shall enter the Terminal Building with a domestic animal, unless such animal is to be or has been transported by air and is kept restrained by a leash or otherwise confined so as to be completely under control other than (1) physically impaired person with a guide dog; and (2) guard and search dogs under the control of authorized handlers and present at the Airport as authorized and approved by the President - CEO.
- b. No person shall, either willfully or through failure to exercise due care or control, permit any animal to urinate or defecate upon the sidewalks of the Airport or upon the floor or carpet of the Terminal Building or any other building used in common by the public.

**7.15 - PUBLIC CONDUCT (Misdemeanor – 9.01)**

**1. Compliance with Signs**

The public shall observe and obey all posted signs, fences, doors, and barricades prohibiting entry into specified areas or governing the activities and demeanor of the public while on the Airport.

**2. Trespassing**

Any person or persons who fail to leave the Airport, or a specified area thereof; or any person or persons who knowingly or willingly violate these Rules and Regulations, or who refuse to comply therewith, after proper request to do so by an authorized representative of the Authority shall be regarded as trespassing and shall be subject to removal from and denial of access to the Airport for such period of time as may be specified by the President - CEO or his designee. No unauthorized person shall travel upon the Airport other than on roads, walks, or other right of way provided for such specific purpose.

**3. Obstruction of Passage or Access**

No person(s) singly or in association with others shall by his or their conduct or by congregating with others prevent any other person or persons lawfully entitled thereto from the use and enjoyment of the Airport and its facilities or any part thereof, or prevent any other person or persons lawfully entitled thereto from passage from place to place, or through entrances, exits, or passageways on the Airport. It shall be unlawful for any person to remain in or on any public area, place, or facility at the Airport, in such a manner as to hinder or impede the orderly passage in or through or the normal or the customary use of such area, place, or facility by persons or vehicles entitled to such passage or use.

**4. Preservation of Property**

No person may destroy, injure, deface, or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other property on the Airport.

- a. No person shall alter, add to, or erect any building or sign on the Airport or make any excavation on the Airport without prior written approval of the President - CEO.
- b. Any person causing or being responsible for such injury, destruction, damage, or disturbance shall report such damage to the Authority and be held liable for the full amount of the damage.

**7.16 - DISORDERLY CONDUCT (Misdemeanor – 9.01)**

It shall be unlawful, and punishable as provided herein, for any person to be a disorderly person within the properties owned by or under the control of the Capital Region Airport Authority.

A person is a disorderly person if the person is any of the following, or the person aids or abets another to do such an act or engage in any practice so as to be:

1. A person who is intoxicated due to the consumption of alcohol or under the influence of any narcotic drug in a public place and who is either directly endangering the safety of another person, himself or herself, or property, or is acting in a manner that causes a public disturbance.
2. A person who disturbs the public peace and quiet by engaging in a disturbance, fight, quarrel, or altercation in a public place;
3. A person who obstructs, resists, impedes, hinders or opposes a police officer in the discharge of his or her

official duties;

4. A person who furnishes a police officer with a false, forged, fictitious or misleading verbal or written information identifying the person as another person, if the person is detained for investigating a violation of a statute or authority ordinance, or temporarily detained for the purpose of issuance of a civil infraction citation;
5. A person who summons, as a joke or prank or otherwise, without any good reason therefore, by telephone or otherwise, the police or fire department or any public or private ambulance to go to any place where the service called for is not needed;
6. A person who makes a false report, by telephone or otherwise, to any public official which may reasonably be expected to cause the evacuation or closing of a building or place open to the public, or who knowingly makes a false statement or report to a police officer;
7. A person who is engaged in indecent or obscene conduct in a public place, including but not limited to the exhibition or exposure of his or her genitalia or buttocks;
8. A person who swims or bathes in the nude in a public place;
9. A person who urinates or defecates in a public place;
10. A person who spits or expectorates on, at or toward another person;
11. A person who loiters, loafs, wanders, stands, or remains idle in a public place so as to:
  - a. Obstruct a public street, highway, sidewalk, place or building by hindering, impeding or threatening to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians therein or thereon; or
  - b. Obstruct or interfere with the free and uninterrupted use of property or business lawfully conducted by anyone in, upon, facing or fronting any such public street, highway, sidewalk, place or building so as to prevent the free and uninterrupted ingress or egress thereto or therefrom; and who refuses or fails forthwith to obey an order by a police officer to cease such conduct and to move and disperse;
12. A person who willfully enters the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant, agent, or servant of the owner or occupant;
13. A person who willfully enters the land or premises of another and who neglects or refuses to depart from the land or premises of another after being notified by the owner or occupant, agent or servant of the owner or occupant to depart therefrom;
14. A person who knowingly sells, gives, or furnishes alcoholic beverages, beer, liquor, or spirits to any drunken, intoxicated, or disorderly person, or to any person under the age of twenty-one (21) years of age or who fails to make diligent inquiry as to whether the person who has been sold, given, or furnished alcoholic beverages is less than twenty-one (21) years of age. In an action for a violation of this section, proof that the defendant or the defendant's agent demanded and was shown, before furnishing alcoholic liquor to a person under twenty-one (21) years of age, a motor vehicle operator's license or official state personal identification card, or other bona fide documentary evidence of the age and identity of that person, appearing to be genuine and showing that the person was at least twenty-one (21) years of age, shall be a defense to an action under this section.
15. A person who possesses any open intoxicant or consumes any alcoholic beverages, beer, liquor, or spirits while in or upon a public street, sidewalk, or non-licensed public place.
16. A person who is found jostling or roughly crowding people unnecessarily in a public place;
17. A person who makes or continues any loud or unnecessary noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the Airport, including but not limited to:
  - a. Sounding any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle for reason other than as a signal in response to an imminent danger and implemented as an immediate safety measure, for an unnecessary and unreasonable duration, or unreasonably loudly or harshly;
  - b. Playing or amplifying any radio, phonograph, stereo, tape or disc player, or musical instrument in such a manner or with such volume so as to annoy or disturb the quiet, comfort or repose of persons in any place of business, or any dwelling, hotel, or other type of residence, or of any persons in the immediate vicinity;
  - c. Yelling, shouting, hooting, whistling, or singing on a public street or sidewalk at any time or place, so as to annoy or disturb the quiet, comfort or repose of any persons in any place of business, or of any persons in the immediate vicinity;

- d. Possessing any animal or bird which causes frequent or loud continued noise that disturbs the comfort or repose of any persons in the vicinity;
  - e. Blowing any whistle or siren, except as a warning of danger or upon request and authority of proper authorities;
  - f. Discharging the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle into the open air, except through a muffler or other device which will effectively prevent loud or explosive noises there from;
  - g. Intentionally squealing the tires of any motor vehicle;
  - h. Creating loud and excessive noise in connection with the loading or unloading of any vehicle, or the opening and destruction of bales, boxes, crates, and containers;
  - i. Creating noise with any drum, loudspeaker or other instrument or device to attract attention to any performance, show or sale or display of merchandise.
18. A person who disables or attempts to disable, in whole or in part, any motor vehicle owned or operated by another person, by any means, including but not limited to deflating tires attached to said motor vehicle, or placing a foreign substance in the motor vehicle's fuel tank.
  19. A person who wrongfully throws or propels any snowball, rock, missile, or object from any moving vehicle;
  20. A person who wrongfully throws or propels any snowball, rock, missile or object toward any person or vehicle;
  21. A person who maliciously telephones any other person for the purpose of harassing, molesting, threatening, intimidating or annoying such other person or his or her family, whether or not conversation ensues;
  22. Any person, 17 years of age or older, who shall accost, solicit or invite another in any public place, or in or from any building or vehicle, by word, gesture, or any other means, to commit prostitution or to do any other lewd or immoral act;
  23. A person who invites, entices, coaxes, persuades or induces by threat, promise or false statement, any minor child under the age of seventeen (17) years to enter any motor vehicle or conveyance, or private property or place, except where the parent or guardian of that child has given that person express consent; this section shall not prohibit school personnel, peace officers, or public health or social workers from carrying out the normal duties of their employment.
  24. A person who carries a knife having a blade of three inches in length or more, whether in a sheath or not, in a public place.
  25. A person who carries any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place, subject to the following exceptions:
    - 1) When it is in a case and is not loaded;
    - 2) When a bow or crossbow is unstrung or encased;
    - 3) Where and as otherwise permitted by State law.
  26. A person who:
    - 1) Owns any dog at any time, licensed or unlicensed, which destroys property, real or personal, or trespasses in a damaging way on property of persons other than the owner;
    - 2) Owns any dog, cat, livestock, poultry, or other animal at any time, licensed or unlicensed, which attacks or bites a person;
    - 3) Owns any dog which shows vicious habits, including but not limited to charging, snarling, growling, etc. or which molest passersby when such persons are lawfully on a public highway, right-of-way or adjacent property;
  27. A person, who intentionally and maliciously kills, injures or maims any animal owned by another person. However, any person may kill any dog or other animal which he or she sees in the act of or actually attacking or wounding any person, livestock, poultry or other animal, and there shall be no liability on such person in damages or otherwise for such killing. In no event shall the provisions of this subsection exonerate a person from compliance with the criminal laws of this State, including, by way of example, the safe discharge of firearms.

Any person(s) who shall act in any manner described above, shall be deemed in violation of this Ordinance and, upon conviction, shall be punished as set forth in Chapter IX below, whether or not said person(s) had been ordered by a police officer that such conduct or violation cease, except as otherwise specifically provided herein.

28. A person who willfully and maliciously destroys or injures the personal property of another person, which amount of injury or destruction is less than \$200.00.

29. A person who commits, or attempts to commit, a larceny by stealing the property of another having a value of less than \$200.00.
30. A person who buys, receives, possesses, conceals or aids in the concealment, possession or buying or receiving of stolen property, knowing same to be stolen, which property has a value of less than \$200.00.
31. A person who possesses or uses marihuana, unless such possession or use is in compliance with the Michigan Medical Marihuana Act, Public Act No. 1 of 2008 (MCL 333.26421 et seq.).
32. A person who possesses drug paraphernalia, which including, but not limited to, pipe, bowl, grinder, zigzag wrapping papers and any other paraphernalia commonly used to inject, ingest, inhale or otherwise use to introduce into the human body a controlled substance in violation of State or local law.
33. A person who sells, gives or furnishes any cigarette, cigar, chewing tobacco, tobacco snuff or tobacco in any other form to a person under the age of 18 years.

A person, being under the age of 18 years who purchases, attempts to purchase, possesses or attempts to possess tobacco products.

#### **7.17 – NO CAMPING**

Camping or sleeping overnight on any part of the Airport premises is prohibited. The only exceptions to this would be (a) a ticketed departing passenger who has been allowed by the Transportation Security Administration (TSA) to enter the secure area, and experienced a significant flight delay or cancellation; or (b) a ticketed passenger has arrived at the airport by air but cannot safely get to their final destination due to severe inclement weather, lack of available ground transportation, or other comparable circumstance, subject to the Authority's sole discretion.

**SECTION 8 - OPERATING DIRECTIVES**

The President - CEO is authorized and empowered to issue written operating procedures and directives in order to implement the provisions of the Capital Region International Airport Rules and Regulations Ordinance, and as necessary to insure compliance with all federal, state, and local laws, ordinances, and regulations and to maintain a safe, secure and efficient Airport for use by the public.

## **SECTION 9 - PENALTIES**

**9.01** - Any person violating a provision of these Rules and Regulations designated as a misdemeanor shall be guilty of a misdemeanor and punishable by fines not to exceed five hundred dollars (\$500), or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which such violation shall occur shall constitute a separate offense. The imposition of a penalty under this section does not prevent the suspension or revocation of a license, permit or franchise or other administrative action.

**9.02** - Any person who is found responsible or admits responsibility for a civil infraction shall be subject to a civil fine and costs as follows: A fine of not more than One Hundred (\$100) Dollars, nor less than Seventy-five (\$75) Dollars for a first determination of responsibility within one (1) year; and a fine of One Hundred (\$100) Dollars for a second determination of responsibility within one year. Cases commenced under this section shall, to the extent applicable, be processed under the provisions of MCR 4.01, or successor rule, which provisions are incorporated by reference. The imposition of a penalty under this section does not prevent the suspension or revocation of a license, permit or franchise or other administrative action.

Notwithstanding the foregoing, a person committing a third offense within one (1) year shall be guilty of a misdemeanor, punishable as provided in Section 9.01 above.

**9.03** - Any violation of this Ordinance shall be deemed a nuisance per se, permitting the Authority to take such action in any court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.

**9.04** - Any person who violates any of these Rules and Regulations, any environmental law, or the Airport's security plan which results in a fine or penalty being assessed against the Airport, or the Authority, by any federal, state, or local governmental agency shall be, at a minimum, fully liable for the payment, reimbursement, restitution of such fine, or penalty after notice and opportunity to participate in the defense of such fine or penalty.

## **SECTION 10 – CAPITAL REGION INTERNATIONAL AIRPORT TRAFFIC CODE**

An Ordinance enacted pursuant to MCLs 257.951 to 257.955 and MCL 41.181 to adopt by reference the Uniform Traffic Code for Michigan Cities, Townships and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, Public Act 306 of 1969, as amended (MCL 24.201, *et seq.*) and made effective October 30, 2002, and to adopt by reference certain state laws; and to repeal all ordinances or parts of ordinances in conflict herewith.

CAPITAL REGION AIRPORT AUTHORITY, CLINTON AND INGHAM COUNTIES, MICHIGAN, ORDAINS:

### **10.01 – Title**

This Ordinance and the provisions of the Uniform Traffic Code and state laws adopted by reference herein shall be collectively known and may be cited as the Capital Region International Airport Traffic Code Ordinance.”

### **10.02 - Adoption of Uniform Traffic Code By Reference**

The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, Public Act 306 of 1969, as amended (MCL 24.201, *et seq.*) and made effective October 30, 2002, is hereby adopted by reference. All references in said Uniform Traffic Code to a “governmental unit” shall mean the Capital Region Airport Authority.

### **10.03 - Adoption of Provisions of Michigan Vehicle Code By Reference**

The following provisions of the Michigan Vehicle Code, Public Act 300 of 1949, as amended (MCL 257.1, *et seq.*) are hereby adopted by reference:

- a. Chapter I (Words and Phrases Defined): MCLs 257.1 to 257.82
- b. Chapter II (Administration, Registration): MCLs 257.225, 257.228, 257.243, 257.244, 257.255, and 257.256.
- c. Chapter III (Operator’s and Chauffeur’s License): MCLs 257.310e, 257.311, 257.312a, 257.324, 257.325, 257.326, and 257.328.
- d. Chapter VI (Obedience to and Effect of Traffic Laws): MCLs 257.601 to 257.601b, 257.602 to 257.606, 257.611 to 257.616, 257.617a to 257.622, 257.624a to 257.624b, 257.625 (except felony provisions), 257.625a, 257.625m, 257.626 to 257.626b, 257.627 to 257.627b, 257.629b, 257.631 to 257.632, 257.634 to 257.645, 257.647 to 257.655, 257.656 to 257.662, 257.667 to 257.675d, 257.676 to 257.682b, 257.683 to 257.710e, and 257.716 to 257.724.
- e. Chapter VIII (License Offenses): MCLs 257.904 to 257.904a, 257.904e, and 257.905.

### **10.04 - Adoption of Other State Laws By Reference**

The following provisions of state law are hereby adopted by reference:

- a. Section 3102 of the Michigan Insurance Code of 1956, Public Act 218 of 1956, as amended, pertaining to required insurance (MCL 500.3102).
- b. Subchapter 6 of Part 811 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, pertaining to off-road vehicles (MCLs 324.81101 to 324.81147).
- c. Part 821 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, pertaining to snowmobiles (MCLs 324.82101 to 324.82158).
- d. Section 703 of the Michigan Liquor Control Act, Public Act 58 of 1998, as amended, pertaining to minors and alcoholic liquor (MCL 436.1703).

### **10.05 - Other Provisions**

The President - CEO of the Capital Region Airport Authority may issue restrictions on the operation or parking of vehicles in or upon any area of Capital Region International Airport to address security concerns associated with federal regulations, federal security directives, the Airport Security Plan, or any information or advisories issued by a federal, state, or local governmental agency pertaining to the security of Capital Region International Airport and/or the facilities, aircraft, tenants, and persons associated with it.

### **10.06 - Penalties**

The penalties provided by the Uniform Traffic Code and the provisions of the state laws hereinabove adopted by reference are hereby adopted as the penalties for violations of the corresponding provisions of this Ordinance.

### **10.07 - Severability**

If a court of competent jurisdiction declares any provision of this Ordinance or the Uniform Traffic Code or a statutory provision adopted by reference herein to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision; provided that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

#### **10.08 - Repeal of Conflicting Provisions and Effective Date**

**The provisions of this Traffic Code Ordinance** shall take effect 30 days after publication as required by law. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an Ordinance provision repealed by this Ordinance shall continue under the Ordinance provision then in effect.

*(Note: The terms and provisions of this Section 10 are developed by and provided to the Authority by the State of Michigan for those governmental agencies desiring to formally adopt the Uniform Traffic Code.)*

## **SECTION 11 - OTHER**

### **11.01 - Parental Responsibility**

No parent, guardian or other person having charge, guardianship, custody or control of any minor under the age of seventeen (17) years shall encourage, knowingly permit or by inefficient control allow the minor to violate a provision of this Ordinance. Proof that the minor was convicted of violating this Ordinance shall be prima facie evidence that the minor's parent or guardian allowed or encouraged the minor to violate such section.

### **11.02 - Savings Clause**

All proceedings and all rights and liabilities existing, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in effect when they are commenced. This ordinance shall not be construed to effect any prosecution pending or initiated before the effective date of this ordinance for an offense committed before that effective date.

### **11.03 - Severability**

If any section, paragraph, clause, phrase or part of this ordinance is held invalid by any court of competent jurisdiction, or by any agency, department or commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions of this ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

### **11.04 - Right to Waive**

Subject to the requirements of Federal Regulations and State Law, the Capital Region Airport Authority Board reserves the right to waive any of the requirements set forth in these Rules and Regulations when in its determination such waiver is in the best interest of the Capital Region International Airport. Any party requesting a waiver of any requirement of these Rules may make such request in through the President - CEO. The request should be in writing stating reasons why the waiver should be granted. A decision should be made within sixty (60) days of the date of receipt of a written request.