



KALAMAZOO/BATTLE CREEK INTERNATIONAL AIRPORT

An Ordinance Establishing
Airport Rules and Regulations
for the
Kalamazoo/Battle Creek International Airport

Approved by
Kalamazoo County Aeronautics Board of Trustees

January 16, 2024

Amended:
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Section 1 – Purpose and Scope

1-1. Purpose and Scope. These Airport Rules and Regulations, and any amendments hereafter, are intended to promote and facilitate the safety of the Airport’s patrons and tenants and apply to any Person entering Airport Property. The Kalamazoo County Aeronautics Board of Trustees (hereinafter “Aeronautics Board”) adopts these Rules and Regulations to provide for their enforcement as described in Section 16 herein. Establishment of this Ordinance will encourage and promote activities that contribute to the use of the Airport by all users.

The Aeronautics Board, in development of this Ordinance, recognizes that the different organizations and individuals using the Airport may have widely varying operational requirements. The Aeronautics Board intends for these Rules and Regulations to meet those varying needs while also retaining the principals necessary to maintain Airport safety.

Section 2 – Powers and Authority

2-1. Powers and Authority. The Kalamazoo/Battle Creek International Airport (“Airport”) is owned and operated by the County of Kalamazoo, a municipal corporation organized under the constitution and laws of the State of Michigan (“County”). The Airport is operated and governed by the Kalamazoo County Aeronautics Board of Trustees (“Aeronautics Board”), pursuant to a resolution adopted by the Kalamazoo County Board of Commissioners on May 16, 2006, subsequently amended on February 7, 2023 (hereinafter “Amended Resolution”) as authorized by the Aeronautics Code of the State of Michigan, 1945 P.A. 327, as amended, MCL § 259.133. Among the powers, authority and duties vested in the Aeronautics Board through the Amended Resolution is the power to establish all necessary rules and regulations for the management, government, and use of the Airport. All the duties and obligations owed in these Rules and Regulations to the Aeronautics Board shall be correspondingly owed to the County, and vice versa.

2-2. Amendments and Interpretation. The Aeronautics Board retains the right to adopt and amend all necessary rules and regulations for the management, government, and use of the Airport Property, provide penalties for the violation of such rules and regulations, and to appoint persons to enforce said rules and regulations.

2-3. Effective Date and Repeal. These Rules and Regulations shall be effective upon approval by the Aeronautics Board. All prior approved Airport rules and regulations are repealed.

2-4. Conflict of Authority. Should any of these Rules and Regulations conflict with federal or state law, then such federal or state law will take precedence. Rules and Regulations herein shall not supersede regulations set forth by the Federal Aviation Administration (FAA), Transportation Security Administration (TSA), or any applicable federal, state, or local laws, ordinances, codes, or regulations.

2-5. Compliance with Legal Requirements and Agreements. All entities leasing, occupying, and/or developing Airport land and/or improvements and/or engaging in an Aeronautical Activity at the Airport shall comply, at the entity's sole cost and expense, with all applicable legal requirements as well as these Rules and Regulations.

2-6. Conflicting Legal Requirements and Agreements. If any provision of this Ordinance is found to conflict with any other Airport policy, standard, rule, or directive; any provision of any applicable legal requirement; or any provision of an Agreement (if provided for in the Agreement), the provision that establishes the higher or stricter standard shall prevail.

2.7. Subordination to Grantor's Federal Obligations. This Ordinance shall be subordinate to the provisions of any existing or future agreement between the Aeronautics Board and the United States, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport. If the Aeronautics Board, through its Airport Director, reasonably determines that these Rules and Regulations, or any provision contained herein, causes or may cause a violation of any agreement between the Aeronautics Board and the United States, the Aeronautics Board shall have the unilateral right to modify these Rules and Regulations to ensure the Aeronautics Board's compliance with all such agreements with the United States.

2-8. Airport Director Authority. The Airport Director 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 by the County. The Airport Director is authorized and empowered to issue written operating procedures and directives in order to implement the provisions of Rules and Regulations, to ensure 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 Aeronautics Board.

2-9. Emergencies. During emergencies, the Airport Director or Airport Director Designated Representative is responsible for the safety and security of all persons and property within the boundaries of the Airport and shall be empowered to take appropriate actions which within his discretion and judgment are necessary or desirable to protect the health, welfare, and safety of persons and property and to facilitate the operation of the Airport, including, but not limited to the suspension of these Rules and Regulations. Additional rules, standards, procedures, and regulations needed to facilitate the safe and efficient operation of the Airport during said emergencies may be issued at the discretion of the Airport Director but will be

done in coordination with the County's Emergency Planning Committee or Incident Commander.

2-10. Severability. The invalidity of any clause, sentence, paragraph, or part of this Ordinance shall not affect the validity of the remaining parts of the Ordinance. Each provision of these Rules and Regulations shall be interpreted and construed in conformity with all federal, state, and local law. If any provision is held invalid, the remainder of this Ordinance shall remain in effect.

Section 3 – Definitions

Section 3. Definitions. The following list of terms, for the purpose of these Rules and Regulations shall have the meaning indicated:

3-1. Activity means any Aeronautical or non-Aeronautical operation, practice, action, engagement, enterprise, performance, procedure, process, or service that is conducted, or wishing to be conducted, within the boundaries of the Airport Property.

3-2. Advisory Circular (AC) means publications by the FAA that provide guidelines defining aviation regulations and how to meet compliance with them. Compliance with some AC guidelines may be required, as noted, for an airport to maintain its airport operating certificate. Specific ACs that are mentioned in this Ordinance may be amended from time to time by the FAA. Additional ACs may be adopted by the FAA from time to time and shall be incorporated within this Ordinance.

3-3. Aeronautics (or Aeronautical) means any Activity conducted at the Airport that is directly related to the operation of Aircraft.

3-4. Air Operations Area (AOA) means the physical areas approved by the FAA and the TSA for the parking and operation of Aircraft. The AOA includes, but is not limited to, runways, taxiways, Aprons, and unimproved areas of land abutting runways and taxiways as designated in [FAA Advisory Circular \(AC\) 150/5300-13, Airport Design](#). The AOA is considered restricted space and requires authorized credentials for access.

3-5. Air Traffic Control Tower (ATC) means the facility owned and operated by the Federal Aviation Administration, which through the use of air/ground communication, visual signaling, and other devices, provides services to Aircraft operating on and in the vicinity of the Airport.

3-6. Aircraft means any contrivance used or designed for the navigation of or flight in the air. Examples include, but are not limited to, airplanes, helicopters, balloons, gliders, ultralights, and unmanned aerial vehicles (UAV).

3-7. Aircraft Rescue and Fire Fighting (ARFF) means the firefighting division of the Airport responsible for the response, evacuation, and rescue of passengers and crew in the event of an Aircraft emergency. ARFF is also responsible for responding to other non-Aeronautical emergencies such as medicals, structural fires, and vehicle accidents that occur within the legal boundaries of the Airport.

3-8. Airport means any location, including all land, improvements, facilities, located within the geographical and legal boundaries of the Kalamazoo/Battle Creek International Airport. The abbreviation **AZO** incorporates this definition.

3-9. Airport Director means the administrative position within the management structure of the Airport, charged with daily administration, employee supervision, operation, planning, and development duties of the Airport. This position reports directly to Aeronautics Board and is the supervisor responsible for activities occurring at the Airport.

- 3-10. Airport Director Designated Representative(s)** means the person(s) selected or appointed by the Airport Director to carry out selected tasks in their absence.
- 3-11. Airport Emergency Plan** means a plan approved by the FAA designed to minimize the possibility and extent of personal injury and property damage in the event of an emergency at an airport and includes guidelines and recommended procedures for the response to emergencies that may occur such as Aircraft accidents, fires, natural disasters, and bomb incidents.
- 3-12. Airport Property** means all property, land, and the general environment of the Airport.
- 3-13. Airport Main Terminal (Terminal)** means the building designated for the transfer of passengers to and from commercial airline Aircraft which includes but is not limited to support facilities for commercial airline operations such as airline office areas, ticket counters, security screening checkpoint, passenger waiting areas, boarding gates, and baggage claim, Airport offices, car rental agencies, restaurant, conference room, gift shop, and ground transportation operations.
- 3-14. Airport Security Plan** means prepared documents approved by the Transportation Security Administration (TSA) that meet federal requirements outlined in [CFR Part 1542](#) outlining an airport's security program and how it will perform its regulatory and statutory responsibilities.
- 3-15. Apron** means a surface designed for the parking, maneuvering, and servicing of Aircraft, which may include ramps, designated turf areas, prepared hard surfaces comprised of asphalt or concrete.
- 3-16. Commercial Activity** means any operation conducted for the purpose of securing earnings, income, compensation, reimbursement (including exchange of service), and/or profit, whether or not such objectives are accomplished. Examples of Commercial Activity include, but are not limited to fueling, Aircraft maintenance, charter, rental and flight instruction.
- 3-17. Concessionaire** means an individual, company, or other entity authorized by the Airport through contract to undertake and profit by an Activity, including, but not limited to a restaurant, parking, flight instruction and ground transportation.
- 3-18. County** means Kalamazoo County, a municipal corporation and political subdivision of the State of Michigan and includes the Kalamazoo County Board of Commissioners.
- 3-19. Federal Aviation Administration (FAA)** means the federal agency charged with the regulation and oversight of all aspects of civil aviation and the national airspace system in the United States. The FAA is responsible for various aspects of aviation in the U.S. such as the certification of pilots, Aircraft, and airports; the safe separation of Aircraft throughout the national airspace system; and installation, operation, and maintenance of navigational aids and other equipment.
- 3-20. General Aviation** means all phases of aviation other than military aviation, scheduled, non-scheduled, and regulated air carrier operations.
- 3-21. Hangar** means any protective structure designed for the storage and parking of Aircraft. Typically, hangars are enclosed and defined as either box style or T-style.
- 3-22. Hazardous Materials** means those solids, liquids, and gases with the potential to cause death, serious injury, short- and long-term health effects to people and other living organisms or damage to buildings, homes, property, or the environment.

- 3-23. Landside** means the portion of the Airport outside of any Aircraft Movement Areas that include the following major elements: terminal facilities, terminal curbside, parking facilities, and roadway circulation.
- 3-24. Leafletting** means the sale or distribution of handbills, tracts, circular, flyers, literature, or other written or printed material for any purpose.
- 3-25. Lessee** means any individual or organization to which a lease is granted by the Aeronautics Board; Lessees may also be referred to as a tenant or the one who is renting from another individual or organization.
- 3-26. Lessor** means any individual or organization that grants property for lease to another individual or organization; Lessors may also be referred to as a landlord or property owner.
- 3-27. Minimum Standards.** Means the standards established by the Aeronautics Board, as amended from time to time, as the minimum requirements to be met by a tenant, sub-tenant or proposed tenant as a condition for the right to provide Aeronautical services to the public at the Airport.
- 3-28. National Fire Protection Association (NFPA)** means the international non-profit organization charged with research, training, education, and establishment of fire safety codes, standards, and criteria designed to minimize the risks and effects of fire.
- 3-29. National Transportation Safety Board (NTSB)** means the independent United States government agency charged with the determination of probable cause of transportation accidents and includes but is not limited to, The Office of Aviation Safety as the responsible office to investigate all aviation related accidents and investigate specific aviation safety problems from a broader perspective.
- 3-30. Notice to Airmen (NOTAM)** means a method of communication that conveys safety information about unanticipated or temporary airport infrastructure conditions to aviation users.
- 3-31. Rates and Charges** means the set of fees charged for Activities conducted at the Airport recommended by Airport staff and determined annually by the Aeronautics Board for each calendar year.
- 3-32. Runway** means any defined, rectangular-shaped surface prepared or suitable for the landing or takeoff of fixed-wing Aircraft.
- 3-33. Secured Area** means a designated area at the Airport defined in the Airport Security Plan where the loading and unloading of passengers and cargo can occur for commercial airlines that have a TSA approved security program. Only authorized individuals and vehicles are permitted within the Secured Area.
- 3-34. Security Identification Display Area (SIDA)** means the portion of the AOA requiring each person to continuously display on their outermost garment an Airport approved identification (ID) unless the individual is accompanied by an Airport approved escort.
- 3-35. Special Event** means any Activity at the Airport that will not comply with this Ordinance or which, while it may comply with this Ordinance may require an accommodation by other users of the Airport. Special Events include, but are not limited to fly-ins, static Aircraft demonstrations, balloon operations or similar events or activities.
- 3-36. Spill Prevention, Control, and Countermeasures (SPCC) Plan** means an Environmental Protection Agency (EPA) required document designed to prevent the discharge of oil and other hazardous materials into navigable waters and adjoining shorelines.

3-37. Storm Water Pollution Prevention Plan (SWPPP) means a guide that provides pollution prevention planning guidance for facilities with a National Pollution Discharge Elimination System storm water permit. The Airport has a SWPPP, which is an official document of the Airport that documents processes and procedures for ensuring that significant materials associated with the activities at the Airport do not come into contact or have minimal contact with storm water.

3-38. Sterile Area means a designated area defined by the Airport Security Plan within the Main Terminal Building designed to hold passengers and property that have passed through a security screening inspection.

3-39. Taxiway means a defined surface path for the movement of Aircraft from a runway to an Apron, taxilane, or other airfield destination. The movement of Aircraft and vehicles on taxiways require the Aircraft or vehicle operator to identify their position and intentions via Air Traffic Control.

3-40. Tie Down Location means a designated area on an Apron equipped with in-surface devices to fasten and secure an Aircraft while parked.

3-41. Transportation Security Administration (TSA) means the federal agency of the United States Department of Homeland Security (DHS) responsible for the security of transportation systems across the country, including aviation, rail, transit, highway, and pipeline sectors.

3-42. Vehicle means any self-propelled device designed for the ground transportation of people or cargo, which shall include but is not limited to, automobiles, tugs, tractors, belt loaders, heavy equipment, all-terrain vehicles (ATV), Aircraft push back devices, motorcycles, bicycles, and lawn maintenance equipment. Pull or push devices such as plows, trailers, baggage carts, farming plows, mowing decks, lavatory carts, ground power units (GPU), and tow bars.

Section 4 – Establishment of Commercial Activity and Rules for Non-Commercial Flying Clubs

4-1. Establishment of Commercial Activity. Information related to the establishment of a Commercial Activity, as defined in Section 3 of these Rules and Regulations, can be found in the Aeronautics Board Ordinance, *Minimum Standards for Commercial Aeronautical Activities*.

4-2. Commercial Ground Transportation. No commercial transporter may use the facilities of the Airport to solicit or transport commercial passengers from the Airport without first obtaining a permit issued by the Airport Director.

4-3. Requirement of Permit, Contract, or License. Any provider of or party conducting any Commercial Aeronautical Activity shall have first obtained a lease, sublease, license agreement, permit or other authorization issued by the Airport authorizing use of facilities in a designated area on the Airport.

4-4. Non-Commercial Flying Clubs. All flying clubs desiring to base their Aircraft on the Airport shall comply with the applicable provisions as outlined in the Kalamazoo/Battle Creek International Airport Commercial Minimum Standards Ordinance.

Section 5 – General Provisions

Section 5. General Provisions. All individuals and organizations within the boundary of Airport Property shall adhere to the general provisions outlined in this Ordinance. These Rules and Regulations apply to all employees, employers, contractors, passengers, pilots, flight crews, officials, and visitors to the Airport. Individuals and organizations shall be held accountable for understanding and abiding by all Airport Rules and Regulations as well as all applicable federal, state, and local laws, regulations, codes, and ordinances. Any violation of these Rules and Regulations shall be punishable by the penalties and fines listed in Section 16 of this Ordinance.

5-1. Non-Discrimination Policy. All employees, tenants, and contractors employed on Airport Property shall not discriminate or harass any person because of race, color, creed, religion, origin, nationality, age, sex, orientation, gender, marital status, disability, weight, height, pregnancy, conditions of employment, and/or residence/business location. Discriminatory complaints may be brought to the attention of the Airport Director who will initiate a thorough investigation and may decide to take appropriate corrective actions.

5-3. Conduct of Employees. All employees, tenants, contractors, and other employed personnel at the Airport shall be neat, clean, and courteous at all times and conduct themselves in a manner that is not loud, noisy, boisterous, offensive, or objectionable. Employees shall be expressly prohibited from consuming alcoholic beverages or using controlled substances, except as prescribed by a physician, while rendering services at the Airport.

5-4. Public Laws and Regulations. In addition to these Rules and Regulations, all individuals and organizations on Airport Property shall comply with all applicable federal, state, and local laws, statutes, regulations, codes, and ordinances, including, but not limited to, tax codes, fire inspections, building inspection, and environmental regulations. Individuals or organizations that violate public laws, statutes, regulations, codes, and ordinances on Airport Property may be subject to legal actions and punitive measures by the appropriate government jurisdiction. Public law enforcement officials shall be granted the right to enforce all applicable public laws and regulations on Airport Property.

5-5. Solicitation. No individual or organization shall solicit funds, goods, services, products, or seek donations on Airport Property without the written consent of the Airport Director. Individuals or organizations seeking to engage in for-profit or non-profit activities on the Airport shall notify the Airport Director.

5-6. Right to Impose and Collect Fees and Charges. The Airport shall hold the right to establish and collect fees, rents, and charges from individuals and organizations engaged in business or other activities to provide for the cost for operating, maintaining, and developing the Airport. All individuals and organizations shall pay all charges and fees upon demand as negotiated in the terms of an approved contract with the Airport.

5-7. Physical Improvements. No individual, business, partnership, or corporation shall construct or erect any building, sign, or structure, or modify any existing facility without specific permission and written approval of the Airport Director. More information can be found in the Application for Permit to Alter or Construct.

5-8. Restricted Area and Airport Operations Area. All areas of the Airport, except those areas open to the public, are restricted and no person shall enter the Air Operations Area (AOA) or any hangar except:

- A. Authorized Personnel assigned to duty therein and in possession of Airport approved identification.
- B. Authorized representatives of the FAA or TSA.
- C. Passengers under appropriate supervised escort, entering the Air Operations Area for the purpose of enplaning and deplaning.
- D. Business representative, with appropriate escort, in the conduct of their business with the tenants; and
- E. Aircraft owners or Renters and/or their authorized representatives.

5-9. Electronic Interference. No individuals or organization shall transmit electronic signals that interfere with the use of radios, Global Positioning System (GPS) devices, wireless networks, telephone lines, radars, and other forms of electronic communication necessary for safe Aircraft operations on the ground and in the air in proximity to the Airport. Individuals or organizations requiring the use of electronic communication for activities conducted at the Airport must seek approval from the Airport Director and provide justification for their use along with the types of devices and electronic frequencies proposed for their operation. The Airport Director shall reserve the right to deny a request from an individual or organization or require an amendment or discontinuation of an approved method of electronic communication if it is found to interfere with devices and frequencies used in Aircraft and Airport operations.

5-10. Right to Self Service. An Aircraft owner or the Aircraft owner's permanent full-time employees may perform self-services (fueling, maintenance, or repair) on the Aircraft owner's Aircraft using the Aircraft owner's vehicles, equipment, and resources (self-service). An Aircraft owner or the Aircraft owner's permanent full-time employees are permitted to perform such self-services on the Aircraft owner's Aircraft provided there is no attempt to perform such services for others for compensation, and further provided that such right is conditioned upon compliance with this Ordinance and all applicable legal requirements. If the right to self-service is not exercised, an Aircraft owner is only permitted to have the Aircraft owner's Aircraft fueled, maintained, repaired, or otherwise serviced at the Airport by those operators authorized to engage in commercial activities at the Airport. An operator may restrict self-service activities on its exclusive leased premises.

5-11. Repairing and Maintenance of Aircraft. The performance of Aircraft and engine repair, and maintenance is considered to be a Commercial Aeronautical Activity operation regulated by the Airport, except where such services or repairs are performed by the Aircraft owner or their permanent full-time employee. Maintenance and repair may be performed by the Aircraft owner or their permanent full-time employee(s) on their Aircraft inside their hangar – subject to the terms of their Hangar lease and applicable fire codes.

5-12. Insurance. Insurance for any Activity shall be provided as required in a specific contract or license or pursuant to those insurance standards outlined in the Airport's Commercial Minimum Standards Ordinance established by the Aeronautics Board.

5-13. Protection of Airspace. The Airport reserves the right to take any action it considers necessary to protect the aerial approaches to the Airport against any obstruction together with the right to prevent any tenant from erecting, or permitting to be erected, any building, sign, or structure on the Airport that would limit the usefulness of the Airport or constitute a hazard to Aircraft.

5-14. Abandoned Personal Property. No person shall abandon personal property in public areas of the Airport. The registered owner of any abandoned Aircraft or vehicle shall be liable for any damages resulting from the abandonment of such property or the removal of such abandoned property. Liability for removal shall include any incurred storage fees.

5-15. Lost and Found. Any individual finding a lost article on Airport Property should deposit it with an Airport employee or with the Airport Administration office if available, or the tenant where the article was located. Individuals seeking lost articles should contact the Airport Administration office during normal business hours and/or the lost and found services of tenants during normal operating hours. Items deposited with the Airport's lost and found are subject to search and/or screening. The Airport shall not be held liable for lost articles that are damaged, missing, broken, vandalized, or destroyed.

5-16. Storage of Equipment. No tenant or Lessee of the Airport shall store or stack material or equipment in such manner as to constitute a hazard to persons or property. A hazard includes non-airworthy Aircraft in such a state that it creates a wildlife habitat and as a result a risk to flight safety.

5-17. Animals and Pets.

- A. Service Animals are permitted in all areas where the public are allowed, provided they are on a harness, leash, or other tether, unless these devices interfere with the work or tasks such Service Animals provide. The work or tasks performed by a Service Animal must be directly related to the individual's disability. Airport personnel may ask if the animal is a Service Animal (unless it is readily apparent that the animal is a Service Animal), and if so, what work or service task has the animal been trained to perform. An individual with a Service Animal is responsible for caring for, supervising, and cleaning up after the Service Animal. Airport personnel may ask an individual with a Service Animal to remove such animal from the Airport premises if (1) such animal is out of control and the individual does not take effective action to control it; or (2) such animal is not housebroken.
- B. Emotional Support/Comfort/Therapy Animals. Emotional Support/ Comfort/Therapy Animals are permitted in all areas where the public are allowed, provided they are in a carrier at all times. Boarding of Emotional Support/Comfort/Therapy Animals is in the sole discretion of the applicable Commercial Air Carrier and individuals must check with the applicable Commercial Air Carrier for all rules and regulations relating thereto. Airport personnel may ask to see a certification or a doctor's note, dated within a year, and signed, testifying that such animal is an Emotional Support/Comfort/Therapy Animal. An individual with an Emotional Support/Comfort/Therapy Animal is responsible for caring for, supervising, and cleaning up after the Emotional Support/Comfort/Therapy Animal. Airport personnel may ask an individual with an Emotional Support/Comfort/Therapy Animal to remove such animal from the Airport premises if (1) such animal is out of control and the individual does not take effective action to control it; or (2) such animal is not housebroken.
- C. Service Animals in Training. A Service Animal in Training is permitted in all areas where the public is allowed, provided that: (1) it is accompanied by a trainer; (2) it is on a harness, leash, or other tether; and (3) it is wearing an item which easily identifies such animal as a Service Animal In Training. A trainer with a Service Animal In Training is responsible for caring for, supervising, and cleaning up after the Service Animal In Training. A trainer with a Service Animal In Training is liable for any damage done to the Airport by the animal. Airport personnel may ask an individual with a Service Animal In Training to remove such animal from the Airport premises if (1) such animal is out of control and the trainer does not take effective action to control it; (2) such animal is not on a harness, leash, or other tether; or (3) such animal is not housebroken.

- D. All Other Animals. All animals are prohibited in the Airport, except for Service Animals, Emotional Support/ Comfort/Therapy Animals, Service Animals in Training, and animals being checked into an airline or picked up at baggage claim.

All animals being checked into an airline or picked up at baggage claim shall remain in the check-in area or baggage claim area, as applicable, and be in a carrier. If such animal is too large for a carrier, the animal must be restrained by a leash and must be within five feet of the handler. Such animal must be always completely under control of the handler.

- E. Pet Relief Area. The Airport will maintain a pet relief area immediately outside the terminal building of the Airport. All Service Animals and Emotional Support/Comfort/Therapy Animals are permitted to use the pet relief area.

F. General Prohibitions

1. 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.
2. No person shall feed or do any other act to encourage the congregation of birds or other animals on the Airport, unless authorized to do so by the Airport Director.

5-18. Special Events. Any entity desiring to conduct a Special Event at the Airport shall complete and submit the Special Event Permit Form to the Airport along with prior payment of all applicable fees paid to the Airport and any other agency having jurisdiction. At that point, the entity will receive a signed and approved Special Event Permit from the Airport prior to conducting the Special Event.

5-19. Restriction of Access. The Airport Director may restrict any person's access to any particular area of the Airport unless that person immediately demonstrates a bona fide need to be there.

5-20. Prohibited Activities. It shall be unlawful and a violation of this Ordinance for any person to:

- A. Engage in any Commercial Activity, provide service or conduct any activities on the premises of the Airport, or off the premises of the Airport, which derives revenue from operations of the Airport, without first entering into a written lease, permit, contract, license, other written Agreement with the Airport.
- B. Operate an Aircraft with a maximum certificated takeoff weight in excess of published weight bearing capacity for the runway(s) or taxiway(s).

Section 6 – Individual Conduct

Section 6. General Understanding. The Rules and Regulations outlined below are offered to enhance the usability of the Airport, but more importantly to promote safety for all users.

6-1. Smoking. Smoking shall not be permitted anywhere within the AOA, inside enclosed places of employment, in structures designated for the storage of Aircraft, within 50-feet of any fueling vehicle, tanker, storage facility, or device designed for the transmittal of fuel, or within 50-feet of the source of a flammable substance. Smoking on Airport Property shall be done in accordance with the State of Michigan Smoke Free Air Law that prohibits smoking indoors at businesses and in public places.

6-2. Firearms and Weapons. No person, except those authorized under federal regulations and Michigan Compiled Laws shall carry, transport, or discharge any firearm or weapon on Airport Property. Firearms or weapons that are properly encased and secured for shipment shall be permitted, given the firearm or weapon is not in the immediate possession of the individual during travel on board any Aircraft. Federal, state, and local law enforcement officials and those individuals in need to carry firearm for official purposes, such as an armored security services officer, shall also be permitted to carry firearms and weapons while in the performance of their official law enforcement and security duties.

6-3. Alcohol or Drugs. No person under the influence of alcohol or drugs shall operate any vehicle, Aircraft, motorcycle, heavy equipment, or other self-propelled apparatus of any type on Airport Property. Consumption of alcoholic beverages on Airport Property shall be limited to those places designated by the Airport Director and in accordance with the liquor license(s) obtained from the Michigan Liquor Control Commission. The Airport Director or a designated representative shall retain the right to remove or deny access to Airport Property, any person reasonably determined to be intoxicated under the influence of alcohol or drugs.

6-4. Public Parking. No person shall park a motor vehicle at the Airport other than in areas specifically designated for parking ("authorized locations"). Only passenger vehicles are permitted to be parked in authorized locations unless prior written approval has been obtained from the Airport Director or a designated representative.

In the case of any alleged violation of this section, the registered owner of the vehicle at the time of the alleged violation shall be presumed to be the person who parked or placed the vehicle at the point where and at the time that the violation occurred.

In the case of any alleged violation of this section which involves a leased vehicle, the Lessee or renter of the vehicle shall be presumed to be the person who parked or placed the vehicle at the point where and at the time that the violation occurred.

The Airport Director or a designated representative reserves the right to tow any vehicles, at the registered owner's expense or vehicle Lessee's expense, that is parked in an unauthorized location or is parked in a parking area in violation of the rules set forth above. The towing of any vehicle from Airport Property shall be conducted by a company selected by the Airport Director or a designated representative, which is licensed and insured to conduct such operations.

In addition to the provisions found in Sections 7-2, 7-3, and 7-4, a violation of this section may be punished

as a municipal civil infraction with penalties not to exceed those fees outlined by the Kalamazoo County District Court.

6-5. Wildlife Management. No individual shall feed, frighten, hunt, trap, capture, wound, kill, or disturb the habitat of any bird, mammal, reptile, fish, amphibian, or other species of wildlife anywhere within Airport Property without the approval of the Airport Director. Additionally, no individual shall intentionally or unintentionally provide food, water, or shelter for any form of wildlife found on or off Airport Property. Individuals wishing to mitigate wildlife from their leasehold shall coordinate methods with the Airport Director that are in conjunction with the Airport's wildlife management plan.

6-6. Waste Disposal and Littering. No person shall dispose or litter, in any manner, paper, trash, rubbish, food, or other forms of solid and liquid waste anywhere on Airport Property except in approved receptacles with covers that prevent the unintentional discharge of material from exiting the container as a result of wind, transportation, animals, and human interaction. Waste from Aircraft, service vehicles, and personnel shall be properly disposed of and not left in any portion on the AOA. All individuals and organizations shall keep their space clean of all food, rubbish, and debris waste and are encouraged to incorporate recycling into the disposal of waste from activities conducted at the Airport. Airport tenants and leaseholders shall be responsible for the disposal of waste from their premises as agreed upon in a contract with the Airport. The Airport Director shall designate specific locations on Airport Property and provide dumpsters, receptacles, and bins for the disposal of waste.

6-7. Preservation of Property. No person shall destroy, inflict damage, or deface any building, sign, equipment, vehicle, structure, marker, landscaped vegetation, or any other form of personal or public property. Individuals responsible for such actions shall be held liable for the full amount of the damage in addition to civil and criminal penalties including fines and imprisonment. In addition, individuals or organizations found responsible for such damage may be subject to punitive measures from the Airport Director including revocation of access, and cancellation of their contract with the Airport to conduct business at the Airport.

6-8. Disorderly Conduct and Loitering. Any person engaged in disorderly conduct or loitering shall be subject to removal from Airport Property and prosecution under [MCL 750.167- 168](#) or other applicable law.

6-9. Use of Public Areas. Marking or defacing floors, walls, window, ceilings, or any other surface is prohibited. Use of the public area in any facility or in any area for the purposes of sleeping in lieu of a hotel, motel, or other accommodation is prohibited unless authorized by the Airport Director.

6-10. Trespass. Any person who fails to leave the Airport, or a specified area thereof, or any person who knowingly or willingly violates these Rules and Regulations, or who refuses to comply therewith, after request to do so shall be regarded as a trespasser and may be removed or ejected from and denied access to the Airport for such period of time as may be specified by the Airport Director. No unauthorized person shall travel upon the Airport other than on roads, walks, or other right of way provided for such specific purpose.

6-11. Pedestrian Rules. Pedestrians are prohibited from all areas of the Airport within the perimeter fence except as permitted by the Airport Director and his/her designated representative. No pedestrian shall enter an Air Operations Area as outlined in the Airport Security Plan, except:

- A. A pilot going directly to or from the Aircraft.
- B. A passenger going directly to or from the Aircraft while under the supervision of an authorized person.
- C. A person conducting business in the T-hangar area or Aircraft maintenance area.

- D. A person authorized by the Airport Director or Air Traffic Control Tower.
- E. Maintenance company employees and those designated by the Airport Director.

Section 7 – Rules and Regulations for Landside Vehicle Operations

Section 7. General Understanding. The rules and regulations outlined below are offered to enhance the usability of the Airport, but more importantly to promote safety for all users.

7-1. Vehicle Operations (Public Area). The rules and regulations outlined below pertain to the public area of the Airport, which is often referred colloquially as the “landside” portion of the Airport.

- A. Compliance with Traffic Signs. Operators of motor vehicles using the Public Parking Facilities of the Airport shall observe and comply with all regulatory and directional traffic signs entering and departing the facilities.
- B. Parking Spaces. Vehicles shall be parked in authorized locations. No person shall park a motor vehicle in any space marked for parking of vehicles in such a manner as to occupy a part of another space.
- C. Parking Charges. No person shall park a motor vehicle in any area requiring payment for parking therein without paying the required parking charges.
- D. Parking Duration. No vehicle shall remain in any public parking lot on the Airport for more than (90) consecutive days without prior written approval from the Airport Director or their designee.

7-2. Reserved Parking. No person shall park any vehicle in any reserved parking area without a valid permit issued by the Airport permitting such parking in a reserved area. Each vehicle parked in said area shall prominently display the identifying insignia provided by the Airport or shall bear other markings acceptable to the Airport and every such vehicle shall be parked only in the space or area assigned to it.

7-3. Loading and Unloading of Vehicles. No person shall stop a motor vehicle for loading, unloading, or for any other purpose on the Airport other than in those areas specifically designated for such use and only in the manner prescribed by signs, lines, and other means provided. Stopping at the curbsides of the Terminal Building shall be restricted specifically to loading and unloading of the public, passengers, and their baggage. Unattended vehicles shall be cited and may be towed away in accordance with these Rules and Regulations.

7-4. Authority to Remove Vehicles. The Airport may remove or cause to be removed from any restricted or reserved areas, any roadway or right-of-way, or any other area of the Airport, any vehicle that is disabled, abandoned, or illegally or improperly parked, or which causes an operational problem. Any such vehicle may be removed, or caused to be removed, by the Airport Director. Any vehicle impounded by the Airport shall be released to the owner or operator thereof upon proper identification of the vehicle by the person claiming it and on payment of towing charges and the accrued parking fees thereon. The Airport shall not be liable for damage to any vehicle or loss of personal property that may result from the act of removal.

7-5. Issuance of Traffic Citations. Any person violating the Rules and Regulations contained herein shall be grounds for issuance of appropriate summons or arrest by any duly constituted authority.

7-6. Reporting of Accidents. A vehicle operator involved in an accident resulting in any injury or death to a person or damage to property shall stop at the scene (or as close to the scene as possible without creating a safety hazard) and immediately call 911. The vehicle operator (and the vehicle) must remain at the scene until Public Safety takes a full report.

7-7. Cleaning and Maintenance. Vehicles shall not be cleaned and/or maintained on the Airport, except for minor repairs that are necessary to remove the vehicle from the Airport.

7-8. Pedestrian Right-of-Way. The operator of any vehicle shall yield the right-of-way to a pedestrian who crosses within a marked pedestrian crosswalk, except when the movement of traffic is being otherwise actively regulated by approved Airport personnel. The driver of a vehicle must exercise due care for the safety of any pedestrian upon a roadway.

7-9. Employee Parking. Employee parking is provided to Airport based tenant employees in designated areas only. Failure to comply with the use of the assigned parking area may result in the loss of parking privileges and/or loss of the Airport issued identification badge.

- A. Issuance of Employee Vehicle Parking Permits/Decals and Validity. Employee vehicle parking permits or decals will be issued only to persons authorized by the Airport Director and will be valid only when used by the person to whom it was issued and while that person is an employee of an Airport tenant.
- B. Duration and Fee for Employee Vehicle Parking Permits/Decals. The Airport Director is authorized to determine the period that any employee parking permit or decal will be valid and the fee to be required.
- C. Lost, Stolen, or Unserviceable Employee Vehicle Parking Permits/Decals Replacement. Lost, stolen, or unserviceable employee vehicle parking permits or decals will be replaced at a fee or fees as determined by the Airport Director.
- D. Designated Employee Parking. Employees will park only in the area designated for employee parking by the Airport Director.
- E. Prohibition on Sharing Employee Vehicle Parking Permits/Decals. Employees are prohibited from sharing or allowing others to use their employee vehicle parking permit or decal and may lose their privilege to park in the employee parking lot for such action.
- F. Compliance with Parking Lot Procedures and Regulations Required. Employees shall comply with any additional parking lot procedures and regulations promulgated by the Airport Director.

Section 8 – Rules and Regulations for Airside Vehicle Operations

Section 8. General Understanding. The ability to operate on the airfield is a privilege granted by the Airport. The rules and regulations outlined below are offered to enhance the usability of the Airport, but more importantly to promote safety for all users.

8-1. Airside Vehicle Operations. No person(s) 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 Airport; or (3) to the business of an Airport tenant and such vehicle is registered in accordance with these Airport Rules and Regulations.

8-2. Legal Requirements and Insurance.

- A. Vehicle Operators. All vehicle operators shall comply with the State of Michigan Vehicle Code, the Uniform Traffic Code for Cities, Townships, and Villages, and these Rules and Regulations.
- B. Vehicles. Except for vehicles that are used exclusively on the AOA, all vehicles must meet the State of Michigan licensing and registration requirements.
- C. Insurance. All vehicles, including those used exclusively on the AOA, must have vehicle liability insurance.

8-3. AOA Driving Permits. All persons operating ground vehicles at the Airport in the AOA are required to participate in an FAA approved driver's training for the operation of ground vehicles on the Airport as provided by the Commission. The operator of the vehicle must have an Airport issued badge with a "Y" designation on the badge attesting to the successful passage of the Airport's driver training program. Any person in violation of any of the procedures for the safe and orderly access to, and operation on, the movement and safety areas by ground vehicles shall be subject to disciplinary actions, including removal of driving privileges, removal from the Airport, or termination of any use or lease agreement as may be deemed appropriate by the Airport Director.

8-4. Equipment. Vehicles shall not be operated at the Airport unless the vehicle is in sound mechanical order, has adequate lights, horns, and brakes, and provides clear and unobstructed visibility from the driver's position. Trailers and semi-trailers are not permitted unless equipped with lights (or reflectors) on all sides and proper brakes/braking system. Trailers and semi-trailers shall not be disengaged from towing vehicles, unless approved in writing from the Airport Director.

Vehicles operating on the movement area or across taxiways or runways shall be equipped with two-way radios, a yellow beacon light, police, or emergency lights, and must be in continuous communication with the control tower except when under escort by a vehicle properly authorized and equipped. The installation of two-way radios shall not be construed as license to operate a vehicle on the AOA.

8-5. Vehicle Operating Requirements. It shall be unlawful and in violation of these Rules and Regulations for any person to:

- A. Violate established programs controlling the operation of vehicles on the AOA or any other portion of the Airport. Vehicles operated on any portion of the AOA will also be identified and controlled in

compliance with the Airport Security Program.

- B. Operate any vehicle other than an Aircraft on the movement area without using an Airport approved light. Vehicles accompanied by an approved escort vehicle with an Airport approved light shall be exempt from this section.
- C. Clean or maintain a vehicle on Airport Property, except for minor repairs that are necessary to remove the vehicle from the Airport.
- D. Operate a vehicle on the AOA without a functioning exhaust system.
- E. Operate a vehicle on the AOA without fully functioning emergency brakes, taillights and, during the hours between one half hour before sunset and one-half hour after sunrise and during other times when visibility is less than 3 miles, headlights. If the vehicle's lights are inoperative, the vehicle shall not be operated during the above time period until repairs are completed.
- F. Operate a vehicle on the Airport perimeter road without prior written authorization from the Airport, unless escorted by Airport personnel.
- G. Fail to maintain ground equipment free from leakage of engine fluids, excessive discharge of exhaust gasses, and excessive noise. If any of the above conditions exist, the vehicle shall be repaired in a timely manner.
- H. Operate a vehicle more than 20 mph on the ramp and 15 mph within 50 feet of an Aircraft or building.
- I. Fail to give Aircraft and pedestrians the right of way over vehicles on the AOA.
- J. Operate any vehicle between an Aircraft and a gate or under a passenger loading bridge.
- K. Park a vehicle near any Aircraft in such a manner to prevent it or the other ground equipment from being readily driven or towed away from the Aircraft in case of an emergency.
- L. Park a vehicle or equipment in such a manner as to restrict the safe and efficient movement of other motorized ground equipment or Aircraft on any portion of the AOA.
- M. Park a vehicle or equipment in an area that is not approved by the Airport Director for such parking.
- N. Park vehicles or equipment not related to baggage handling in the baggage makeup area.
- O. Use studded tires or chains on any paved Airport surface.
- P. Leave a vehicle unattended while left running while parked on the AOA, Aircraft deicing vehicles are exempted if the wheels are chocked.

8-6. Parking of Vehicles on the Airside. 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. Prohibitions on Parking Vehicles and Motorized Equipment in Restricted Area. No person shall park a vehicle or other motorized equipment on the restricted area to interfere with or prevent the passage or movement of Aircraft or other vehicles.
- B. Roll/Movement Prevention Required. 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 ensuring that the equipment is well supported and will not roll or move from the immediate area.
- C. Requirements for Vehicular Breakdown or Mechanical Failure in Restricted Area. 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. Removal of Vehicles Posting Risk to Safety in Restricted Area. The Airport 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. In the event of vehicle removal, the owner shall be subsequently notified if possible.

- E. Parking and Storage of Vehicles in Hangars. Vehicles may be parked in hangars while the Aircraft is in active use. Storage of vehicles is not permitted unless specifically approved in a contract with the Airport.

8-7. Reporting of Accidents. All persons involved in an accident on the Airport shall report to an Airport Law Enforcement Officer or in the event of an Aircraft related incident report to an Operations Technician, as soon after the accident as possible, furnishing their names, addresses, and any other required information. The individual concerned is responsible for making such additional reports as may be required by Federal, State and local laws and regulations.

Section 9 – Rules and Regulations for Aircraft Operations

Section 9. General Understanding. No person shall operate any Aircraft to, from, or on Airport Property, or service, repair or maintain any Aircraft, or conduct any Aircraft operations on or from Airport Property, except in conformity with all applicable regulations of the FAA, TSA, State of Michigan and Airport Rules and Regulations governing such operations. It shall be the responsibility of all persons, firms, and corporations operating on the Airport to acquaint themselves with and adhere to the Rules and Regulations contained herein at all times.

9-1. Hours of Operation. The Airport is available for use 24-hours per day, 7-days a week, unless closed by Notice to Airmen (NOTAM).

9-2. Control of the Airfield. Whenever the Airport Director, or their designee, believes the condition of the Airport or any part of the Airport to be unsafe for Aeronautical Activity, they have the authority to close the Airport or any part thereof.

The Airport Director may delay or otherwise restrict any flight activity or other operation of any Aircraft at the Airport for reasons related to the public health, safety, or welfare. This includes, but is not limited to, the following types of specialized Aeronautical Activity: ultralights, balloons, gliders, skydiving or banner towing. No air meets, air shows, aerial demonstrations or other special activities shall be held at the Airport or above any lands owned by the Airport unless advance written permission is obtained from the Airport Director.

9-3. Aircraft Operating Requirements

- A. Loading and Unloading Passengers. All air carriers using the terminal shall load/unload passenger from Aircraft gate positions unless prior approval is obtained from the Airport Director.
- B. Passenger Safety. Tenants shall monitor and control their passenger ramp loading/unloading activities to ensure passenger safety at all times.
- C. Parking. All Aircraft utilizing Aircraft gate positions must be parked in accordance with parking position markings unless prior approval is obtained from the Airport Director.
- D. Prohibition of Use of Air Carrier Ramp by General Aviation Aircraft. General Aviation Aircraft may not use the air carrier ramp (main airline terminal) or facilities.
- E. Operation of Aircraft within Designated Load Bearing Capacity. No person shall operate any Aircraft weighing more than the designated load bearing capacity on any pavement being a part of the Airport premises without permission from the Airport Director.
- F. Tenant Obligations to Comply with Designated Load Bearing Capacity. No Tenant holding a lease for a paved area or operating under a use agreement may permit Aircraft or equipment to exceed the weight-bearing capability of any portion of pavement under their control without permission from the Airport Director.
- G. NOTAM Compliance Required. No person shall operate any Aircraft contrary to an Airport issued Notice to Airmen (NOTAM) as published by the FAA.

- H. AOA Access Prohibited. Unless otherwise approved by the Airport Director, no person shall enter any portion of the AOA unless such access is required to perform official duties.
- I. Restriction on Movement Area Access. No person may enter the movement area without approval from the Authority except for Aircraft operators with proper ATC clearance.
- J. AOA Snow Removal. No person shall conduct any snow removal activity on the AOA without prior coordination and approval of the Airport Director. No person may create an unsafe condition when creating snow piles/ridges.
- K. Prohibition on the Start or Operation of Aircraft Engines in Hangars. The starting or operating of Aircraft engines inside any hangar is prohibited.
- L. Use of Chain or Metal Cable for Aircraft Tie Down Prohibited. No person shall use chain or metal cable to tie an Aircraft down.
- M. Owner Permission Required for Motion of Aircraft. No person shall put in motion any Aircraft without permission of the owner.
- N. Prohibition of Salt Use on AOA. No person shall use salt on the AOA.
- O. Restrictions on Non-Powered Flight. Except in an emergency, skydiving, parachute jumping, gliding, operating ultra-light Aircraft, hot air and helium balloons, and other forms of non-powered flight are prohibited without the prior written approval of the Airport Director.

9-4. Disabled and Abandoned Aircraft. Aircraft owner/operator shall be responsible for the safe and prompt removal of disabled Aircraft and any part thereof from a movement area to a designated non-movement area, unless otherwise required or directed by the Airport, FAA, NTSB, or agency having jurisdiction.

- A. Abandonment of Aircraft on Airport Property Prohibited. Abandoning an Aircraft on Airport Property is prohibited. An Aircraft shall be considered abandoned if the Aircraft owner/operator (1) has not paid in full applicable rents or fees to the Airport or an authorized FBO or SASO for a period of greater than 90-calendar days, (2) has not responded to written notification from or on behalf of the Airport, by certified or registered mail, and/or (3) Aircraft does not have a current and valid registration with the FAA. This provision does not include Aircraft being manufactured by an operator.
- B. Impoundment of Non-Airworthy, Disabled, or Abandoned Aircraft. In the event the Airport determines the Aircraft owner/operator is unavailable, unable, or unwilling to remove a non-airworthy, disabled, or abandoned Aircraft in a timely manner (at Aircraft owner/operator's risk, cost, and expense), the Aircraft may be impounded by the Airport at the risk, cost, and expense of the owner/operator, without liability to the Airport.
- C. Impoundment Fees and Publication of Notice. Once an Aircraft is impounded by the Airport, the Airport shall charge reasonable impoundment fees and thereafter publish a notice of intent to remove the Aircraft in a "paper of record" of the county in which the Aircraft owner/operator was last known to reside/exist, and if such a location is unknown, then in the "paper of record" in Kalamazoo County.
- D. Claiming Impounded Aircraft. The Aircraft owner/operator may claim the Aircraft by paying the impoundment fees in full, promptly removing the Aircraft from the Airport, and responding to the Airport Director as set forth in the written notice or the public notice.

- E. Failure to Remove or Claim Aircraft: If the Aircraft owner/operator fails to claim impounded Aircraft within the period established in the written or published notice, the Airport may, without liability to the Airport:
 - 1. Cause the removal of impounded Aircraft from the Airport at the risk, cost, and expense of the Aircraft owner/operator.
 - 2. Sell the impounded Aircraft at public auction as outlined in County policy regarding the disposal of surplus property.
 - 3. In the event no bid is received, the impounded Aircraft may be sold by negotiation, disposed of as junk, or donated to any government agency or non-profit museum.
- F. Airport Retention of Surplus. The Airport shall retain any surplus arising from the sale of the Aircraft after expenses incurred by the County in connection with the Aircraft have been paid.
- G. Right to Assess and Recover Rents, Fees, Charges, and Related Expenses. The Airport may assess and recover from the Aircraft owner/operator all applicable rents and fees, impoundment charges, and other related expenses including reasonable attorney fees incurred by the Airport in connection with the enforcement of these provisions.

9-5. Derelict Aircraft. No person shall park or store any Aircraft in non-flyable condition on Airport Property, including leased premises, for more than 90-days, without written permission from the Airport Director.

9-6. Aircraft Accident Reporting. A prompt and complete written report of the incident or accident, including the date and time, description, and timeline of events, and contact information of witnesses shall be submitted to the Airport Director by Airport staff. A copy of any written reports required by FAA, NTSB, or any other agency having jurisdiction may be submitted in lieu of the report required in this subsection.

Aircraft involved in an accident or incident may not be removed from the scene until authorized by the on-scene operations technician who shall receive authorization from the FAA, NTSB, or other agencies having jurisdiction, as applicable. Once authorization to remove the Aircraft has been issued, the Aircraft owner or operator shall be responsible for the safe and prompt removal of the Aircraft (and any parts) to a designated area.

9-7. Towing of Aircraft. The Airport Director may authorize the towing or otherwise movement of Aircraft parked in violation of these Rules and Regulations at the owner's or operator's expense and without liability on the part of the Authority, its officers, employees, or agents for damage which may result in a course of or by reason of such moving. All Aircraft towing must be done with Aircraft running lights on or with a qualified marshal at each wing tip. Aircraft shall not be parked in a manner that could disrupt or impede other operations, without prior permission from the Airport Director.

9-8. Taxiing of Aircraft. During the taxiing of any Aircraft, operators shall:

- A. Monitor the appropriate radio frequency of the Air Traffic Control Tower at all times when the engines are running or when in areas immediately adjacent to runways or taxiways.
- B. Taxi Aircraft at a safe and reasonable speed and in a manner to safeguard other Aircraft, persons, and property. Any Aircraft with any condition that limits control while taxiing shall be towed.

- C. Move Aircraft on paved runways and taxiways only, except Aircraft may be moved on turf in areas designated from time to time as taxiways, but only while so designated.
- D. Make take offs and landings only on designated runways, except in cases of emergency and as authorized by the Air Traffic Control Tower

9-9. Engine Run-Ups. Except for runups required for Aircraft departure or conducted in approved maintenance runup facilities, any engine run up that produces a sound level more than 80 db beyond the Airport boundary shall take place only in areas designated by the Airport Director, as shown on **Exhibit A One, Aircraft Engine Run-Up Area**, and only between the hours of 0700 and 2200, Monday through Saturday, and 1200 to 2200 on Sundays. However, the Airport Director may give permission for a one-time run up at other times and places if in the opinion of the Airport Director it would not adversely affect noise sensitive areas.

9-10. Parking and Storage. Aircraft shall be parked in such a manner as to be completely contained within the parking or tiedown space and shall not block a runway, taxiway, taxilane, or obstruct access to hangars, parked or staged Aircraft, parked or staged vehicles, equipment, gates, or fuel storage facilities.

- A. Prior Approval Required for Parking, Staging, and Storage of Aircraft. Unless using the leased premises of a Lessee or a Sublessee or otherwise provided in a contract no person shall use any area for the parking, staging, and storage of Aircraft without prior written approval of the Airport Director.
- B. Removal and Storage. In the event a person uses any area for Aircraft parking, staging, or storage without first obtaining the prior written permission of the Airport Director, the Airport may remove and store the Aircraft at the risk, cost, and expense of the Aircraft owner or Aircraft operator without liability to the Airport.
- C. Requirement to Secure Parked and Stored Aircraft. Aircraft operators shall ensure Aircraft are properly secured, as set forth in FAA Advisory Circular 20-35C, when parked and stored.

9-11. Based Aircraft. Based Aircraft must be registered with the State of Michigan. Based Aircraft must have a hangar agreement with either the Airport or an authorized FBO or SASO.

9-12. Cleaning. Aircraft cleaning shall only be performed in full and complete compliance with the Airport's SWPPP. Aircraft cleaning, which creates runoff, shall be approved by the Airport. Requests for permission shall be submitted in writing and include the name of the Aircraft operator, location, time and duration, entity conducting Aircraft cleaning, description of the methods and materials to be used, and methods used to contain contaminated materials resulting from the activity. All residual fluids must flow to an oil/water separator or be removed from the Airport.

9-14. Maintenance. No person shall perform Aircraft repair or inspection services, other than owner preventive maintenance, as defined in FAR Part 43 without a permit from the Airport. Aircraft maintenance, including Aircraft painting or paint stripping, may only be performed within hangars, buildings or those areas specifically designated by the Airport.

9-15. Deicing. Aircraft deicing (the removal of snow and/or ice with chemical substances) shall only be accomplished in the location(s) specified by the Airport.

9-16. Rotorcraft. Rotorcraft shall park or operate only in movement areas, Aircraft parking areas, or areas designated by the Airport Director for rotorcraft operations. Rotorcraft shall not be operated within 50-feet of any structure of fuel storage facility. Rotorcraft shall not be operated within 100-feet of any area where light Aircraft are parked or operating.

9-18. Terminal Parking Restrictions. Aircraft other than scheduled air carrier operations operating under FAR Part 121 or Part 135 shall not park at airline terminal gate positions on the terminal ramp.

9-17. Noise Abatement and Curfew.

A. Night-time Restrictions. During the period from 2300 hours until 0630 hours of the following day, no Aircraft shall take off or land on Runway 17/35 unless said Aircraft:

1. Has a certified gross weight of 175,000 pounds or less and is certified pursuant to the requirements of FAR Part 36 (14 CFR 36), as amended (or if not required to be certified under FAR Part 36, then shown as meeting the standards of FAR Part 36 in FAA Advisory Circular 36-2A, dated 2/6/78, or any update thereof).
2. Is on a regularly scheduled air carrier flight that has been delayed past 2300 hours but scheduled for arrival and departure before that time.
3. Is not a regularly scheduled air carrier flight but is delayed while operating on a formal flight plan filed with the FAA and showing a bona fide planned arrival time before 2300 hours.
4. Is in distress and its pilot has determined that an emergency exists and declares said emergency to the Air Traffic Control Tower. Upon receipt of notification of any emergency landing constituting an exception to this rule, the Airport Director shall send a request for a statement of the circumstances and the nature of the emergency to the registered owner of the landing Aircraft and such owner shall submit the requested information to the Airport Director within thirty (30) days of the receipt of such request.
5. Is taking off with the prior approval of the Airport Director or his designated representative as an emergency flight.
 - i. An emergency flight shall include, but is not limited to, transportation of any persons or supplies classified as a medical emergency by qualified medical personnel, or transportation of supplies or personnel needed to cope with a disaster or epidemic.
 - ii. A log of the decisions on emergency takeoff requests, together with the nature of the emergency claimed, shall be maintained by the Airport Director, and reviewed at monthly intervals by the Aeronautics Board.
6. Could normally use a runway other than 17/35, but the use of 17/35 is required because of unsafe conditions such as snow, snow removal operations, or maintenance on alternate runways.
7. Could normally use a runway other than 17/35, but the use of 17/35 is required by weather conditions such as visibility less than one (1) mile and ceiling less than 400 feet which necessitate instrument operations on 17/35.

B. Noise Abatement Procedures.

1. Arrivals. Unless it would impair the safety of the Aircraft or violate FAA rules or instructions, all arriving Aircraft shall maintain an altitude of 2,500 feet above mean sea level (MSL) as long as possible, use minimum drag procedures with delayed flap and gear extension, and shall use minimum reverse thrust necessary for safety, and such other procedures as may be established by the Airport Director and found acceptable to the FAA.

2. Departures. Unless it would impair the safety of the Aircraft or violate FAA rules or instructions, all departing Aircraft shall follow the standard noise abatement procedure for departure as established by the Airport Director and found acceptable to the FAA.
3. Night-time operations on Runway 17/35. Any jet Aircraft which is permitted to operate on Runway 17/35 as provided above during the period from 2300 hours until 0630 hours of the following day shall, unless it would impair the safety of the Aircraft or violate FAA rules or instructions, be operated in accordance with the standard arrival/departure procedures of the National Business Aircraft Association's noise abatement procedures then in effect.
4. All Aircraft that, because of their size, weight, or type, require the use of Runway 17/35 shall use Runway 35 (to the north) for landing and Runway 17 (to the south) for takeoff, unless the pilot in command makes a bona fide determination that the safety of the Aircraft would be impaired by such use, or Air Traffic Control makes a bona fide determination that the safety of operational effectiveness would be impaired by such use.

Section 10 – Aircraft Fueling Operations

10-1. Legal Requirements. Fuel handling, refueling vehicles, and fuel storage facilities at the Airport shall conform to the legal requirements including without limitation, those prescribed by the State of Michigan, NFPA recommendations, ATA 103, applicable FAA regulations and guidance including AC 150.5230-4B “Aircraft Fuel Storage, Handling, Training, and Dispensing on Airports” and AC 00-34 “Aircraft Ground Handling and Servicing”, the Airport’s SWPPP, Lessee’s or Sublessee’s SPCC Plan, legal requirements established by the EPA, Michigan’s Department of Environment, Great Lakes, and Energy (EGLE), and any other agency having jurisdiction.

10-2. Fuel Quality Control. Fuel shall comply with the quality specifications outlined in ASTM D1655 (Jet Fuel), ASTM D1910 (Avgas), or ASTM D4814 without ethanol. Ensuring the quality of the fuel is the sole responsibility of the entity engaged in fuel handling.

10-3. Training. Standard Operating Procedures shall be developed and maintained for fuel handling to include compliance with standards set forth in AC 00-34A “Aircraft Ground Handling and Servicing.” The SOP shall include a training plan, fuel quality assurance procedures, record keeping, and emergency response procedures related to fuel spills and fires. The SOP shall also address regular safety and security inspections, bonding and fire protection, public protection, marking and labeling of (and controlling access to refueling vehicles and fuel storage facilities. The SOP shall be made available to the Airport for review upon request no later than 30 calendar days before any fuel handling is scheduled to commence and it shall be made available for review upon request any time changes are planned.

No person shall engage in fuel handling until that person is properly trained. Training records documenting the qualifications of (and the training provided to) each person shall be maintained and kept on file.

- A. Records. Records shall indicate the initial and recurrent training provided (and the date such training was provided and by whom) and shall be subject to review of and/or inspection by the Airport or other designated representative.
- B. Training. Recurrent training shall be provided on a regularly scheduled basis, in accordance with 14 CFR Part 139, but not less than every year.

10-4. Fueling Prohibitions. No Aircraft shall be fueled or defueled in any building or structure except as a part of required maintenance and only in a service hangar designated by the Airport Director.

No person shall permit fuel or oil to be drained onto or otherwise to come in contact with asphalt or bituminous surfaces of the Airport.

10-5. Airport Tenant Fuel Dispensing Responsibilities. Aviation tenants whose leases or agreements provide the right to dispense aviation fuel to the general public shall:

- A. Submit to and maintain aviation fuel service data on a current basis with the Airport Director specifying hours and types of services, types of fuel, lubricants, associated products, fees, proposed charges and such other similar information as the Airport Director may require.
- B. Utilize, transport, store and dispense fuel only in such a manner and only by use of such facilities as will meet all safety requirements outlined in Section 10-1 and 10-2 above.

- C. Cause all fuel tenders to be marked appropriately to identify fuels being transported.
- D. Secure written approval from the Airport Director prior to the installation of storage and fixed dispensing units and before the acceptance of delivery of any new type of fuel, such as jet fuel, higher octane gasoline, etc.
- E. Pay monthly as additional rent a fuel flowage fee as stated in the lease agreement for each gallon of fuel delivered to the premises accompanied by supporting invoices and documents detailing dates, type, and quantities of fuel delivered, as specified in the respective agreements.

10-6. Self-Fueling. Individuals fueling their own Aircraft with their own fueling equipment shall first obtain a self-fueling permit as outlined below. All self-fueling shall be performed in the self-fueling area as shown on **Exhibit B**. Individuals who self-fuel shall follow the safety rules outlined in this Section.

- A. Procedures for Obtaining a Non-Commercial Self-Fueling Permit. Any Person wishing to supply and dispense fuel into their own Aircraft on the Airport must do so using their own employees and their own equipment, and they must obtain a Non-Commercial Self-Fueling permit from the Airport Director. Applications for self-fueling permits are available at the Airport Director's office. The procedure for obtaining a self-fueling permit is as follows:
 - a. Submit a completed self-fueling application to the Airport Director.
 - b. Complete the approved self-fueling training course conducted by the Fire Marshall.
 - c. Obtain approval from the Fire Marshall for equipment to be used in the self-fueling operation.
 - d. Airport Director reserves the right to require general liability insurance coverage based on type of fueling equipment to be used.
 - e. Pay the annual permit fee of \$50.00 and the same fuel flowage fee rate as is paid by the FBO's on the Airport, based on number of gallons pumped.
 - f. Provide an insurance certificate meeting the insurance standards outlined in the Airport's Minimum Standards for Commercial Aeronautical Activities.

10-7. Reporting and Handling of Fuel Spills. 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.

- A. Reporting Procedure. When any spill is observed originating from an Aircraft or vehicle, fuel servicing shall be discontinued immediately by releasing the fuel shutoff. Fueling operations may be continued when the Airport Fire personnel determine that it is safe to do so.
 - i. Any fuel spill, regardless of magnitude, shall be reported immediately to the Airport Public Safety (269-385-8511). Public Safety, after being notified of a fuel spill, will inform the Airport Operation Technician in charge and the ATCT of the fuel spill.
- B. Public Safety Personnel Control the Incident Scene. Public Safety, upon arrival at the incident scene, will be in charge. Public Safety 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 hazard exists, and the

area has been declared safe.

- i. If a spill is less than 25 gallons, and Public Safety 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.
- ii. In the event a safety hazard or emergency has been determined by Public Safety, 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 Airport Director will authorize the use of Airport equipment and material, to the extent available, to clean up the spill at the responsible party's expense.

10-8. Hazardous Materials. No person shall, without permission from the Airport Director, keep, transport, handle, or store at, in or upon the Airport any cargo of explosives, or other hazardous articles, which is barred from being loaded onto, or transported 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 to the Airport Director to permit full investigation and clearance for any operation requiring a waiver of this rule.

Section 11 – Airport Fire and Safety

11-1. Emergencies. The Airport Public Safety Department shall be immediately notified in the event of an emergency including, but not limited to, bombings, bomb threats, fires, hijacking, natural disasters, fires, and security breaches. Response and coordination of all types of emergencies should follow guidelines and procedures outlined in the Airport Emergency Plan. Individuals and organizations on Airport Property should follow the procedures and guidelines, where appropriate, as identified in the Airport Emergency Plan to ensure the safety of all persons within their leasehold during an emergency. Instructions, orders, and procedures issued by the Airport Director or a designated representative in the event of an emergency shall be followed by all individuals and organizations. Individuals and organizations that conduct activities that may experience an emergency shall provide the Airport with a copy of their emergency response procedures, which must interface with those procedures identified in the Airport Emergency Plan.

- A. Aircraft. The pilot of any Aircraft involved in an incident or accident shall stop the Aircraft at the scene of the incident or accident and not move the Aircraft until granted approval from the Airport Director (or a designated representative), the FAA, and the NTSB, if necessary.
- B. Vehicles/Equipment. Any individual involved in an incident or accident anywhere on Airport Property involving a passenger car, truck, van, Aircraft tug, baggage cart, trailer, tractor, heavy equipment, or any form of a self-propelled vehicle shall immediately notify Airport Public Safety. All individuals involved with the incident or accident must remain on scene until the arrival of Airport Public Safety, and other emergency personnel. A full and complete written report of the incident or accident from the vehicle operator shall be submitted to the Airport Director. Any reports required from responding police, fire, and other emergency personnel may be submitted in lieu of the written report required in this subsection from the vehicle operator.
- C. Structures/Buildings. Any incident or accident damaging a structure or building on Airport Property as a result of, but not limited to, fire, wind, explosion, industrial processes, snowfall, natural disasters, or other human causes shall be reported immediately to Airport Public Safety. All individuals occupying the structure are to be evacuated if the structural integrity of the building may be compromised. Continued use and operation of the structure shall be the decision of a certified architect, building inspector, and/or the local Fire Marshal if the integrity may be compromised. A comprehensive written report of the incident or accident and documentation of its inspection for occupancy, if conducted, shall be submitted to the Airport Director.
- D. Public Utilities. The Airport Public Safety Department or a designated Airport representative shall be notified immediately of any incidents or accidents occurring on Airport Property that involve a public utility including, but not limited to, electrical lines, water mains, and natural gas pipelines. Individuals in proximity to the scene of the utility incident and accident, both on- and off- Airport Property, shall be safely evacuated if a threat is posed to public safety. The public utility entity supplying the product and officials responsible for the maintenance of its delivery infrastructure shall also be immediately notified of the incident or accident. Approval from the public utility entity and public safety officials is required to allow individuals to return to evacuated areas. Guidelines identified in the Airport emergency response plan should be followed, as appropriate, to any public utility incident or accident.

11-2. Prohibition of Controlled Burns. Individuals and organizations wishing to conduct a controlled burn on Airport Property shall notify and seek approval from the Airport Director and Airport Public Safety prior

to the scheduled date of the burn.

11-3. Open Flame Operations. No person shall conduct any open flame operations on the Airport unless specifically approved by the Airport Director. Lead and carbon burning, fusion gas, and electric welding, blow torch work, reservoir repairs, and all operations involving open flashes shall be restricted to approved repair shop sections only.

11-4. Storage in Apron Area. Gasoline, oil, and solvent drums or receptacles shall not be stored on Apron and ramp areas.

11-5. Liquid Disposal. No fuels, oils, dopes, paints, solvents, or acids shall be disposed of or dumped in drains, basins or ditches or elsewhere on the Airport.

11-6. Heating Hangars. Heating in any hangar shall only be by approved systems or devices 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.

11-7. 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 more than 100-degrees Fahrenheit shall be used and special precautions shall be taken to eliminate ignition sources in compliance with recommendations of the NFPA.

11-8. Aprons, Building and Equipment. All persons on Airport Property shall keep all areas of the premises leased or used by them clean and free of oil, grease, and other flammable material. The floors of hangars and other buildings shall be kept clean and continuously kept free of rags, waste materials or other trash or rubbish. Approved metal receptacles with a self-extinguishing cover shall be used for the storage of oily waste rags and similar materials. The contents of these receptacles shall be removed daily by persons occupying space; drip pans shall be placed under engines and always kept clean; and clothes lockers shall be constructed of metal or fire-resistant material. Only approved boxes, crates, paint or varnish cans, bottles or containers shall be stored in or about a hangar or other buildings on Airport Property.

No person shall use flammable substances for cleaning hangars or other buildings on Airport Property.

11-9. Explosives and Other Dangerous Articles. No person shall store, keep, handle, use, dispense or transport at, in or upon Airport Property any Class A or Class B explosives (as defined in the Interstate Commerce Commission Regulations for transportation of explosives and other dangerous articles), dynamite, nitroglycerin, black powder, fireworks, firearms and ammunition, blasting caps or other explosives, gasoline, alcohol, ether, liquid shellac, kerosene, turpentine, formaldehyde, or other flammable or combustible liquids, ammonium nitrate, sodium chlorate, wet hemp, powdered metallic magnesium, nitrocellulose film, peroxides, or other easily inflammable solids or other corrosive liquids, prussic acid, phosgene, arsenic, carbonic acid, potassium cyanide, tear gas, lewisite or any Class A poison (as defined in the Interstate Commerce Commission Regulations for transportation of explosives and other dangerous articles), or any other poisonous substances, liquids or gases, any compressed gas, or any radioactive article, substance or material, at such time or place or in such manner or condition as to endanger unreasonably or as to be likely to endanger unreasonably persons or property, and which has not been approved by the Airport Director or designated representative.

11-10. Fire Extinguishers. 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 applicable standards. 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.

All Tenants or Grantees of hangars, Aircraft maintenance buildings, or shop facilities shall supply and maintain an adequate number of readily accessible fire extinguishers. Vehicles designed for the transport and transfer of fuel shall carry on board at least two 20 BC fire extinguishers, one located on each side of the Vehicle.

Terminal tenants shall provide and maintain (at their sole expense) hand fire extinguishers for the interior of all exclusive lease areas in accordance with applicable safety codes and National Fire Protection Association Standards.

11-11. Powder Activated Tools. No person shall use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior approval of the Airport Public Safety Department and the Airport Director.

Section 12– Airport Security

12-1. General Understanding. All activities occurring on Airport Property are subject to the rules and regulations set forth by the Airport Security Plan and directives, governance, and guidance by the TSA, which may change without notice. Each individual and organization is responsible to control and secure their leasehold to prevent unauthorized access into designated restricted areas. The Airport Security Plan shall be referred to for additional information on individual and organization security responsibilities. In addition to these standards and procedures, emphasis shall be placed on the following elements of the Airport Security Plan:

12-2. Access to Restricted Areas. All areas of the Airport, except those areas open to the public, are restricted and no person shall enter the Air Operations Area (AOA), or any hangar except:

- A. Authorized personnel assigned to duty therein and in possession of Airport approved identification.
- B. Authorized representatives of the FAA or TSA.
- C. Passengers under appropriate supervised escort, entering the Air Operations Area for the purpose of enplaning and deplaning.
- D. Business representative, with appropriate escort, in the conduct of their business with the tenants.
- E. Aircraft owners or renters and/or their authorized representatives.

12-3. Access Control. The Airport has established a system of secured doors and gates to limit access of restricted areas to unauthorized persons. Individuals who are authorized to access restricted areas must ensure these access points are locked and secured after entry or exit and that no unauthorized persons are allowed to enter. Individuals passing through vehicle gates must remain at the gate with their vehicle after entering or exiting restricted areas until the gate is completely closed to prevent access to unauthorized persons or vehicles. Individuals shall be held responsible for any intentional or unintentional action that results in a security breach if it is found an access point was not secured after their use. The Airport's Public Safety Department shall be immediately notified at (269) 720-5213 if an individual observes a security breach and/or is incapable of preventing an unauthorized access.

12-4. Airport Issued Identification. 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, to the extent required by TSA regulations. A fee is charged for Airport issued badges and criminal history record checks.

- A. Airfield Safety and Security Course Required. Applicants for badges for unescorted access to restricted areas must have completed the Airfield Safety and Security course administered by the Airport prior to the issuance of a security access badge.
- B. Display of Badges. Badges must be continuously displayed on the outermost garment, above the waist, when employees are in the SIDA.
- C. Badge Handling. All badges remain the property of the Airport and must be returned when no longer needed or when the employee terminates employment. Lost or stolen badges must be reported to the Airport Director immediately. A fee is charged for replacement and non-returned badges.

12-5. Other Forms of Personnel Identification. All persons 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 Airport Director to recognize forms of identification not specifically issued by the Airport. All forms of identification must be approved by the Airport Director in advance of granting secured access. The following general categories of identification are currently recognized:

- A. Uniformed airline flight crewmembers working in the immediate vicinity of their Aircraft and valid company ID.
- 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.

12-6. Penalties. Failure to comply with the rules, regulations, and procedures outlined in the Airport Security Plan and as mandated by the TSA as a result of all intentional and unintentional actions are subject to federal fines and/or penalties including, but not limited to, fines and imprisonment. Individuals who violate Airport Security Plan rules, regulations, and procedures are subject to punitive measures outlined in the Airport Security Plan that include, but are not limited to, temporarily or permanent revocation of access to authorized areas.

12-7. Three Strikes Program. The purpose of the Three Strikes Program is to develop and ensure continued security awareness and compliance among Airport Employees, Tenants, Vendors and Contractors. The program is applicable to all persons issued an identification badge by the Airport.

- A. Individual Violations. Absent any cause for revocation of security access privileges, the following progressive penalty procedure may be used for violations of security procedures and/or regulations, including the Airport Security Plan. The severity of the violation may deem a more severe action and may justify deviation from the process described below:

1st Violation – The Airport Director's Designated Representative will confiscate the individual's identification badge until the offender can be counseled by their manager/supervisor and the Airport has received a written letter, from the manager/supervisor, requesting reinstatement of the badge. The letter must confirm that the required counseling on the severity of the violation has been completed. The individual is also required to complete the appropriate Airport security training program within ten (10) business days of the date the individual's identification badge is confiscated. Failure to complete re-training will result in the temporary suspension of the individual's identification badge. The number of days elapsed between the day the badge is confiscated and the day the letter requesting reinstatement is presented to the Airport Director, may be considered in connection with a decision related to any additional adverse employment action.

2nd Violation - An Airport representative will confiscate the individual's identification badge until the individual has re-taken the Authority security training program, the individual can be counseled by their manager/supervisor, and the Airport Director has received a written letter, from the manager/supervisor, requesting reinstatement of the badge. The letter must confirm that the required counseling on the severity of the violation has been completed. For 2nd Violations, the individual's identification badge shall be suspended for a minimum of three (3) working days.

3rd Violation – May result in permanent revocation of the individual’s AZO Secured Area, Sterile Area, Cargo, or AOA Badge. Below are examples of individual violations that are applicable to the Three Strikes Program:

- i. Failure to properly display an individual identification badge.
- ii. Unauthorized presence in restricted area.
- iii. Failure to properly challenge.
- iv. Failure to properly identify a Vehicle.
- v. Failure to properly escort.
- vi. Using another person’s individual identification badge or allowing another person to use your individual identification badge.
- vii. Failure to secure an access point.
- viii. Piggybacking
- ix. Failure to comply with any other provision of the Airport Security Program or applicable TSA Security Directive.

A combination of any three (3) violations in a three (6) month period under the Three Strikes Program that are attributed to employees of a specific Tenant, Contractor or Vendor shall be assessed penalties to that Tenant, Contractor, or Vendor. A “Penalty” occurs when there are three (3) violations committed by employees or subcontractors of the same tenant, contractor, or vendor within a 6-month period. Violations drop off after six (6) months.

B. Tenant, Contractor, or Vendor Violations. Any violation not attributable to an employee shall be assessed to the Tenant, Contractor, or Vendor responsible for the violation. A combination of any three (3) violations in a six (6) month period under the Three Strikes Program that are attributed to employees of a specific Tenant, Contractor, or Vendor shall be assessed penalties to that Tenant, Contractor, or Vendor. A “Penalty” occurs when there are three (3) violations committed by employees or subcontractors of the same tenant, contractor, or vendor within a 6-month period. Violations drop off after six (6) months.). The penalties are as follows:

- i. 1st Penalty - results in a fine of \$100.00
- ii. 2nd Penalty - results in a fine of \$200.00
- iii. 3rd Penalty - results in a fine of \$400.00

Fines assessed against Tenants, Contractors or Vendors for security violations will double with each subsequent offense. (Example: \$800, \$1600, etc.) All violations will be entered into a database for record keeping purposes and will remain on file for a rolling twenty-four (24) month period. If the Tenant, Contractor or Vendor does not have another penalty within twenty-four (24) months, a future offense will be treated according to the rules as a First Violation.

12-8. Tenant Leased Areas. 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 Airport Public Safety.

Airport tenants who have gates or open areas that permit access to the restricted areas of the Airport are required to lock and maintain these openings 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, 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 with valid Airport ID and escort privileges.

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 regulations or the Airport Security Plan 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 Airport, County or the Aeronautics Board, the tenant or otherwise authorized employer responsible for the violation shall be required to reimburse the County and the Aeronautics Board for the amount of the fine or penalty, together with any legal costs incurred as a result.

Section 13– Environmental Rules and Regulations

13-1. General Understanding. All individuals and organizations conducting activities on Airport Property shall do so in accordance with all federal, state, and local environmental laws, standards, and regulations including, but not limited to, those that involve air quality, water quality, wetlands, threatened and endangered species, solid and hazardous waste, natural resources, coastal environments, and health and human safety. Individuals or organizations found in violation of federal, state, and local environmental laws, standards, and regulations shall be held liable for their actions and may be subject to punitive measures such as fines or imprisonment. The Airport shall not be held liable for actions by an individual or organization for which it does not have prior knowledge, or knowledge of the intentions of that individual or organization, that results in an environmental violation.

13-2. Airport Director’s Consent Required. No person shall cause or permit any Hazardous or Significant Materials, as defined in these rules and regulations to be stored or used on or about the Airport, except in compliance with Environmental Laws as described below and as permitted in writing by the Airport Director.

13-3. Indemnification. All persons shall indemnify, defend and hold harmless the Aeronautics Board and the Airport, including their agents, officers, employees, successors and assigns, from and against any and all claims, liabilities, penalties, fines, judgments, forfeitures, losses, damages (including damages for the loss or restriction on use of usable space or of any amenity of the premises) costs, or expenses (including attorneys' fees, consultant fees, and expert fees) for the death of or injury to any person or damage to the Airport or any property whatsoever, arising from or caused by the person’s failure to comply with any Environmental Laws or any covenants, terms or conditions relating to environmental matters in any lease/sublease, operating agreement or permit. Such person's obligations under this section shall include, without limitation, and whether foreseeable or unforeseeable, any and all costs incurred in connection with any investigation of the condition of the premises, and any and all costs of any required or necessary repair, cleanup, decontamination or remediation of the premises and the preparation and implementation of any closure, remedial action, or other required plans in connection therewith should the Airport Director have a reasonable basis to believe that such person has caused the presence of Hazardous or Significant Materials in violation of Environmental Laws and such person fails to first conduct its own environmental investigation, and any and all costs of any required or necessary repair, cleanup, decontamination or remediation of the premises and the preparation and implementation of any closure, remedial action, or other required plans in connection therewith and resulting from such person's violation of Environmental Laws. Such person's obligations under this section shall survive the expiration or earlier termination of the term of any lease/sublease, operating agreement or permit.

13-4. Inspection of Premises. At the Airport Director’s sole discretion, Airport personnel shall have the right to enter and inspect any premises on the Airport, including a person's business operations thereon, upon reasonable notice and in a manner so as not to unreasonably interfere with the conduct of such person's business, to investigate the presence or potential presence of Hazardous or Significant Materials on the premises in violation of Environmental Laws. During such inspection, the Airport Director shall have the right to visually inspect the premises and to take such soil, sludge or groundwater samples and conduct such tests as he may determine, in his sole discretion, to be necessary or advisable. The Airport shall pay for the costs of such investigations; provided, however, that if the results of such investigation indicate the presence of Hazardous or Significant Materials on or about the premises is in violation of Environmental Laws and such violation was caused by the user, then such person shall fully reimburse the Authority for such expenses within ten (10) days of receiving the Airport Director’s written request for reimbursement.

13-5. NPDES Permit. All persons are on notice that the Authority holds a National Pollutant Discharge Elimination System (“NPDES”) permit authorizing the discharge of storm water from the Airport (“Permit”). The Permit requires, in part, the implementation of best management practices (BMPs) with regard to the use of anti-icing and deicing materials (collectively “Deicing Materials”) and the collection of storm water containing Deicing Materials. The BMPs are described in the Airport’s Storm Water Pollution Prevention Plan (SWPPP). The Permit and the Plan are incorporated by reference into these Rules and Regulations as if printed in their entirety herein. H. Tenants shall continuously monitor and control the loading, unloading, or transfer of fuel, glycol, or any other hazardous or significant material on the Airport.

13-6. Reporting an Incident. All environmental incidents shall be reported immediately to Airport Public Safety and Airport Operations at the Airport. Any spills greater than 49-gallons, and any spill that enters a storm sewer or designated waters of the state, shall be immediately reported to EGLE at 1-800-292-4706. All appropriate and necessary response actions to contain and collect spilled materials shall be taken. All reporting requirements per local, state, and federal requirements must be complied with. It is the responsibility of each Owner/Operator for understanding State of Michigan release notification reporting requirements for any material applicable to their facility, operation, or Leased area.

13-7. Hazardous Materials. The Airport Director (or a designated representative), and ARFF shall be notified prior to and approve the handling, storage, and transportation of all solid, liquid, and gaseous materials that pose a potential hazard to the health and safety of humans or the environment on Airport Property. Any individual or organization given approval to handle, store, or transport hazardous materials shall do so in accordance with all federal, state, and local laws and regulations with transport on board Aircraft accomplished in full compliance with procedures defined in current FARs. Furthermore, a copy of the hazardous material emergency response plan and Material Safety Data Sheets (MSDS) for all approved hazardous material(s) on Airport Property shall be submitted to the Airport Director and Airport Public Safety.

Fuel deliveries to approved fueling providers are exempt from this section.

13-8. Cleaning of Aircraft or Vehicles. Washing of Aircraft is allowed only on the deicing ramp and only with approval from the Airport and compliance with the Airport’s NPDES permit. Approval can be obtained by contacting the on-duty Airport Operations Technician at 269-998-0698. No fuel, grease, oil, dopes, paints, solvents, acids, flammable liquids or contaminants of any kind shall be allowed to flow into or be placed in any Airport sanitary or storm drain system, or onto any other portion of the Airport.

13-9. Painting. Doping, painting, or paint stripping shall only be performed in those facilities specifically approved for such activities and in accordance with the practices recommended by the NFPA and in full compliance with the Airport’s SWPPP, Lessee’s or Sublessee’s SPCC plan, and applicable legal requirements.

13-9. Environmental Cleanup. The party responsible for an environmental incident (to include the overflowing or spilling of fuel, oil, lubricants, grease, dope, paint, varnish, lacquer, solvent, acid, or other hazardous material) is responsible for: (a) the immediate mitigation and cleanup of the overflow or spill, (b) proper disposal of the substance(s) and used cleanup materials, (c) immediate notification of emergency services (as outlined in section 13-6), and (d) assumption of the risk and expense of cleanup, mitigation, and restoration efforts.

In the event the Airport determines the responsible party is unavailable, unable, or unwilling to take the appropriate action to mitigate the adverse environmental incident in a timely manner (at the responsible party’s risk, cost, and expense), the Airport may take action as necessary to control, clean up, and/or restore the site at the risk, cost, and expense of the responsible party, without liability to the Airport.

- A. Hazardous Materials Overflows or Spills – in the event a hazardous materials overflow or spill occurs, regardless of the amount of the overflow or spill, the responsible party shall take appropriate action to contain the overflow or spill, notify the Airport fire department and other appropriate agencies and clean up, mitigate, and remediate the site. The following procedures shall be followed in the event of a hazardous materials overflow or spill unless otherwise required under an approved SPCC plan or instructed by the Airport.

The use of deicing fluids is exempt when such use complies with legal requirements pertaining to the deicing of Aircraft and/or paved surfaces (e.g. runways, taxiways, taxilanes, or ramp).

- B. Minor Hazardous Materials Overflow or Spills – Overflows or spills of less than five gallons, which do not compromise public safety. The responsible party shall:

1. Stop the source of the spill immediately.
2. Contain the spill with appropriate absorbent material(s).
3. Block all stormwater drains in the immediate area to prevent the spill from flowing into the drain(s).
4. Contact the Airport Operations Technician on duty.

- C. Major Hazardous Material Overflow or Spills – Overflows or spills in excess of five gallons (or which compromise public safety), but less than 25-gallons or any spill causing an immediate threat to public safety. In addition to following all of the procedures in the Minor Hazardous Materials Overflow or Spill Response, the responsible party shall:

1. Determine the threat to the immediate public and make any arrangements to secure the safety of the immediate public (e.g. evacuation).
2. Assess the damage to land and/or ground water in conjunction with the Airport.
3. Provide a written summary of the spill to the Airport Director within five business days of the spill.

- D. Serious Hazardous Materials Overflow or Spills – overflows or spills more than 25-gallons, which may pose a serious threat to public safety. In addition to following all the procedures in the Minor and Major Hazardous Materials Overflow or Spill response, the responsible party shall:

1. Provide a detailed written summary of the spill to the Airport Director within five business days of the spill, which shall also identify the measures that the responsible party will take to eliminate the potential for such a spill in the future.

Entities with fueling capability or responsibility for maintenance of fuel systems shall have on hand sufficient: (a) containment booms to form a barrier around the spill and (b) sufficient absorbent material(s), booms, blankets, pads, pillows, and other clean-up materials available to pick up the spilled product and store it in a sealed container(s) until proper disposal can be made. Salve drum(s) shall be approved by the US DOT (USDOT-E-10102).

Section 14 – First Amendment Rights and Activities

14-1. Purpose. These Rules and Regulations shall apply to all First Amendment activities, which includes Picketing, Leafletting and Solicitation conducted on any area of the Airport. The Airport is a security-sensitive environment, designed and used as an air transportation facility. The Airport is neither designed nor intended as a public forum for First Amendment activities. Such activities will only be permitted in or upon the Public Areas of the Airport, in areas designated by the Airport Director and in the manner prescribed by these Rules and Regulations.

These Rules and Regulations will be enforced in a content-neutral manner without regard to either the identity of the person or organization seeking to engage in First Amendment activities, or the viewpoint of the message sought to be communicated. These provisions are adopted to maintain and enhance the efficient operation of the Airport for the following purposes:

- A. To ensure the free and orderly flow of pedestrian traffic through the Airport premises and to ensure the efficient functioning of Airport operations and services by avoiding congestion, operational disruptions, duress and disturbance to passengers, patrons, Concessionaires and tenants.
- B. To ensure that the security of the Airport is properly maintained.
- C. To protect persons using the Airport from fraud, deceptive practices, harassment, intimidation, interruption and inconvenience.
- D. To protect the business operations of Airport Concessionaires and Tenants.
- E. To ensure a reasonable balance between persons wishing to exercise constitutional freedoms, commercial Tenants and Concessionaires, the traveling public and the Airport's orderly and efficient operation.

14-2. Solicitation. No person shall engage in any solicitation on Airport Property unless authorized to do so in writing by the Airport Director.

14-3. General Restrictions Applicable to all First Amendment Activities. All persons engaged in First Amendment activities at the Airport shall be subject to the following general restrictions:

- A. All First Amendment activities on Airport Property require a written permit from the Airport Director. No more than one (1) organization may possess a permit at any given time for a single location. A permit may be issued for a period not exceeding ninety (90) business days.
- B. All individuals, groups and organizations shall register with the Airport Director during normal business hours, not less than 24 hours in advance of conducting permitted First Amendment activities. Registration shall consist of providing the names, addresses (no post office boxes), email address, and telephone numbers of the persons expected to engage in activities, the dates, times and specific details of the activities and the name, address, email address and telephone number of the group or organization.
- C. No person shall conduct First Amendment activities within eight (8) feet of premises leased or assigned to or provided for a Concessionaire or Tenant (such as a restaurant or shop), rest rooms, stairs, elevator, doorways or entranceways, information desk, and not within sixteen (16) feet of passenger or baggage screening locations.

- D. No person shall conduct First Amendment activities upon any street, roadway, drive or parking lot considered Airport Property.
- E. No person shall use sound or voice amplification systems, musical instruments, radio communication systems or other mechanical sound devices.
- F. No person shall make a loud noise or shout or speak at a level which disturbs or interferes with the ability of others to hear announcements over the Airport public address system or to transact business at the Airport.
- G. No person shall in any way obstruct, delay or interfere with the free movement of any person, nor shall any person assault, coerce, threaten or physically disturb any other person.
- H. Parades, drive-by's or congregations of Vehicles are prohibited on Airport roadways.
- I. No person conducting First Amendment activities shall contact, verbally engage or call the attention of any Airport patron or passenger unless the patron or passenger initiated the contact with the person.
- J. No person shall set up any table, chair, stationary rack, vending machine or other structure or use any stationary or wheeled device, with the exception of persons requiring the use of a wheelchair or other disadvantaged related device; provided, that the Airport Director may authorize a small table, space provided, for a nominal fee.
- K. No person shall wear or carry a sign or placard larger than 24" x 28" in size. No signs, placards or other material shall be affixed to the exterior or interior of any building or other appurtenance within the Airport premises without the Airport Director's approval.
- L. All persons conducting First Amendment activities at the Airport agree to indemnify the Authority, its agents, and employees, from and against any and all claims and demands by any third parties, whether just or unjust, for personal injuries (including death) or property damage (including theft or loss) caused by or alleged to be caused by the activities of such person on Airport Property.
- M. Permitted First Amendment activities within Airport Terminal Building
 - 1. Picketing or soliciting anywhere inside the Airport Terminal Building or between the Terminal Building and the Airport Parking Lot is prohibited.
 - 2. Leafleting activities shall be confined to the front of the north baggage claim area in the Airport Terminal Building. The Airport Director is authorized to wholly or partially revoke, restrict or suspend a permit or to temporarily alter the location for conduct under the permit in the event of disruptions to normal activities by construction, cleaning and maintenance activities, peak passenger times, security threats, or emergencies that disrupt the normal operations or threaten the security of the public, including, but not limited to, strikes, Aircraft or traffic accidents, riots, civil unrest, power failures or other emergency conditions or circumstances that disrupt the operations of the Airport.
 - 3. Leafleting shall be conducted in person by not more than two (2) persons from a single group, organization or cause in each location at a time.
 - 4. Leafleting may only be conducted between the hours of 8:00 AM to 5:00 PM., Monday through Friday when Airport Administration personnel are on duty.

5. At the conclusion of his or her leafleting, each person shall pick up all discarded leaflets and properly dispose of them or remove them from the premises.

N. Permitted First Amendment activities outside the Airport Terminal Building

1. First Amendment activities shall be confined to the areas of the Airport described as public sidewalks, as designated by the Airport Director, other than those immediately in front of or adjacent to the Terminal Building and the Airport Parking Lot.
2. Leafleting and Picketing shall be conducted in person by not more than three (3) persons from a single group, organization or cause in each location at a time.
3. Leafleting may only be conducted only between the hours of 8:00 AM to 5:00 PM., Monday through Friday when Airport Administration personnel are on duty.
4. At the conclusion of his or her leafleting, each person shall pick up all discarded leaflets and properly dispose of them or remove them from the premises.

14-4. Installation and Display of Advertising and Promotional Material. The Airport maintains designated areas in the Airport for advertising and promotional displays. Airport Management or the Airport's Advertising Concessionaire as the case may be, should be contacted directly regarding available locations and pricing. This section applies only to contracts for the limited amount of space available for commercial advertising at the Airport. The Airport has different rules for First Amendment activities as referred to in sections 14-1 through 14-3 above.

The regulation of advertising and promotional material at the Airport is intended to: (i) maintain neutrality on religious and political issues; (ii) avoid creating an uncomfortable environment for the travelling public potentially generated by controversial subjects; (iii) avoid the potential for violating the Establishment Clause of the U.S. Constitution, which prohibits a public entity from advancing religion; (iv) prevent a potential reduction in revenue from selling advertising space, because commercial advertisers might be dissuaded from using the same forum used by those wishing to communicate controversial messages.

The following standards shall apply to all contracts for the installation, display and maintenance of advertising and promotional material on properties and facilities operated by the Authority.

- A. Permitted Subject Matter: The subject matter of the advertisement or promotional display shall be limited to speech which is within one or more of the following permissible areas:
 1. Proposes a commercial transaction;
 2. Proposes the patronage of a commercial business;
 3. Promotes a commercial industry;
 4. Promotes economic development; or
 5. Promotes tourism
- B. Limitations Upon Advertisements: The advertisement or promotional display shall not display anything that:
 1. Contains a religious or political message;
 2. Contains false, misleading or deceptive information or information that is libelous;
 3. Promotes unlawful or illegal goods, services or activities;
 4. Implies or declares an endorsement by the Airport of any service, product or point of view without the written authorization of the Airport;
 5. Violates the intellectual property rights of another

Section 15 – Operator, Lessee, and Sublessee Rules and Regulations

15-1. General Understanding. The rules and regulations in this section are intended as a supplement to any agreement between the Airport (Lessor) and a Lessee, sublessee, or those that have a license agreement with the Airport. Each organization occupying Airport Property shall maintain a copy of these regulations in a conspicuous location at all times. Airline terminal tenants can find additional guidance in the Tenant Terminal Manual.

15-2. Tenant Security. Each tenant shall comply with the specific provision or provisions of the Airport Security Plan supplied to the tenant by the Airport Administration. Additionally, 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 Airport Public Safety.

15-3. Construction or Alteration of Improvements. Tenants desiring to construct, enlarge, modify, alter, repair, move, demolish, or change any structure or to install or erect a sign of any description shall do so in accordance with the standards set by the Airport Director and any written agreement. Written approval in the form of a Construction Permit issued by the Airport Director is required for this Activity. The issuance of a Construction Permit does not relieve the tenant from the responsibility to comply with all local, state, and national building codes, or to obtain all necessary permits.

15-4. Right of Entry. The Airport Director and/or their designated representatives and personnel shall have the right of entry at reasonable times for repairs, maintenance, modification, or inspection of all improvements whether the right of entry is provided for in an agreement.

- A. For improvements owned by the Airport, the Airport shall be provided with a key capable of gaining access to the facilities, buildings, and improvements.
- B. For improvements owned by the Lessee or Sublessee, the Airport shall provide advance notification.

The Airport and the Airport Public Safety Department shall have the right of entry to improvements without advance notification during emergencies. Emergencies may include, but shall not be limited to: fire, acts of nature, hazardous materials spills or leaks, or for the protection of persons or property.

Section 16 – Enforcement, Violations, and Penalties

16-1. General Understanding. A person who commits a violation of any provision of these Rules and Regulations shall be deemed responsible for a municipal civil infraction as defined by Section 113(1) of the Revised Judicature Act of 1961 ('the Act'), punishable as provided in the Ordinance and in accordance with the Act. Each such violation which either continues or is repeated subsequent to a citation being issued by an authorized enforcement officer shall be considered and may be prosecuted as a separate violation.

16-2. Enforcement. The Airport Director, the Deputy Director, Operations & Maintenance, the Deputy Director, Finance & Administration, and the Public Safety provider shall have the authority to enforce this Ordinance and to issue and serve municipal civil infraction notices and citations for violations of this Ordinance.

16-3. Violations. Any person who violates or fails to comply with the Rules and Regulations established by this Ordinance shall be responsible for a municipal civil infraction. Each event and each day of a violation shall constitute a separate violation.

16-4. Additional Remedies. In addition to enforcing a violation of this Ordinance as a municipal civil infraction, the Airport may initiate proceedings in a court of competent jurisdiction to abate or eliminate a violation or to seek other equitable and/or legal relief.

AERONAUTICS BOARD OF TRUSTEES

By: _____
Greg Hamelink
Its: Chairperson

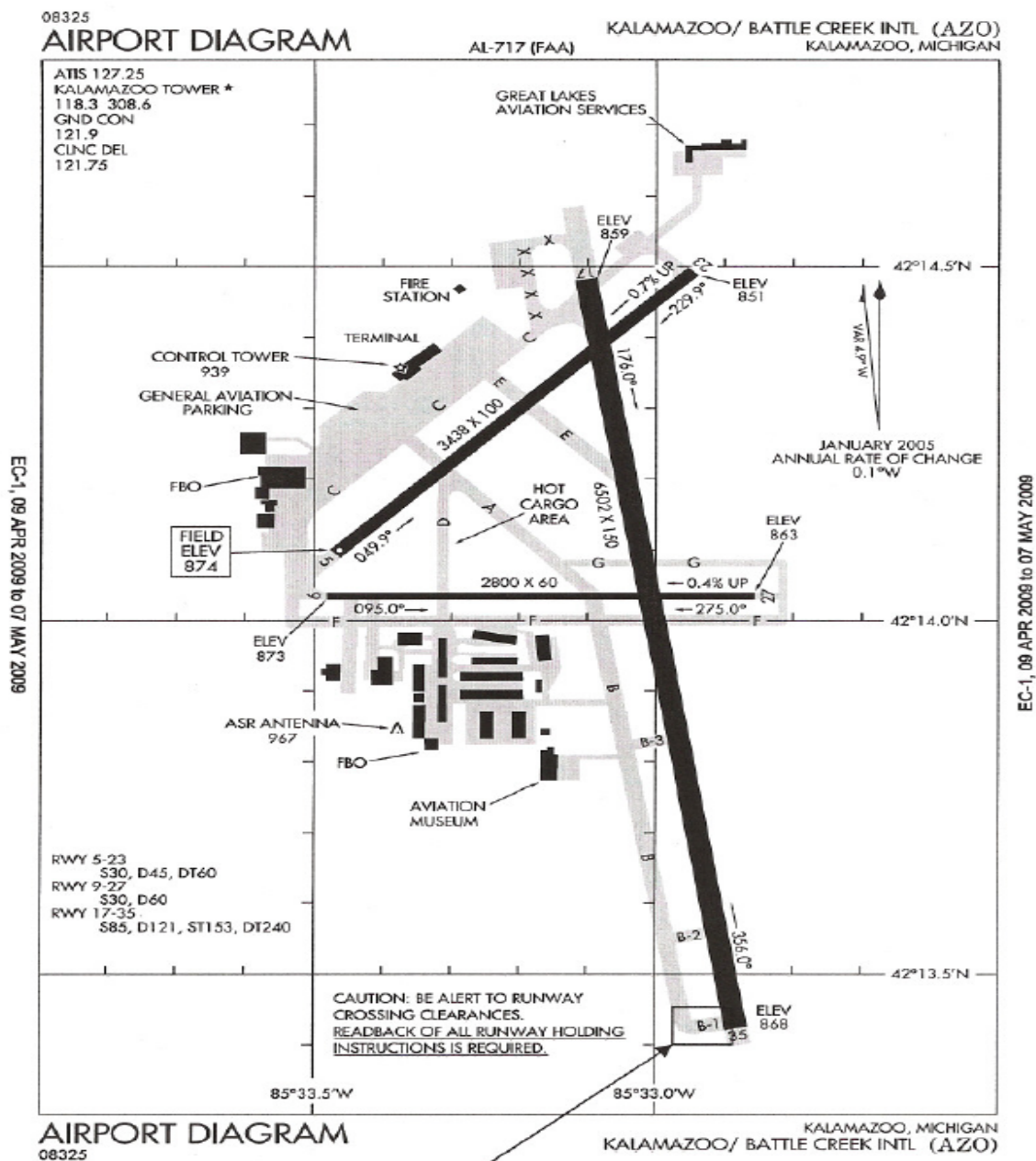
By: _____
Craig Williams, A.A.E.
Its: Airport Director

Date: _____

Date: _____

EXHIBIT A

Location of Aircraft Engine Run-up and Test Areas



Location for Aircraft Engine Run-up and Test Area
Taxiway B-1

EXHIBIT B

Location of self-fueling area.

