

Gustine Municipal Airport

Rules and Regulations

Approved and Adopted
by the City Council
October 20, 2003

Recommended for approval
by the Airport Commission
November 12, 2002

RULES AND REGULATIONS

The following rules and regulations shall be observed in the use, operation and conduct of the Gustine Municipal airport.

(1) Rule 1. *The federal air traffic rules.* The Federal air traffic rules promulgated by the Federal Aviation Administration (FAA) for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part of this article as though fully set forth and incorporated in this section.

(2) Rule 2. *Safeguard of persons and property.* The airport manager shall at all times have authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property at the airport.

(3) Rule 3. *Nonaviation activities.* All leased property and all buildings or structures erected on leased property will only be used commercially for aviation related activity. Hobby or recreation activities can be done within a rented or released hangar, provided that the principal activity is aviation related. Outside storage of nonaviation equipment, such as automobiles, boats or farm equipment, or conducting of nonaviation business on the airport is prohibited.

(4) Rule 4. *Unauthorized signs.* No signs or equipment or portable buildings or house trailers may be erected, moved in or installed on the airport property, except as may be specifically authorized by the airport manager.

(5) Rule 5. *Surreptitious activities.* Any person observing suspicious, unauthorized or criminal activities shall report such activities immediately to the airport manager, police or officers of the department of public safety, or other peace officer.

(6) Rule 6. *Wrecked aircraft.* Every aircraft owner, pilot or agent shall be responsible for notifying the Federal Aviation Administration (FAA), if required by FAA Regulations and for the prompt removal from the operational areas of the airport, under the direction of the airport manager, of disabled or wrecked aircraft. Additionally, disabled or wrecked aircraft shall be stored in hangars or shall be screened from view by an approved fence or other structure.

(7) Rule 7. *Repairs to aircraft.* No aircraft shall be repaired on any part of the landing or take off area, and all outside repairs shall be made at the places designated by the airport manager for such purpose.

(8) Rule 8. *Agricultural operations.* With the prior written consent of the city council, agricultural spraying operations will be conducted in accordance with procedures approved by the airport manager and made known to all persons conducting agricultural spraying operations. Such operations shall be conducted only on the designated airport areas, and shall not include reckless flying or careless chemical handling. Agricultural operators shall be required to follow all established rules and regulations including conforming to the established flight pattern for landings and takeoffs. Chemicals used in agricultural flying operations shall be dispersed, maintained, stored, the dispensing area cleaned and empty chemical containers promptly disposed of or stored in accordance with the standards set by the Environmental Protection Agency (EPA), state department of water resources, state department of agricultural, state health resources and the airport manager. Washing of agricultural aircraft and flushing of AG aircraft spray tanks will be accomplished in accordance with the standards set by the EPA, state department of water resources, and state health resources in an area so designated by the airport manager. Because of the hazard of such operation, the city shall

require each agricultural spray operator to post a \$2,000,000.00 bond or proof of insurance in the amount of \$2,000,000.00 with the city as an additional named insured.

(9) Rule 9. *Damage to airport.* Any person, corporate or individual and the owner and/or pilot of any aircraft causing damage of any kind to the **airport**, whether through violation of any of these rules or through vandalism or any act of negligence, shall be liable therefore in and to the city.

(10) Rule 10. *Injury to person.* Persons entering upon **airport** grounds do so at their own risk with no liability incurring to the city for any injury or damage to person or property. Further, any person desiring to use the **airport** shall observe and obey all valid laws, resolutions, orders, rules and regulations promulgated and enforced by the city, or by any other authority having jurisdiction over the conduct and operation of the **airport** including the FAA.

(11) Rule 11. *Licensed pilots.* Only persons with certification issued by FAA or designate shall operate an aircraft for the purpose of flight, which shall be properly registered. This limitation shall not apply to students in training under licensed instructors, nor to public aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

(12) Rule 12. *Prohibited operations.* Due to the nature of operations at the **airport**, i.e. high annual operation pilot training program; the operation of hot air balloons, hang gliders and parachutes is prohibited. This prohibition shall not apply to special events, such as airshows, if specific permission is given by the **airport** manager, or to emergency operations.

(13) Rule 13. *Intoxicants and narcotics.* No person under the influence of an intoxicant or narcotic shall operate any aircraft upon the **Gustine Municipal Airport**

(14) Rule 14. *Debris.* No bottles, glass, cans, or other litter shall be left or broken upon the floor of any building or upon any part of the surface area of the **airport**. No fuel, oil, solvent, acid or paint shall be dumped in sanitary or storm sewers, ditches or anywhere on **airport** property.

Rules for ground operations shall be as follows:

(1) Rule 15. *Air and ground traffic; vehicular traffic.* All vehicular traffic shall be confined to the roads and streets, and shall not be operated at a speed in excess of ten miles per hour. vehicles used by the city or other authorized personnel to check the landing area will have an amber flashing rotating light on the top of the vehicle or an approved yellow and black-checked flag attached to the vehicle. Motorized vehicles are prohibited from the runways and taxiways without specific authorization from the **airport** manager. Vehicular traffic shall not be allowed on the aircraft apron except for fuel trucks and passenger/cargo loading and unloading.

(2) Rule 16. *Fueling of aircraft.* Regulations governing the fueling of aircraft are as follows:

- a. Aircraft shall not be fueled while the engine is running or while in a hanger or other enclosed place.
- b. All aircraft will be positively grounded when being serviced with fuel. Aircraft being serviced by a fuel truck will be grounded to the fuel truck, and the fuel truck will be positively grounded.
- c. The pilot and passengers will exit the aircraft, and the aircraft will be unoccupied during fueling operations.

d. Aircraft fuel trucks will be equipped, operated and maintained in accordance with National Fire Protection Association, Incorporated NFPA Manual 407 "Aircraft Fuel Servicing."

e. Persons or aviation businesses wishing to supply and dispense aviation fuel for their private use must first obtain permission from the city. Private fueling facilities must be located on leased property and the fueling system installed and fuel dispensed in accordance with the aircraft fueling rules and directives and the city fire code.

f. No outside fuel sales allowed.

(3) Rule 17. *Tiedown of aircraft.* Regulations governing tiedown of aircraft are as follows:

a. All aircraft not hangared shall be tied down.

b. Aircraft are to be tied down only on the paved ramp or within leased property of an FBO. Tiedown of aircraft on airport property outside of the ramp or FBO leased property is prohibited.

(4) Rule 18. *Running aircraft engines.* Regulations governing the running of aircraft engines are as follows:

a. If not equipped with adequate brakes, the engine shall not be started in an aircraft until and unless the wheels have been set with blocks attached to ropes or other suitable means for removing them.

b. No airplane will be propped, started or left running, unless properly secured.

c. No aircraft engine shall be started or run inside any building.

d. Aircraft operators should exercise care to ensure that engines are started, run or warmed up in an area that will limit the effects of the propeller stream or jet blast upon all buildings and groups of people in the observation areas and path of the aircraft.

(5) Rule 19. *Damage to runway lights.* Any person damaging any field light or fixture by operation of an aircraft or other wise shall immediately report such damage to the airport manager. Persons causing damage to runway and taxiway lights will be liable for replacement cost of the lights.

(6) Rule 20. *Taxiing aircraft.* Rules governing the taxiing of aircraft are as follows:

a. No person shall taxi an aircraft until he has ascertained there will be no danger of collision with any person or object in the immediate area.

b. Aircraft will be taxied at a safe and prudent speed, and in such a manner as to be at all times under the control of the pilot.

c. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.

d. Aircraft shall not taxi onto the runway from the ramp and taxiway area until the pilot has determined that he will not interfere with aircraft approaching to land or on the ground in takeoff position, as outlined in Federal Aviation Regulations (FAR).

e. There shall be no taxiing of aircraft by engine power into or out of hangars.

(7) Rule 21. *Parking aircraft.* Regulations governing the parking of aircraft are as follows:

a. Unoccupied aircraft shall not be parked or tied down on or within 250 feet of the centerline of a runway, and all unhooded aircraft shall be parked in the areas designated by the airport manager for that purpose.

b. Aircraft will not be tied down within 50 feet of an aircraft fueling station.

c. Aircraft will not be parked in such a manner as to hinder the normal movement of other aircraft and traffic unless specifically authorized by the airport manager as an emergency measure.

d. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set or that the plane is properly chocked and/or tied down.

(8) Rule 22. *Loading/unloading aircraft.* Pilots are prohibited from loading or unloading passengers and/or cargo with the engine running.

Rules for landings and takeoffs are as follows:

(1) Rule 23. *Authority to suspend operations.* The airport manager may suspend or restrict any or all operations whenever such action is deemed necessary in the interest of safety, provided operations under IFR conditions may be continued by properly rated pilots following appropriate flight rules.

(2) Rule 24. *Unicom.* All pilots of radio-equipped aircraft are encouraged to call on the local unicom frequency to determine the active runway and to announce their position and intentions for takeoff and landing.

(3) Rule 25. *Takeoffs on apron, parking ramp or taxiway.* No airplane takeoffs or landings shall be made on the apron, parking ramp or taxiway.

(4) Rule 26. follows:

a. Pattern altitude shall be 800 feet AGL, with a left hand pattern on all runways, as shown on exhibit A which is on file in the city secretary's office.

b. Only full stop landings or touch and go landings are allowed. No stop and go landings are allowed.

c. All radio equipped aircraft should monitor and transmit their intentions on the appropriate unicom frequency.

d. All pattern departures should continue straight out, or exit with a 45-degree left or right turn beyond the departure end of the runway after reaching 500 feet AGL.

e. All pattern entries should be made on the downwind leg, at midfield of the active runway at a 45 degree angle to the downwind leg, as shown on exhibit A which is on file in the city secretary's office.

f. No overhead entries, straight-in approaches, or entries on the base leg are permitted.

g. If a go-around is necessary, climbout should be straight out of departure of the active runway, keeping the traffic in sight. Climbout shall be to 800 feet AGL, and reentry of the traffic pattern.

h. It is recommended that the navigation lights, strobes and beacons be turned on at all times, and landing lights shall be used when on the final approach, takeoff and climbout.

(5) Rule 27. *Common courtesy.* Aircraft entering the traffic pattern shall exercise caution and practice courtesy so as not to cause aircraft already in the pattern to deviate from their course. After touchdown, aircraft shall exit the runway onto the taxiway at the earliest possible opportunity.

(6) Rule 29. *Aircraft altitude.* Any aircraft within three nautical miles of the airport at an altitude of less than 1,200 feet above the ground with the intent of landing at Gustine municipal airport shall conform to the flow of traffic. All aircraft shall establish the pattern altitude of 800 feet AGL before entering the traffic pattern, and shall not deviate from this altitude, except in an emergency, until descent for a landing is necessary.

(7) Rule 30. *Altitude and noise of engines.* No aircraft shall be operated over the city at an altitude of less than 1,000 feet above the ground unless situated in the traffic pattern with the intention of landing or takeoff at the airport. Aircraft engines shall not be accelerated nor decelerated while over the city in such manner as to distract, excite or disturb persons on the ground, regardless of altitude. This prohibition shall not apply to those operators who fly at lesser altitudes under a waiver from the Federal Aviation Administration.

(8) Rule 31. *Student training and practice flying.* Rules governing student training and practice flying are as follows:

a. Flight instructors shall inform students and themselves on all rules and regulations in effect at the airport.

b. Aircraft shall not be permitted to remain on the runway for the purpose of instructing students, and should make every effort to clear the taxiway and runup pad, when stopped for the purpose of instruction, to allow taxiing aircraft to pass.

c. No intersection take-offs.

(9) Rule 32. *Special procedures.* The airport manager may, in the interest of safety, designate special traffic procedures for certain operations, such as air shows, banner towing and other special activities that could interfere with normal operations at the airport.

(10) Rule 33. *Fire regulations.*

a. The fire code of the city adopted is hereby incorporated and made a part of this article, as fully as if copied at length in this section.

b. Where there exists a conflict between any regulations limitations or penalties prescribed in the fire code, and any other building or fire prevention codes of the city, or any other provisions of this Code, the more stringent limitation or requirement shall govern and prevail.

Minimum standards for all operators.

The following standards shall apply to all operators, in addition to the rules and regulations for the operation of the Gustine Municipal Airport.

(1) *Term of lease.* The lease shall be for a term not less than one and not more than 30 years, with other terms and conditions to be negotiated, commensurate with the operator's financial investment in his facility.

(2) *Qualifications of operator: experience.* The operator, or a supervisory employee, shall have had at least five years' experience in the aeronautical service it wishes to provide. Should an operator not have such experience, but can demonstrate to the owner's satisfaction that he has had equivalent related experience, such experience may be deemed acceptable. A statement of qualification shall accompany the operator's letter of intent to the airport owner.

(3) *Financial qualifications.* Any operator seeking to conduct aeronautical services at the airport must provide the owner a letter setting forth the operator's financial qualifications, to the owner's satisfaction, from a financial institution doing business in the area, or other such source that may be readily verified through normal banking channels. The operator must also demonstrate that it has the financial ability or backing, where applicable, for the construction of facilities that may be required for the proposed concept of operation. In addition, the operator will provide proof of current financial net worth showing that applicant holds unencumbered liquid assets in a total amount at least equaling three months estimated maintenance and operating expenses.

(4) *Evidence of insurance coverage.* All operators shall demonstrate to the owner's satisfaction evidence of insurance coverage as stipulated in the hangar lease agreement.

The operator shall furnish, annually, a completed insurance certificate to the owner, which shall be completed by an agent authorized to bind the named underwriter to the coverage limits and termination provisions shown thereon, and which shall furnish and contain all required information referenced or indicated therein. The owner reserves the right to review the insurance requirements of this section during the effective period of operations and to adjust insurance coverages and their limits when deemed necessary and prudent by the risk manager for the owner, based upon changes in statutory law court decisions or the claims history of the industry as well as the operator. The owner shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto and may make any reasonable request for deletion or revision or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter on any of such policies). Upon such request by the owner, the operator shall exercise reasonable efforts to accomplish such changes in policy coverages, and shall pay the cost thereof. The operator agrees that with respect to the above-required insurance all insurance contracts and certificates of insurance will contain the following provision:

- a. Provide for ten days' notice of cancellation to the owner for nonpayment of premium, material change or any other cause.
- b. Provide for a notice to the owner at the address shown below by registered mail.
- c. Provide that all provisions of the lease concerning liability, duty and standard of care, together with the indemnification/defense provision below, shall be underwritten by contractual coverage sufficient to such obligations within applicable policies.

d. The operator shall notify the owner in the event of any material change in coverage and shall give such notices not less than ten days prior to the change, which notice must be accompanied by a replacement certificate of insurance. All notices shall be given to the owner at the following address:

City of Gustine
Attention Airport Manager
P.O. Box 16
Gustine, California 95322

e. The permittee agrees to fully indemnify, save and hold harmless the owner against any and all claims, losses, costs and expenses, including costs or expenses incidental to the investigation and defense of the same, based upon or arising out of damage or injuries to any and all persons or their property resulting from the use or occupancy of the property by the operator, or from the acts of omissions of the operator; provided, however, that this subsection shall not create any right to indemnification for any injury, claim or loss occasioned by the sole negligence of the owner.

f. It is further provided that the owner shall give to the permittee prompt and reasonable notice of any such claims or actions, and the operator shall have the right to investigate, compromise, and defend the same to the extent of its own interest. This subsection shall not create any cause of action in favor of any third party against the owner or operator, nor shall it enlarge in any way the liability of the owner or operator, this subsection being intended solely to provide for indemnification of the owner from liability for damage to third persons or property as set forth in this subsection.

Subsection (4) of this section is representative of coverages commonly needed. However, the operator should consider having a thorough risk analysis conducted by a competent insurance professional to guarantee proper coverage.

(5) *Required inclusions for leases for ground space and contracts for business.* Each lease for ground space and contract for business at the airport entered into by the owner shall include each of the following as are required by state and federal governments: of the following as require each lease for ground space and contract.

- a. Fair and nondiscriminatory provisions;
- b. Affirmative action assurances;
- c. Civil rights assurance;
- d. Nonexclusive rights provisions; and other mandated provisions.

Lease policies

It is the policy of the city to make the **airport** available for public use on fair and reasonable terms, and without unjust discrimination, to all types, kinds and classes of aeronautical uses. All leases granted at the **airport** must comply with leasing policies established by the owner. The following policies are in addition to the minimum requirements as outlined in section.

- (1) All site development at the **airport** must meet or exceed city zoning, building and environmental regulations.

- (2) An existing operator providing a single service who wishes to engage in additional services must meet the minimum standards as outlined in section.
- (3) Fees for leasing activity are established by the city council. **Airport** revenues are dedicated to the continued operation and development of **airport** facilities.