

Odessa Schlemeyer Field

Ector County Texas

Airport Rules and Regulations

An order providing rules and regulations for the efficient and safe operation of the Odessa Schlemeyer Field, of Ector County Texas (hereinafter referred to as the "Airport"); providing general rules and regulations for use of the Airport; regulating air and ground traffic; regulating the use of aircraft; providing for fire regulations; and providing penalties for violations; all as authorized by chapter 22 of the Transportation Code.

Be it Ordered by the Commissioners Court of Ector County, Texas.

**Chapter 1**

**General Provisions**

**Section 1. Title**

This Code shall be entitled "The Code of Rules and Regulations of the Odessa Schlemeyer Field, of Ector County Texas," may be cited as such, and may be referred to as "this Code," or "the Code."

**Section 2. Intent**

It is the intent of this Code to establish certain rules and regulations necessary to the maintenance and promotion of the peace, health, good government and welfare of the Airport to provide for the best performance of the functions thereof, for the security of persons using the Airport; and to provide by such rules and regulations and by concurrent ordinances of the County adopting this Code, for suitable penalties for the violation of its provisions.

**Section 3. Scope**

The provisions of this Code shall constitute a special enactment of effect only within the boundaries of the Airport, pursuant to Transportation Code, Section 22.082 and adopted in cooperation and concert with Ector County, Texas in recognition of the unique and special requirements of the planning, acquiring, establishment, development, construction, enlargement, improvement, maintenance, equipment, operation, regulation, and protection and policing of the Airport. This Code shall not be construed to waive or set aside any provisions contained in other Airport approved rules or regulations not expressly repealed hereby or other existing ordinances of Ector County, Texas applicable to the Airport or any law of the State of Texas applicable to the Airport, of Ector County Texas. To the extent of any conflict between this Code and the existing or future general ordinances of any county other than Ector County, Texas, this Code shall prevail within the boundaries of the Airport.

**Section 4. Definitions**

- a) “County” – means Ector County, a political sub-division of the State of Texas; its duly elected County Judge and Commissioners Court; or any duly constituted agent, agency or committee appointed by or through said Court.
- b) “Airport” – shall mean all property belonging to the County at Ector County Airport, Odessa-Schlemeyer Field, including areas not used for aeronautical purposes, as shown on the latest approved Airport Layout Plan.
- c) “Airport Board” – means the Ector County Airport Advisory Board (composed of six members, five being appointed by the County Judge and Commissioners Court and the sixth by said Court appointed members), which serves to advise the Court on all matters affecting the Airport. All activities of the Airport Manager and staff, the Fixed Base Operator(s) and employees, tenants and the general public will be monitored by the Airport Board.
- d) “Airport Manager” – means the duly appointed officer or representative of the Ector County Commissioners Court having immediate charge of the Airport and having the authority and responsibility of enforcing these rules and regulations, for and on behalf of the County.
- e) “Person” – shall mean any individual, firm, partnership, co-partnership, limited liability company, corporation, company or association; including any trustee, receiver or similar representative thereof.
- f) “FAA” and “TXDOT - DOA” – shall mean the Federal Aviation Administration and the Texas Department of Transportation, Division of Aviation, respectively, and any successor agencies thereto.
- g) “Public Airport Facilities” – means all facilities and improvements now or hereafter connected with or appurtenant to the Airport, as are provided and made available for general use by aircraft, aircraft operators and passengers, Airport tenants in common, and other Airport users, which shall include, but not be limited to : all necessary landing area appurtenances, approach areas, runways, taxiways, aprons, aircraft and automobile parking areas, navigational and avigational aids, lighting facilities and fixtures, hangers, fencing and gateways, roadways, sidewalks or other public facilities as are now or may in the future be appurtenant to the Airport.
- h) “Aircraft” – means any aeroplane, airplane, gas bag, flying machine, or any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance used primarily as safety equipment.

**Section 5. Use of Airport Restricted**

The County shall regulate the activities of all persons or enterprises using the Airport in accordance with FAA regulations, whether such operation is aeronautical or non-aeronautical in nature. No person shall use the Airport for any commercial activity unless specifically authorized in advance by written instrument approved and issued by the County or its duly authorized agent. Any person or group of persons or organization may not use the Airport or any part thereof for any public or private show, recreational activity, tour, residential use, demonstration or purpose other than the usual and ordinary business of the Airport, without prior approval of the Airport Manager.

## **Section 6. Privilege of Using Airport**

The privilege of using the Airport and its facilities shall be conditioned upon the assumption of full responsibility and risk by the user thereof, and the user shall release and indemnify the County, its officers and employees, from any liability for loss resulting from such use, as well as claims of third persons issuing therefrom.

The privilege of using the Airport shall be upon the further condition that any person desiring to use the same, shall observe and obey all valid laws, resolutions, orders, rules, and regulations promulgated and enforced by the County or by any other authority having jurisdiction over the conduct and operation of the Airport.

## **Chapter 2**

### **Rules and Regulations**

#### **Section 1. General Rules and Regulations**

The following rules and regulations shall be observed in the use, operation, and conduct of the Airport:

**Rule 1. Federal Air Traffic Rules** – Any and all rules of the Federal Aviation Administration (FAA) for aircraft operated within the United States, and presently or hereafter effective, are hereby referred to, adopted, and made a part hereof as though full set forth and incorporated herein.

**Rule 2. Safeguard of Persons and Property** – The Airport Manager shall at all times have authority to take necessary and legal actions to safeguard any person, aircraft, equipment, or property at the Airport.

**Rule 3. Use of Another's Property** – No person shall use, interfere or tamper with any aircraft (or put in motion the engine of such aircraft), or any aircraft parts, equipment, accessories, instruments or tools of another, unless specifically authorized by the owner. Such person may be required to produce proof of owner's authorization to the Airport Manager or authorized representative of the Airport Manager.

**Rule 4. Lost Articles** – All lost articles shall be turned into the FBO/Airport Manager's office by the finders. Any such articles not claimed in sixty (60) days will be disposed of in accordance with established County policy and state law.

**Rule 5. Hangars** – Hangars and other buildings or structures owned by the County may be leased to private individuals, companies, or corporations on a monthly or yearly basis for the storage of aircraft and ancillary equipment or to conduct a commercial Fixed Base Operation (FBO).

**Rule 6. Lease of Airport Property** – the County may lease property within the building area or other portions of the Airport for the construction of hangars, buildings, lean-tos, aprons, taxiways, and auto parking lots in accordance with an approved Airport Layout Plan. Aviation related use must be given priority in the use of all leased or privately owned property, buildings, or structures. If the aviation needs of the airport are sufficiently met, the County may consider authorizing non-aviation use of any portion of

the Airport or any building on the Airport on a case by case basis. Application of such non-aviation use shall be made to the County Commissioners Court. The County Judge must request and receive approval from the TxDOT Aviation Division prior to granting authorization for non-aviation use.

- A. No leases will be written for a primary period in excess of twenty (20) years, without the written approval of the Commissioners Court and then only for the length of a mortgage in excess of twenty (20) years obtained from a lending institution by the mortgagee/FBO to construct such building(s) or hangar(s) on the Airport for which the mortgage was obtained.
- B. Any privately owned structure or hangar not in use for aviation purposes for a period in excess of ninety (90) days or not available for lease or sublease for aviation purposes, unless so authorized for non-aviation uses by the Commissioners Court, must be removed after due notice to the owner in writing or the Commissioners Court will consider such structures or hangars abandoned and will seek title to such structure or hangar.
- C. Leased land, from which any building, hangar, or structure is removed, after due notice or expiration of the lease, will be cleared, cleaned, and put back in its original or acceptable condition.
- D. Leased property on the Airport may be subleased by the lessee only with written approval of the Commissioners Court.
- E. No hangar or structure may be erected within the building restriction line or in conflict with the approved Airport Layout Plan.
- F. All construction must be authorized by the Commissioners Court and must be of a compatible standard capable of withstanding winds of 85 mph, with doors open or closed. Furthermore, all structures must comply with any and all County building codes, and applicable airport compatible land use or zoning ordinances/orders, and the approved Airport Layout Plan.
- G. Through the Fence Operations – No private individual, partnership, FBO, company, corporation, or body politic shall be permitted direct ground access to the Airport by their aircraft, customers’ aircraft, or private vehicle from property adjacent to or in the immediate vicinity of the Airport. Furthermore, no private individual, partnership, company, corporate, body politic, or customers’ aircraft or vehicle shall be permitted direct ground access to property from the Airport – a practice commonly known as a “through the fence operation.” Under extenuating circumstances, the Commissioners Court may request approval from TxDOT Aviation Division for certain through the fence operations on a case by case basis.

**Rule 7. Lien for Charges** – To enforce the payment of any charge made for repairs, improvements, storage, or care of any personal property made or furnished by the County or its agents in connection with the operation of the Airport, the County may have a lien upon such personal property, which shall be enforceable as provided by law.

**Rule 8. Lien Possessory Right**- To enforce the payment of any such charge, the Airport

Manager may retain possession of such personal property until all reasonable, customary, and usual compensation has been paid in full.

**Rule 9. Unauthorized Signs and Equipment** – No signs, non-aeronautical equipment, portable buildings, or trailers may be erected, moved-in, or installed on Airport property, except as may be specifically authorized by the Airport Manager.

**Rule 10. Restricted Areas** – No person shall enter upon the airfield area, landing, ramp, aircraft parking and storage areas, or other areas of the Airport as may be designated “restricted,” except:

- A. Persons assigned to duty therein;
- B. Authorized representatives of the FAA and TXDOT - DOA;
- C. Persons authorized by the County through its Airport Manager;
- D. Passengers, under appropriate supervision, entering the apron for the purpose of embarkation or debarkation;
- E. Persons engaged, or about to be engaged, or having been engaged in operation of any aircraft; or
- F. Persons authorized under contractual agreements with the County.

**Rule 11. Use of Roads and Walks** – No person shall:

- A. travel on the Airport other than on the roads, walks or places provided for the particular class of traffic; or
- B. occupy the roads or walks in such a manner as to hinder or obstruct their proper use.

**Rule 12. Surreptitious Activities** – Any person observing suspicious, unauthorized or criminal activities shall report such activities immediately to the Airport Manager, the Ector County Sheriff’s Department or other law enforcement agency or peace officer.

**Rule 13. Use of Shop Areas** – All shops, garages, equipment and facilities are expressly for the conduct of the owner’s or lessee’s business and operations. No person other than employees of the owner or lessee shall make use of these facilities or loiter around such premises without individual and specific permission of the owner or lessee.

**Rule 14. Smoking** – No person shall smoke where smoking is specifically prohibited by appropriate signs or by other Airport rules and regulations.

**Rule 15. Wrecked Aircraft** – Every aircraft owner, his/her pilot, or agents, shall be responsible for notifying FAA and promptly removing disabled or wrecked aircraft from the operational areas of the Airport, under the direction of the Airport Manager.

**Rule 16. Repairs to Aircraft** – No aircraft shall be repaired on any part of the landing or takeoff area. All outside repairs shall be made only at places designated by the Airport

Manager for such purpose. Major engine, airframe, or avionics repairs shall be conducted by a properly licensed, paid mechanic within a hangar or building rented, leased, or owned for such commercial purposes. Any preventative maintenance authorized by FAR Part 43 may be made by the owner or operator of any aircraft or licensed mechanic but only within a hangar leased or owned by that aircraft owner or operator or at places designated by the Airport Manager for such purpose.

**Rule 17. Agricultural Spraying Operations** – Agricultural (Ag) spraying operations will be conducted in accordance with procedures approved by the Airport Manager and made known to all persons conducting agricultural spraying operations. Said operations shall be conducted only on the designated airport areas, and shall not include reckless flying or careless chemical handling. Chemicals used in agricultural operations shall be dispersed, maintained, and stored and the dispensing area shall be cleaned with all empty chemical containers stored and promptly disposed of in accordance with label directions. Washing of Ag aircraft and flushing of Ag aircraft spray tanks or hoppers will be accomplished in accordance with the standards of the Environmental Protection Agency and the Texas Commission on Environmental Quality in an area so designated by the Airport Manager. Each Ag operator shall carry liability insurance in the amount of \$100,000.00, payable to the County for the cleanup of any hazardous chemical spills on Airport property caused by the Ag operator. Ag aircraft operators shall not exceed the maximum gross hopper weight stamped on the Ag aircraft’s hopper by the manufacturer or listed in the aircraft’s specifications. Ag aircraft shall not take off or land on the dirt or grass between the runway lights and the property line fence(s), nor take off or land down wind. Takeoff and landing procedures in accordance with Section 3, Rule 34: “Landing and Take Off Rules” contained herein will be observed at all times. NOTE: Because of the hazard of such agricultural spraying operations, the Commissioners Court may require each agricultural spray operator to post a bond, the amount to be determined by the Commissioners Court considering the financial risk to which the County could be exposed by an Ag operator accident resulting in environmental damage, the number of Ag aircraft owned or leased and used by the Ag operator and other factors.

**Rule 18. Damage to Airport** –

- A. Any person as defined herein, 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 Ector County.
- B. Any person, as defined herein, causing damage to any of the County’s public Airport facilities as defined herein, by any means, shall immediately report such damage to the Airport Manager and shall be fully responsible for any costs required to repair or replace the damaged facility.

**Rule 19. Injury to Person** – Persons entering upon the Airport property by automobile, other vehicular conveyance or pedestrian traffic (does not include persons in aircraft using approved air facilities) do so at their own risk and with no liability incurring to the County 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 County or by any other Authority having jurisdiction over the conduct and operation of the Airport.

**Rule 20. Licensed Pilots** – Only properly registered aircraft and persons holding current

airman and medical certificates issued by the FAA shall be authorized to operate aircraft upon the Airport except as provided in this order. This limitation shall not apply to students in training under licensed instructors or to public aircraft of the Federal government or of a State, Territory, or political subdivision thereof; or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft. Use of the Airport by ultra-light aircraft and certain light sport aircraft shall be operated in accordance with FAA Order 5190.6A and appropriate FARs Part 61 and 103 and any other rules established by the County.

**Rule 21. Registration** – Each person owning an aircraft based at the Airport or employed, or receiving instruction at the Airport shall register the following information at the office of the Airport Manager: name; address; telephone number; aircraft model; aircraft registration “N” number; and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.

**Rule 22. Intoxicants and Narcotics** – No person may consume alcoholic beverages, narcotics, or other illicit drugs on Airport property. No person under the influence of any intoxicant, narcotic, or other illicit drug shall operate or fly in any aircraft to or from the Airport. Such prohibition shall not apply to a passenger under the care of a medical doctor and accompanied by a doctor, nurse or caretaker.

**Rule 23. Foreign Objects** – No foreign objects, including bottles, cans, scrap, nuts, bolts, nails, or any object that may cause damage to an aircraft, shall be left upon the floor of any building or upon any part of the surface area of the Airport. Individuals are encouraged to pick up such foreign objects when observed and place them in a trash receptacle.

**Rule 24. Liquid Disposal** – No fuels, oils, dope, paints, solvents or acids shall be disposed of or dumped in drains, on the ramp areas, catch basins or ditches or elsewhere on the Airport, except in specifically designated areas.

## Section 2. Ground Operations

### **Rule 25. Air and Ground Traffic – Vehicular Traffic –**

- A. All vehicular traffic on the Airport shall be confined to streets, roads, and avenues of passage designated and provided for that purpose and shall not be operated at a speed in excess of twenty (20) miles per hour.
- B. Official vehicles only will be driven on the landing area. Such official vehicles will have a ground to air radio transceiver tuned to UNICOM frequency 123.0, by which the vehicle-operator shall maintain two-way contact with the Aeronautical Advisory Station for the Airport, and a flashing beacon light mounted on the roof of the car or a checkered orange and white flag mounted on the front bumper of the vehicle. Special use vehicles such as an ambulance, hearse, or delivery van may be driven on the apron with the permission of the Airport Manager.
- C. No person shall operate a motor vehicle of any kind on the Airport in a reckless or negligent manner.

- D. Pedestrians and aircraft shall at all times have right-of-way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft.
- E. No unauthorized ground vehicles shall be permitted within the runway safety area (within 150 feet of the runway centerline).
- F. No person shall park a motor vehicle for loading, unloading or any other purpose on the Airport other than in the areas specifically established for automobile parking and in the manner prescribed by signs, lines or other means unless authorized by the Airport Manager for a specific purpose. No person shall park motor vehicles in a manner so as to obstruct roadways, nor in aircraft parking areas or on taxiways.

**Rule 26. Fueling of Aircraft**

- A. No fuel shall be placed in any aircraft by any person, as defined herein, except by persons having County permission to refuel their own aircraft or by authorized fuel operators or vendors under written agreement for such operation with the County – and then only in full accordance with standards established for the proper storage, handling, dispensing and transfer of fuels. Any fuel brought onto or delivered to the Airport for such purpose shall be subject to payment, by the user or vendor thereof, of all applicable county fuel flowage fees and such fuel taxes as are then in effect.
- B. Fueling systems and associated facilities must be located on leased property and installed, and fuel dispensed therefrom, in compliance with aircraft fueling rules, regulations and directives as established by the County in accord with applicable federal, state and local regulations, and set forth in the agreement for such operation.
- C. Authorized fuel vendors shall clearly and conspicuously indicate on all fuel pumps and fuel trucks the type of aviation fuel dispensed therefrom, in large print and by color coded band or panel, as applicable.
- D. Aircraft shall not be fueled while the engine is running except for Medical Aircraft. Ag spray aircraft on a fast turnaround may be fueled and loaded with chemicals with the aircraft engine idling if the Airport Manager has provided written authority to the Ag operator, the pilot remains at the controls, the aircraft's wheels are chocked, there are at least two 20B fire extinguishers within fifty (50) feet of the aircraft being serviced, and a qualified ground crew member is present during the fueling operation.
- E. The pilot and passengers will exit the aircraft and the aircraft will be unoccupied during fueling operations.
- F. Prior to making any fueling connection to an aircraft, the fueling equipment (fuel pump, hydrant servicer, fuel truck) shall be bonded to the aircraft by use of a cable suitable for that purpose and approved by the local Fire Marshal. The bond shall be made prior to fueling and maintained until fueling is completed and fuel connections have been removed. In addition, when fueling overwing, the fueling nozzle shall be bonded with a nozzle bond



cable having a clip or a male plug to a metallic component of the aircraft that is metallically connected to the aircraft fuel tank filler port or a female receptacle designed to accommodate the male plug. If there is no plug receptacle or means for attaching a clip, the operator shall touch the filler cap with the nozzle spout before removing the cap so as to equalize the static electrical potential between the nozzle and the filler port. The nozzle spout shall be kept in contact with the filler neck until the fueling is completed. When a funnel is used in aircraft fueling, it shall be kept in contact with the filler neck as well as the fuel spout or fuel supply container to avoid the possibility of a spark at the fill opening. Only metal funnels shall be used for fueling. Bonding and fueling connections shall be disconnected in the reverse order of connection after fueling is completed.

- G. 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.
- H. Persons engaged in fueling and defueling aircraft shall exercise care to prevent overflow of fuel. Persons responsible shall take proper measures to remove volatile liquids spilled during transfer.
- I. All aircraft shall be fueled in an area that is well ventilated.
- J. Fueling trucks shall not be parked within any building or hangar or within 50 feet of any building, hangar, or parked aircraft (the local Fire Marshal shall have final authority as to determining such distance). Fuel trucks shall be parked with at least ten (10) feet separation between vehicles.
- K. Aircraft fuel storage tanks for below-ground or above-ground use will be constructed and installed, registered as required, monitored for leakage, operated, and maintained in accordance with Federal and State statutes, rules, and regulations promulgated by the Environmental Protection Agency and the Texas Commission on Environmental Quality.
- L. Aviation or auto fuels shall not be stored within a hangar or building except in small quantities and in approved containers manufactured and marked for such purpose and only with the approval of the local Fire Marshal.
- M. Persons or businesses wishing to supply or dispense aviation fuel for use in their privately owned aircraft shall not be denied; however, they must meet all requirements the County places on other fuel suppliers, public or private. Private fueling facilities located on leased or private property must be installed and the fuel dispensed in accordance with all rules appertaining to aircraft fueling and fire safety contained herein.
- N. Public sale of automobile gas for use in aircraft will not be permitted on the Airport without written approval of the Airport Manager. Aircraft authorized by the FAA to use auto gas may be privately fueled by the owner in a location designated by the Airport Manager in accordance with all rules appertaining to aircraft fueling and fire safety contained herein.

- O. All aviation fuel storage tanks, aviation fuel pumps, hydrant fuel services, aircraft fuel service vehicles, whether publicly or privately owned, shall have the type of aviation fuel dispensed printed in large block letters, including octane if aviation gasoline, plus the fuel I.D. number, and “NO SMOKING” signs. This information shall be printed on all sides of the fueling tanks, pumps, etc. so the information is visible from any direction on the ground.
- P. No person shall operate a radio transmitter or receiver or switch electrical appliances off or on in aircraft during fueling or defueling.
- Q. At least two (2) 20B portable fire extinguishers shall be located within fifty (50) feet of any fueling pump and on all fuel trucks during fueling operations.
- R. All aircraft fueling, fuel equipment, and procedures will be in accordance with Manual 407 – “Standard for Aircraft Fuel Servicing, 2001 edition,” (or as revised) published by the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy MA 02269-9101, 800-344-3555

**Rule 27. Tiedown of Aircraft**

- A. All aircraft not hangared shall be tied down and the wheels chocked at night and during inclement weather.
- B. All aircraft owners or their agents are responsible for the tiedown or security of their aircraft at all times, and particularly during inclement weather.
- C. Aircraft parked overnight on the transient apron shall pay a tiedown fee as established from time to time by the Airport Manager for each night, except that such fee may be waived upon purchase of fuel or services. Tiedown fees will be as approved by the County.

**Rule 28. Running Aircraft Engines**

- A. Aircraft not equipped with adequate brakes shall not be started until the wheels have been set with chocks attached to ropes or other suitable means of removing them.
- B. No aircraft shall be hand propped, started, or left running without a qualified person at the controls.
- C. No aircraft engine shall be started or run inside any building or hangar.
- D. No engine shall be started, run up, or warmed up until and unless the aircraft is in such position that will minimize the effect of the propeller stream or jet blast on all buildings, other aircraft, and groups of people.

**Rule 29. Damage to Runway Lights** – Any person damaging any runway or taxiway light or fixture by operation of aircraft or otherwise, shall immediately report such damage to the Airport FBO/Manager. Persons causing damage to runway and taxiway lights as a result of negligent operation of an aircraft or willful acts will be liable for

replacement cost of the light(s) and/or fixture(s) and may be charged with a misdemeanor as provided in Section 7 hereunder.

**Rule 30. Taxiing Aircraft**

- A. Aircraft shall be taxied in accordance with all pertinent FAA rules and regulations.
- B. Aircraft shall not be taxied by engine power into or out of a hanger or T-hanger.

**Rule 31. Parking Aircraft**

- A. Unoccupied aircraft shall not be parked or tied down within any protected area (object free area, runway safety area, etc.) as described in FAA AC 150/5300-13 and all aircraft not hangared shall be parked in the areas designated by the Airport Manager for that purpose.
- B. Aircraft shall 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.
- C. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that it is properly chocked and/or tied down.

**Rule 32. Loading/Unloading Aircraft** – Pilots are prohibited from loading or unloading aircraft with the engine running, except as stated in Rule 26.D herein.

**Section 3. Air Operations**

**Rule 33. Aeronautical Advisory (UNICOM) Station** – All pilots are encouraged to contact the Airport Aeronautical Advisory Station (Unicom frequency 123.0, ASOS frequency 119.275) to determine the active runway and prevailing weather conditions, and to announce their position and intentions for take-off and landing.

**Rule 34. Landing and Take-Off Rules** –

- A. All aircraft takeoffs and landings at the Airport shall use the standard FAA published procedures for such operations in conjunction with information published in the Airport Facility Directory.

**Rule 35. (REMOVED)**

**Rule 36. Parachute Jumping** – Parachute jumping onto Airport Property shall be conducted in accordance with FAR 105, part 23, subparagraph (B)

**Rule 37. Authority to Close Field or Suspend/Restrict Operations** – In the event the conditions of the Airport or any part of the Airport are unsafe for landing or take-offs, it shall be within the Airport Manager's authority to issue a NOTAM closing the entire Airport or any part thereof, or suspending or restricting operations thereupon.

**Rule 38. Special Procedures** – The Airport Manager may, in the interest of safety, designate special procedures for the conduct of certain operations such as air shows, agricultural operations and other operations not limited to the aforementioned categories.

**Rule 39. (REMOVED)**

**Rule 40. Unairworthy, Disabled or Damaged Aircraft** –

- A. Unairworthy aircraft, wrecks, “junkers,” or parts thereof shall not be parked or stored on the Airport unless awaiting scheduled repairs (or in the process of being repaired).
- B. All disabled aircraft and parts thereof shall be removed from the public view by the owner or his agent while awaiting scheduled repair.
- C. If any person refuses to move a disabled or damaged aircraft, said aircraft may be towed away and disposed of or stored at the owner’s expense and without liability for damage which may result in the course of or after removal.

**Rule 41. Repairing of Aircraft** –

- A. No aircraft repair or overhaul shall be made or permitted on the Airport, other than by an aircraft mechanic properly licensed by the FAA except that aircraft owners may perform such preventative maintenance as defined in Appendix A to FAR Part 43.
- B. No person shall repair an aircraft engine, propeller or apparatus in any area of the Airport other than that specifically designated for such purpose, except that minor adjustments may be made while the aircraft is on a loading ramp preparatory to take-off , and such adjustment is necessary to prevent a delayed departure.
- C. All mechanics must sign the Commercial Operator’s Agreement.

**Rule 42. Aircraft Storage** – T-Hangars owned by the County may be rented on a monthly basis for the storage of aircraft and ancillary aircraft equipment only, at such rates and under terms and conditions as established by the County or FBO and set forth in a lease agreement for such purpose.

**Rule 43. Flying of Model Airplanes** – Engine powered model airplanes, cable or radio controlled, or model gliders shall not be permitted to operate, take off or be launched from, flown over, flown in the terminal area of, or land at the Airport.

#### **Section 4. Fire Prevention Regulations**

**Rule 44. Applicable Rules** -

- A. Every person going upon or using the Airport or its facilities in any manner shall exercise the greatest care and caution to avoid and prevent fire.

- B. Smoking or open flame within fifty (50) feet of any fuel tank, fuel pump, or fuel truck is prohibited.
- C. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Manager.
- D. No flammable substance shall be used for the cleaning of any aircraft part or other thing except in approved well ventilated designated areas.
- E. No one shall smoke or ignite a match or lighter in any building or hangar, except in posted "Designated Smoking Areas" identified by the Airport Manager.
- F. Hangar entrances shall be kept clear at all times.
- G. The floors in all buildings shall be kept clean and free of oil. Volatile, flammable substances shall not be used for cleaning the floors.
- H. No boxes, crates, cans, bottles, paper, tall grass, weeds, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter shall be permitted to accumulate in or about a hangar, building, or other leased space. If such trash and litter is permitted to accumulate around a private owned, rented, or leased hangar/building, the Airport Manager shall notify the hangar/building owner, renter or lessee by registered letter to remove the offending litter. If within ten (10) work days after receipt of the letter the hangar/building owner, renter, or lessee has not removed the trash and litter as directed, the Airport Manager may have the area cleaned and the cost for such cleaning shall be charged to the hangar/building owner, renter, or lessee.

### **Section 5. Knowledge of Rules Implied**

By publication and adoption of this order, all persons shall be deemed to have knowledge of its contents. However, the Airport Manager is directed to have copies of the order printed and posted where appropriate. Copies shall be available at all times in the Airport Manager's office, and copies shall be furnished to all owners and operators of aircraft based at the airport.

### **Section 6. Conflicts in Rules**

If and where there are conflicts in the rules and regulations prescribed herein and the FAA's Federal Aviation Regulations (FAR), the latter shall prevail. If and where there exists a conflict between any of the rules or regulations prescribed herein and any other County rules applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

### **Section 7. Penalties for Violation**

The Airport Manager may deny use of the Airport for a period not exceeding fifteen (15) days for any person violating or refusing to comply with any of the rules or regulations prescribed herein pending a hearing by the Commissioners Court. Upon such hearing, such person may be deprived of the further use of the Airport and its facilities for a period of time as may appear necessary for the protection of life and property. Any violation of this order shall be a misdemeanor, and upon

conviction, be punishable by a fine not exceeding five-hundred (\$500) dollars, and each day a violation continues to exist shall constitute a separate offense. This section is cumulative of all other penalties for violation of Federal, State, and local laws, rules, regulations, ordinances, and orders. Citation for violation or issuance of a violation ticket of any of the rules and regulations prescribed herein may be made by any authorized police officer. The Airport Manager or Commissioners Court may request authorized deputies to investigate any suspected violation of these rules.

**Section 8. Severability**

If any of the provisions of this order or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the order which can be given effect without the invalid provision or application, and to this end the provisions of this order are declared to be severable.

**Section 9. Enforcement**

The Airport Manager or an authorized representative of the Airport Manager may request any person or persons committing any act prohibited herein or failing to perform in accordance with these rules and regulations to leave the Airport. If any person or persons refuses or fails to comply with such request, her or she shall be regarded as a trespasser on Airport property, subject to immediate forcible ejection and prosecution under the law and may be prohibited from the use of all or any part of the Airport facilities for such period of time as may be deemed necessary for the protection of life and property.

Notwithstanding the foregoing, all persons are deemed to have consented to the right of the Airport Manager or his authorized representatives to take possession of their aircraft and related property for violation and enforcement of any of these rules and regulations. In the event of such action, the Airport Manager or his authorized representative(s) must show due diligence and reasonable care in exercising control and maintaining possession of such property, and all costs for the reasonable maintenance and storage of said aircraft and attendant property shall be recoverable on behalf of the Airport by the Airport Manager or his authorized representative.

**Section 10. Emergency Enactment**

Whereas, the immediate operation of the provisions of this order is necessary for the preservation of the public health, public safety, and general welfare, an EMERGENCY is hereby declared to exist, and this order shall be in full force and effect from and after its passage by the Commissioners Court of Ector County, Texas and publication and posting as required by law.

READ PASSED AND ADOPTED the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ during regular session of the Commissioners Court of Ector County, Texas.

\_\_\_\_\_members voting Ayes; \_\_\_\_\_ members voting Nay.

\_\_\_\_\_  
County Judge  
Ector County, Texas

Attest: \_\_\_\_\_  
County Clerk of Ector County, Texas

APPROVED BEFORE ADOPTION: \_\_\_\_\_

County Attorney