

Scottsdale Airport

SDL

AIRPORT ADMINISTRATION OFFICE
15000 N. AIRPORT DR., 2ND FLOOR
SCOTTSDALE, ARIZONA 85260
480.312.2321 FAX 480.312.8480

AIRPARK
RULES AND REGULATIONS



July 18, 2009

REVISIONS

<u>REVISION NO.</u>	<u>DATE</u>	<u>SECTION</u>
1	12/15/99	Article 100 – Definitions.
2	12/15/99	Article 100 – Definitions. Article 200 Sections: 203, 204, Article 300 Section 310, Article 400 Section 404, Article 500 Sections: 502, 506, 507, 508, 511, Article 600 Sections: 602, 604.
3	12/15/99	Article 100 – Definitions.
4	9/19/01	Article 500 – Section 512
6	9/11/02	Article 500 – Section 509
7	4/21/04	Article 200 – Section 221
8	1/12/05	Article 100 – Definitions. Article 200 Sections: 202, 208, 209, 211, 212, 213, 222, Article 300 Sections: 307, 308, 310, Article 400 Section 407, Article 500 Sections: 502, 503, 512
9	7/18/09	Article 200 – Section 224

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ARTICLE 100 DEFINITIONS

The following words and phrases, whenever used in these rules and regulations, shall be construed as defined in this article unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases. All definitions contained in 49 U.S.C. §40101 *et seq.*, (previously known as the Federal Aviation Act of 1958, hereinafter cited as “FAA Act”) and all amendments thereto shall be considered as included herein; and all definitions shall be interpreted on the basis and intention of the FAA Act and amendments thereto unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such word or phrases.

Abandon as applied to property left in an airpark taxilane safety area means that it has been left without consent of the city for forty-eight (48) hours without the owner moving or claiming it. Such property will be impounded with the local police department.

Accident means a collision or other contact between any part of an aircraft or a vehicle, person, stationary object or other thing which results in property damage, personal injury, or death; or an entry into or emerging from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person or which results in property damage.

Aeronautical activity means any activity or service which involves, makes possible, or is required for the operation of aircraft, or contributes to, or is required for, the safety of such operations. “Aeronautical activities” include, but are not limited to, charter operations (under either Federal Aviation Regulations (FAR) Part 121 or 135), charter brokerage, aircraft hangar leasing, pilot training, aircraft rental and sight-seeing, aerial photography, crop dusting, fire suppression, aerial advertising and surveying, aircraft sales, leasing and servicing, aircraft management, and sale of aviation petroleum products, whether or not conducted in conjunction with other included activities which have a direct relationship to the operation of aircraft, repair and maintenance of aircraft, sale of general aviation aircraft parts, and any other activities which because of their relationship to the operation of aircraft can appropriately be regarded as an “aeronautical activity.”

Aircraft means any device intended to be used, or designed, to navigate, or fly in the air.

Aircraft fuel means all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating: (a) an internal combustion engine; or (b) a jet or turbine engine.

Aircraft gate access device means a device issued by the airport director which operates an airpark access gate to allow access between the airpark and the airport.

Airpark means the taxilanes located outside the airport, and intended for airport/airpark access, and all real property adjacent to any portion of the airpark taxilanes.

Airpark aviation operator means a person owning or leasing at least one (1) aircraft based in the airpark who has been granted an approved airpark access permit by the airport director.

Airport means all of the city-owned or leased real or personal property comprising Scottsdale Airport as now exists or as may hereafter be expanded and developed. “Airport” includes all of its facilities as shown on the most current airport layout plan.

Airport/airpark access means the movement of an aircraft to the airpark from the airport and vice-versa.

Airport director means the duly appointed director of the Airport or the director’s designee.

Airport Traffic Control Tower means the control tower located at Scottsdale airport.

Based aircraft means an aircraft: (1) which the owner physically locates at the airpark with no present intention of definite and early removal and with the purpose to remain for an undetermined period; (2) which, whenever absent from the airpark, its owner intends to return to the airpark for permanent storage or parking; and (3) whose presence in the airpark is something other than merely transitory in nature.

Based location means the location on the airport or in the airpark, which is listed as the aircraft hangar, shade or tie down location as registered with the airport director.

Commercial activity means the conduct of any aspect of a business, concession or service in order to provide goods or services to any person for compensation. An activity is considered commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt.

Fuel handling means the transportation, delivery, fueling, and draining of fuel or fuel waste products and the fueling of aircraft.

Fuel storage area means any portion of the airport or airpark designated temporarily or permanently by the city as an area in which gasoline or any other type of fuel may be stored or loaded.

Heliport means an area that is used or intended to be used for the landing and takeoff of helicopters.

Owner of an aircraft means a person who holds legal title of an aircraft, or any person having exclusive possession of an aircraft pursuant to a written lease for a term of twelve (12) months or more.

Pedestrian means any person traveling on foot.

Permission or permit means permission granted by the city.

Person means the state, county, a political subdivision of the state, other governmental entity, a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual. Person includes a trustee, receiver, assignee or similar representative.

Registered aircraft means an aircraft owned or leased by an airpark aviation operator and which is listed on the airpark aviation operator's approved airpark access permit.

Smoking means burning or carrying any lighted cigarette, tobacco or any other weed or plant, or placing any burning tobacco, weed or plant in an ashtray or other receptacle and allowing smoke to diffuse into the air.

Staging area means a paved, weight bearing surface for temporary aircraft storage, intended to allow aircraft to be removed from a hangar/shade or tie down and temporarily parked outside of the taxilane safety area.

Taxilane means the portion of the airport apron area, or any other area, used for access between taxiways and aircraft parking and storage areas.

Taxilane safety area means an airpark taxilane and an area fifty (50) feet from either side of the centerline of an airpark taxilane.

Technical specialist means a technical representative of an aircraft manufacturer, aircraft engine manufacturer, aircraft appliance manufacturer, or a non-destructive inspection specialist.

Vehicle means a device, except aircraft, in, upon, or by which any person or property is or may be propelled or moved, except a device moved by human power.

ARTICLE 200 GENERAL USE OF AIRPARK

Section 201. Purpose of rules and regulations.

Rules and regulations provided in this document and any amendments thereto (hereinafter referred to as “regulations”), adopted pursuant to chapter 5 of the Scottsdale Revised Code, are intended for the safe, orderly and efficient operation of the airpark and apply to all persons using the airpark for any reason.

Section 202. Conflicting laws, ordinances, regulations and contracts.

- (a) In any case where a provision of these regulations are found to be in conflict with any other provision of these regulations adopted hereunder or in conflict with a provision of any zoning, building, fire, safety, health or other ordinance or code of the city, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.
- (b) In cases where two (2) or more provisions of these regulations are in conflict, the most stringent or restrictive shall prevail.
- (c) It is not intended by these regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by these regulations, or to excuse any person from performing obligations to the city under any lease or other contract.
- (d) No existing or future city contract, lease agreement or other contractual arrangement, nor any payment or performance thereunder, shall excuse full and complete compliance with these regulations. Compliance with these regulations shall not excuse full and complete compliance with any obligations to the city under any existing or future city contract, lease, agreement or other contractual arrangement.
- (e) Compliance with these regulations does not excuse failure to comply with any other law.

Section 203. Compliance with law.

All persons engaged in any aeronautical activities or commercial aeronautical activities in the airpark shall comply with all applicable requirements concerning such activities as are set forth in chapter 5 of the Scottsdale Revised Code, airpark minimum operating standards, airport rules and regulations and these airpark rules and regulations.

Section 204. Prerequisites to registration and licensing of airpark aircraft.

Each person owning, operating, leasing or otherwise controlling aircraft based in the airpark shall:

- (a) Prior to conducting airport/airpark access, register each such aircraft with the airport director and obtain an airpark access permit approved by the airport director for each aircraft and submit evidence satisfactory to the city of registration and/or leasehold interest.

- (b) Convey in writing any changes to information contained within the airpark access permit to the airport director within fifteen (15) calendar days of the change.
- (c) If conducting storage of aircraft primarily used in conjunction with the non-aeronautical uses permitted in the airpark by Section 5.1803 of Appendix B to the Scottsdale Revised Code, provide evidence reasonably satisfactory to the city that:
 - 1. The operator is engaged in the permitted use and the aircraft is primarily used in conjunction with the permitted use;
 - 2. The permitted use occupies at least one-thousand (1,000) square feet of enclosed non-hangar gross floor area located either at the aircraft storage location or within the City of Scottsdale in a non-residential zoning district.
- (d) If conducting storage of aircraft primarily used in conjunction with the commercial aeronautical uses in the airpark allowed pursuant to Section 5.1803 of Appendix B to the Scottsdale Revised Code, provide evidence reasonably satisfactory to the city that:
 - 1. The operator has been granted an approved Aeronautical Business Permit to conduct such activity in the airpark and the aircraft is primarily used in conjunction with the approved commercial aeronautical activity;
 - 2. The permitted aeronautical business occupies the amount of enclosed non-hangar gross floor area at the aircraft storage location required by the Airpark Minimum Operating Standards.

Section 205. Limitations on access permit.

- (a) An airpark access permit shall remain in effect as long as all of the terms, conditions, and covenants of the permit are being kept and observed, and the airpark aviation operator is in compliance with all applicable regulations.
- (b) An airpark access permit shall not be assigned or transferred.
- (c) An airpark access permit shall not authorize the airpark aviation operator to engage in any commercial aeronautical services or activities.

Section 206. Taxilane wingspan restrictions and indemnification.

The airport director recommends that aircraft operators only operate aircraft in areas of the airpark taxilanes consistent with the wingspan restrictions as defined in the Airpark Taxilane Standards. The city assumes no liability for damage or loss, including aircraft operation in areas where aircraft wingspan exceeds the recommended maximum wingspan. Any such operation or resulting damage is solely at the risk of the aircraft operator, and said aircraft operator, as a condition of the issuance of an airpark access permit, shall defend, indemnify and hold harmless the city from any damages or losses resulting from said operation.

Section 207. Self-services.

- (a) Persons are permitted to fuel, wash, repair, paint, or otherwise service their own based aircraft, provided there is no attempt to perform such services for others and further provided that such right is conditioned upon compliance with these regulations and all applicable laws.
- (b) Airpark aviation operators may hire an individual to provide, under the direction and supervision of the airpark aviation operator, services only on their based aircraft. Such services may only be provided by a direct employee of the airpark aviation operator, a technical specialist or an aeronautical business permittee.
- (c) Airpark operators shall notify the airport director at least one (1) hour in advance of the technical specialist performing maintenance services on any aircraft.

Section 208. Aircraft maintenance.

Maintenance of aircraft in the airpark shall only be conducted on based aircraft parked at their respective based locations, and only by one (1) of the following: (1) the airpark aviation operator or its employee under the provisions of these regulations; (2) by a person employed by and under the control of an on-airport fixed base operator; (3) an approved aeronautical business permittee; or (4) a technical specialist.

Section 209. Scheduled passenger service.

Scheduled passenger service conducted in accordance with FAR Part 121 shall operate only from the designated gate positions directly adjacent to the airport terminal building.

Section 210. Smoking areas.

No smoking shall be permitted:

- (a) Within fifty (50) feet of aircraft, fuel truck, and/or fuel storage areas;
- (b) Where specifically prohibited by the city.

Section 211. Firearms, explosives, etc.

- (a) No person, except a sworn law enforcement officer, member of the Armed Forces of the United States on official duty, or persons holding a valid concealed carry weapons permit pursuant to A.R.S. § 13-3112, *et seq.*, and Arizona Administrative Rules R13-9-101 through R13-9-113., shall possess any firearms in an airpark taxilane safety area, except firearms that do not contain live ammunition, are in an enclosed case, and are intended for immediate transport out of the airpark taxilane safety area.
- (b) No person, except a sworn law enforcement officer or member of the Armed Forces of the United States on official duty, shall possess any explosives in an airpark taxilane safety area.

- (c) No person other than those in the above excepted classes, shall store, keep, handle, use, dispense or transport at, in, or upon an airpark taxilane safety area any class A or class B explosives, any radioactive substance or material (except for minimum amounts of radioactive substances, such as radioactive paint illuminating instrument dials), without prior written authorization from the airport director.

Section 212. Waste containers and disposal.

Airpark property owners, airpark aviation operators, employees, tenants, users, or visitors in the airpark shall dispose of all waste in the appropriate waste containers. Waste water shall not be disposed of in storm water drainage or dirt/grass areas under any circumstances. Waste water may be disposed of in sanitary sewer or sink drains, unless the waste water contains petroleum or hazardous materials or hazardous waste. No petroleum products, industrial waste matter, batteries, or other hazardous material shall be dumped or otherwise disposed of except in accordance with local, county, state and federal law, including but not limited to, the Arizona Hazardous Waste Management Act, A.R.S. § 49-901, *et seq.*, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.*, the Toxic Substances Control Act, 15 U.S.C. § 2601, *et seq.*, and the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601, *et seq.* Any hazardous waste shall be the responsibility of the originator under all applicable law.

Section 213. Maintenance of property.

- (a) Persons owning, occupying, leasing, managing, or otherwise controlling airpark property shall maintain that portion of said property which is contained in an airpark taxilane safety area in a condition of repair, cleanliness and general maintenance equal to or greater than the level of maintenance maintained by the city in comparable areas; at a minimum free of pavement lips or obstacles vehicle ruts, excessive standing water, trees and other vegetation exceeding twelve (12) inches in height, and free from any and all conditions hazardous or potentially hazardous to aircraft. Any person desiring to perform routine property maintenance in an airpark taxilane safety area shall notify the airport director at least two (2) hours prior to commencing any work. Any person desiring to perform new construction, demolition or excavation in an airpark taxilane safety area shall notify the airport director and coordinate safety-related items at least forty-eight (48) hours prior to commencing any work.
- (b) Except in accordance with subsection (a), no person shall make any alterations to any airpark taxilane safety area or other property located in, on, under or about any airpark taxilane safety area without prior notification to the airport director and obtaining any other required city permits, and following the Airport Vicinity and Airpark Development Guidelines, as amended.

Section 214. Storage, transfer and cleanup charges.

Pursuant to chapter 5 of the Scottsdale Revised Code, the city may remove and impose storage, removal and transfer charges upon any property unlawfully located in an airpark taxilane safety area. The city may clean up any material unlawfully spilled, placed or otherwise deposited in an airpark taxilane safety area and may charge the responsible person(s) for the cost of the

cleanup, any required environmental remediation, and expenses incurred by, or fines or damages imposed on, the city as a result thereof.

Section 215. Property damage, injurious or detrimental activities.

No person shall destroy, deface, injure or disturb in any way an airpark taxilane safety area or conduct in the airpark activities that are injurious, detrimental or damaging to an airpark taxilane safety area or to activities and business of the airpark. Any person causing or liable for any damage, shall be required to pay the city, on demand, the full cost of repairs. Any person failing to comply with this section shall be in violation of these regulations and may be refused the use of an airpark taxilane safety area until the city has been fully reimbursed for damage done.

Section 216. Disorderly conduct, intoxicating liquors, etc.

(a) No person shall:

1. Commit any disorderly, obscene or unlawful act or commit any nuisance in an airpark taxilane safety area.
2. Drink any intoxicating liquor upon any portion of an airpark taxilane safety area.
3. Become intoxicated on any portion of an airpark taxilane safety area.

(b) No intoxicated person shall enter upon or loiter on or about airpark taxilane safety areas.

Section 217. Commercial photography.

No person shall take still, motion or sound pictures of or on an airpark taxilane safety area for commercial purposes without first receiving a duly authorized permit from the city, written approval from the airport director, and paying the appropriate fee(s).

Section 218. Advertisements.

No person shall post, distribute or display signs, advertisements, circulars, printed or written matter on an airpark taxilane safety area without written permission from the airport director.

Section 219. Animals.

No person shall enter an airpark taxilane safety area with a dog or other animal unless restrained by a leash or properly confined as determined by the airport director.

Section 220. Obstacles.

- (a) With the exception of (c) below, no vehicles, aircraft or other objects may be parked, temporarily stored or left standing on any airpark taxilane safety area.
- (b) Pursuant to chapter 5 of the Scottsdale Revised Code, the airport director may cause to be removed from any airpark taxilane safety area any vehicle or aircraft which is disabled,

abandoned, parked in violation of these regulations, or any and all objects or other obstacles which present a hazard to aircraft, at the owner's or operator's expense and without liability for damage which may result in the course of such moving.

- (c) For properties with no staging area other than that located within the airpark taxilane safety area, aircraft or vehicles may be temporarily stopped in the safety area for no more than five (5) minutes (unless otherwise approved by the airport director), if located as close to the building as safely possible, attended at all times and able to be immediately moved, and are moved if necessary to allow aircraft to safely pass.

Section 221. Airport security.

- (a) Persons owning, operating or otherwise responsible for airpark property that contains any portion of the airport security perimeter (as defined by the airport director) shall at all times maintain and comply with an airport facility security plan that has been approved by the airport director.
- (b) Airpark aviation operators and/or persons conducting approved airport/airpark access through an aircraft access gate shall immediately report to the airport traffic control tower or the airport director, any operational failure of the access gate, or failure of the gate to fully close.
- (c) Any person who accesses an airpark taxilane safety area shall be responsible for their actions and all actions of any person to whom they provide access, whether directly or indirectly, and shall defend, indemnify and hold harmless the city from any damages or losses resulting there from, including any fines levied against the city by the FAA.

Section 222. Access codes/devices.

- (a) Only those persons who have been provided either a code or aircraft gate access device for the purpose of obtaining access to the airport shall use said airport-issued code/device and shall not divulge, duplicate or otherwise distribute the same to any other person, unless said persons are authorized by the aircraft owner to operate the registered aircraft, or are visitors operating aircraft in compliance with these regulations. Violations of the aforementioned regulation may result in the loss of access privileges pursuant to chapter 5 of the Scottsdale Revised Code.
- (b) An airport-issued aircraft gate access device shall be assigned to an individual aircraft by registration number or approved service vehicle, and may not be used by any other aircraft or vehicle other than that registered aircraft or vehicle, unless used to provide access for visiting aircraft with prior notice to the airport director. Only airport-issued access devices may be used to activate an airport access gate, unless otherwise approved in writing by the airport director.
- (c) The airport director may deny the issuance of, or demand the return of, an aircraft gate access device for violations of chapter 5 of the Scottsdale Revised Code, the airport rules and regulations, and/or these regulations.

- (d) The aircraft gate access device remains the property of the city. The airport director reserves the right to inspect aircraft gate access devices in aircraft or vehicles in the airpark and/or conducting airport/airpark access.
- (e) Aircraft owners/operators shall not store their access device in an aircraft, unless the access device is stored within a locked and/or concealed location within the aircraft.

Section 223. Airpark security.

Persons owning, operating or otherwise responsible for airpark property shall at all times keep vehicular access points to the taxilane safety area closed when not in immediate use, and limit access from their property to the airpark taxilane safety area to registered aircraft, visiting aircraft and approved service vehicles.

Section 224. Temporary permits.

- (a) Notwithstanding any rules and regulations to the contrary, the airport director shall have authority to issue temporary permits and to establish procedures related thereto. A temporary permit shall only be issued when in the best interests of the City and when issuance will not adversely affect the public health, safety and general welfare.
- (b) Unless otherwise modified, suspended, revoked or rescinded, any permits issued hereunder shall terminate no later than June 30, 2010.
- (c) Unless otherwise modified, suspended, revoked or rescinded, this section shall sunset and terminate on June 30, 2010.

ARTICLE 300 AIRCRAFT REGULATIONS

Section 301. Landing and takeoff of helicopters.

No helicopter landing or taking-off in the airpark shall obstruct the taxilane safety area at any location where the exhaust or rotor down-wash may cause injury to persons or do damage to property or spread debris on an airpark taxilane safety area, aircraft parking and/or staging area.

Section 302. Qualifications to operate aircraft.

No person other than airpark aviation operators and visitors operating aircraft in compliance with these regulations shall operate said aircraft upon an airpark taxilane safety area, and/or conduct airport/airpark access.

Section 303. Disabled aircraft.

Airpark aviation operators and pilots shall be responsible for the prompt removal of disabled aircraft and parts thereof from an airpark taxilane safety area, unless required or directed by the airport director or the FAA to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the airport director may cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The city shall not be responsible for damage to disabled aircraft removed by the owner, the pilot, the city or other persons.

Section 304. Running of aircraft engines.

Aircraft engines shall only be run at idle except as may be necessary for safe taxiing operations or minimal preflight testing. All engine run-ups for maintenance testing purposes shall be performed in accordance with the airport rules and regulations.

Section 305. Exhaust and propeller blast.

No aircraft engine shall be started or aircraft taxied in an airpark taxilane safety area or at any location where the exhaust or propeller blast may cause injury to persons or do damage to property or spread debris on an airpark taxilane safety area, aircraft parking and/or staging area.

Section 306. Taxiing of aircraft.

No person shall taxi an aircraft without first taking all necessary precautions to prevent a collision with other aircraft, persons or objects. Aircraft shall not be taxied into or out of any hangar, shade, or other covered area. No person shall taxi an aircraft except on areas designated for taxiing and all taxiing shall be done in a safe manner. If it is impossible to taxi aircraft in compliance with this section, then the engine shall be shut off and the aircraft towed to the new location.

Section 307. Advisory prior to taxiing.

Prior to aircraft taxiing in an airpark taxilane safety area, during hours when the airport traffic control tower is in operation, aircraft operators shall utilize ground control frequency, 121.6 MHz, to broadcast to the airport traffic control tower their intentions to access the airport. Prior to aircraft taxiing in an airpark taxilane safety area, during hours when the airport traffic control tower is not in operation, aircraft operators shall utilize the common air traffic advisory frequency, 119.9 MHz, to broadcast their intentions and operate the pilot controlled lighting system as provided in the Aeronautical Information Manual (AIM) Official Guide to Basic Flight Information and ATC Procedures to access the airport. If assistance is needed during the hours the airport traffic control tower is not in operation, "Airport Operations" or "Airport Security" can be contacted on 119.9 MHz.

Section 308. Aircraft accident reports.

Any persons involved in an aircraft accident occurring in an airpark taxilane safety area shall make a full report thereof to the airport director as soon after the accident as possible but in no event later than the time required for reporting the accident to the FAA or to any other governmental agency, or within forty-eight (48) hours of the accident, whichever is sooner. The report shall include the names and addresses of the persons involved, and a description of the accident and its cause. When a written report of an accident is required by federal or state law, regulation, or agency, a copy of such report shall also be submitted to the airport director.

Section 309. Visiting aircraft.

Non-based (i.e. visiting/transient) aircraft may only conduct airport/airpark access upon authorization by an airpark aviation operator or other person owning, leasing or otherwise controlling airpark property, and in accordance with the following:

- (a) Only airpark facilities with aircraft staging areas located outside of the taxilane safety area may receive visiting aircraft, and the visiting aircraft must be parked at that location;
- (b) Visiting aircraft may not receive fuel from airpark fuel facilities, receive maintenance, or remain overnight more than three (3) consecutive calendar days;
- (c) The airpark aviation operator receiving the visitor must notify airport operations in writing via the visiting aircraft fax notice form in advance of the visiting aircraft's arrival at the airport;
- (d) If the visitor is unfamiliar with the access route to the airpark destination, the airpark aviation operator shall provide an escort to the airpark destination;
- (e) There is compliance by the visiting aircraft and the airpark aviation operator with these regulations.

Section 310. Based aircraft storage requirements.

- (a) An Airpark-based aircraft shall only park at its based location.

(b) The maximum number of aircraft that may be lawfully based at an airpark hangar/shade/tiedown area shall not exceed the lesser of:

1. One (1) aircraft for each aircraft “slot” available at the airpark location, as determined in this section.

(1) The number of slots shall equal the total amount of enclosed non-hangar gross floor area at the storage location (expressed in square footage) divided by one-thousand (1,000), and rounded to the next lowest whole number. For example, if the enclosed non-hangar gross floor area totals ten-thousand nine-hundred (10,900) square feet, then the maximum number of slots shall equal ten (10).

(2) Hangars/shades that received approval of the development review board prior to November 5, 1985, and which do not include enclosed non-hangar gross floor area, or in those instances where the enclosed non-hangar gross floor area is less than one-thousand (1,000) square feet, the number of slots shall equal the total amount of hangar gross floor area at the hangar storage location (expressed in square footage) divided by one-thousand (1,000), and rounded to the next lowest whole number.

(3) A slot shall be considered to be occupied by a based aircraft for a minimum of six (6) months or for so long as the aircraft is based at the location if in excess of six (6) months.

(4) Replacement aircraft may be substituted for a slot aircraft only if the slot aircraft’s hangar or operating lease terminates (but in no event prior to thirty (30) days from the commencement of said lease), or if the slot aircraft is sold and the replacement aircraft is based at the airpark location. In such case, a new six (6) month time period for the slot begins with the replacement aircraft.

(5) Except as provided in subsection (4), replacement aircraft shall not be substituted for aircraft no longer based in the airpark location.

2. The number of aircraft that can physically and operationally fit into the hangar/shade/tiedown area at any one time if all based aircraft were present. The hangar/shade operator or aircraft owner/operator shall:

(1) Submit a dimensional plan-view drawing of the hangar/shade/tiedown and associated aircraft for approval or denial by the airport director.

(2) If, in the determination of the airport director, the dimensional plan-view drawing is insufficient to demonstrate the ability to base all aircraft in the hangar/shade/tiedown location, at the airport director’s discretion all or some of the based and proposed based aircraft will be required to be simultaneously placed in the hangar/shade/tiedown location for review by the airport director.

ARTICLE 400 VEHICLES, PEDESTRIANS, ETC.

Section 401. General requirements.

No person shall operate a vehicle in an airport taxilane safety area except in accordance with the rules prescribed by the airport director and all federal, state and local laws.

Section 402. Licensing, and insurance.

No person shall operate a vehicle of any kind in an airport taxilane safety area without a valid state operator's license. All vehicles authorized to operate in an airport taxilane safety area shall at all times maintain at least the minimum coverages and amounts of vehicle liability insurance required by state law.

Section 403. Control of vehicles.

No person shall operate or park a vehicle in an airport taxilane safety area in a manner prohibited by signs, pavement markings, or other signals posted by the city or by regulations or rules established under this article. The airport director has plenary power to regulate or prohibit any class or type of vehicle or any other type or class of wheeled vehicle or other form of transport that operates in an airport taxilane safety area.

Section 404. Travel in airport taxilane safety areas.

Travel through an aircraft access gate by a vehicle or pedestrian not authorized by the Airport Director shall be prohibited. All vehicles, pedestrians and any other persons in an airport taxilane safety area shall yield the right-of-way to aircraft and will immediately exit the taxilane safety area to allow aircraft to pass unimpeded. No person shall enter any city-owned airport area posted as being closed to the public, except with the consent of the airport director. Airport taxilane safety areas shall only be used by authorized vehicles, which include all airport administration vehicles, fixed base operator fuel trucks, and other vehicles as authorized by the airport director. Vehicles shall access aircraft staging areas only by vehicle access gates for the same property as the staging area, and only with approval of the property owner, lessee, or airport aviation operator. Airport director consent is required before vehicles may traverse an airport taxilane safety area to reach their destination.

Section 405. Speed limits.

All vehicles in an airport taxilane safety area shall be operated in strict compliance with all posted speed limits. The maximum speed limit for all vehicles in an airport taxilane safety area is fifteen (15) miles per hour, or less if required to insure safe operation.

Section 406. Scooters and miscellaneous vehicles.

No person shall use in any airport taxilane safety area any go-cart, go-ped, mo-ped, skateboard, rollerblades, all-terrain vehicle or other vehicle not licensed, or otherwise permitted by state law, for operation on a public street or highway. This section does not pertain to city vehicles or vehicles used solely for tugging, marshaling or refueling of aircraft.

Section 407. Vehicle accidents.

The driver of any vehicle involved in an accident in an airport taxiway safety area which results in injury or death to any person, or damage to any property, shall immediately stop such vehicle at the scene of the accident, render reasonable assistance to a person injured in the accident, including making arrangements for the caring of the person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that treatment is necessary or if the caring is requested by the injured person; and give his name, address and operator's license and registration number to the person injured, the airport director and to any police officer or witnesses of the accident. The operator of such vehicle shall make a report of such accident in accordance with state law and provide a copy of same to the airport director.

Section 408. Careless operation, driving while intoxicated, etc..

No vehicle shall be operated in any airport taxiway safety area:

- (a) In a careless, negligent, or reckless manner;
- (b) In disregard of the rights and safety of others;
- (c) Without due caution or circumspection;
- (d) At a speed or in a manner which endangers or is likely to endanger persons or property;
- (e) While the driver would be prohibited by law from operating an automobile upon the public streets of the city due to drug or alcohol impairment or influence;
- (f) If the vehicle is so constructed, equipped or loaded as to endanger or be likely to endanger persons or property, or to result in the load or other materials becoming separated from the vehicle;
- (g) If the vehicle is so equipped, without operating headlights, tail lights, turn signals, and brake lights during hours of darkness or during inclement weather, or
- (h) In a manner that does not allow the vehicle to be immediately driven or towed away from any nearby aircraft in case of emergency.

ARTICLE 500 FUELING, FLAMMABLE FLUIDS, AND SAFETY

Section 501. Fuel safety.

All transportation, storage and other handling of aircraft and vehicle fuel within the airpark shall comply with the Uniform Fire Code, as amended, the National Fire Protection Association's codes and standards, as amended, FAA Advisory Circular 150/5230-4, as amended, all requirements of these regulations, and all other applicable laws.

Section 502. Aircraft fuel servicing locations.

All aircraft fueling/defueling shall be performed outdoors. Aircraft fueling/defueling in the airpark may only be conducted by; (1) an approved on-airport fixed base operator; or (2) an airpark aviation operator fueling its airpark-based aircraft at its based location and pursuant to an airport approved self-fueling permit. Fueling/defueling of non-based aircraft or aircraft not at its based location is prohibited.

Section 503. Removal of gas, oil, grease, aircraft washing effluent, etc.

In the event of spillage or dripping of gasoline, oil, grease, aircraft washing effluent or any material which may be unsightly or detrimental to an airpark taxilane safety area, the same shall be removed immediately and the incident reported to the airport director within two (2) hours. The responsibility for the immediate removal of such gasoline, oil, grease, aircraft washing effluent or other material shall be assumed by the operator or owner of the equipment causing the same or the property owner responsible for the deposit. In the event of such spillage, and the failure of the operator or owner to restore the area to its original safe and environmentally sound status, the city may clean up any material unlawfully spilled, placed or otherwise deposited in an airpark taxilane safety area and may charge the responsible person(s) for the cost of the cleanup, any required environmental remediation, and expenses incurred by, or fines or damages imposed on, the city as a result thereof. Such an event may constitute grounds for denying access to the airport in accordance with the provisions of chapter 5 of the Scottsdale Revised Code.

Section 504. Fire extinguishers.

- (a) All airpark aviation operators shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by the city or fire department. Each fire extinguisher shall carry a suitable tag showing the date of most recent inspection.
- (b) At least two (2) fire extinguishers, each having a rating of at least 20-BC, shall be available for use in connection with the aircraft fuel handling operations.

Section 505. Unauthorized fuel possession and storage.

Except as expressly permitted by these regulations, no person shall possess aircraft fuel in the airpark.

Section 506. Fuel storage permit.

The operator of an airpark fuel storage area shall meet, and at all times maintain compliance with, the following conditions before the city will issue a fuel storage permit and consider it in good standing:

- (a) The fuel storage area shall be equipped with a fuel flowage meter of a type approved by the city;
- (b) If the hangar facility at which the fuel storage area is located is approved to conduct hangar/shade leasing and fuel is dispensed into based aircraft, the fuel flowage meter shall be calibrated and copies of the test results provided to the airport director upon request; and
- (c) The identification number ("N" number) of the aircraft based in the airpark shall be reported monthly to the airport in a form and manner acceptable to the airport director.
- (d) Aircraft fuel dispensed from the fuel storage area shall only be supplied to aircraft issued an airpark access permit to be based on the same property as the fuel storage area. No retail aircraft fuel sales shall take place in the airpark.

Section 507. Moveable aircraft fuel storage tanks.

Unless otherwise approved by the airport director and city fire department, moveable aircraft fuel storage tanks are prohibited in the airpark except for:

- (a) Aircraft-fuel trucks and trailers constructed, operated and maintained in all respects as required by law. Such aircraft-fuel trucks and trailers shall be owned and operated solely by a fixed base operator.
- (b) Permanent fuel tanks in an operable aircraft.
- (c) Tanks not exceeding one (1) gallon capacity used solely for sampling and testing fuel, engines and fuel handling apparatus.
- (d) No more than one (1) tank with a capacity of not more than fifty-five (55) gallons used by a person to fuel his own aircraft pursuant to a self-fueling permit.
- (e) Tanks lawfully transporting fuel for immediate dispensing into a fuel storage area permitted by the city.

Section 508. Aircraft owner self-fueling.

Except as may be prohibited by other provisions of these regulations and any other applicable law, airpark aviation operators who desire to self-fuel their airpark-based aircraft, shall apply for and receive a self-fueling permit approved by the airport director prior to conducting self-fueling.

Section 509. Inspection of fuel facilities and records, meter readings and reporting.

- (a) The airport director shall have a right of access onto private property in the airpark for the purpose of inspecting fuel facilities and equipment. Fuel storage and dispensing records shall be subject to inspection by the airport director upon reasonable notice. Such inspection may include, but not be limited to, taking meter readings, reviewing and inspecting fuel storage records, fueling apparatus, training records, emergency equipment, and any and all material for safe fuel handling.
- (b) Not later than the last day of each month, airpark aviation operators who conduct self-fueling shall submit to the airport, in a form acceptable to the airport director, a monthly fuel inventory reconciliation report for the immediately preceding month. At a minimum, the report shall include:
 - 1. The type and amount of fuel dispensed into all aircraft, fixed wing and helicopters.
 - 2. The type and amount of fuel received, spilled, leaked, de-fueled from aircraft or otherwise accounted for.
- (c) At the time of submission of its monthly fuel inventory reconciliation report, each airpark aviation operator shall remit to the airport, in a manner acceptable to the airport director, all applicable fees then due under the airpark rates and fees schedule.
- (d) If required by state law, airpark aviation operators shall submit annual tightness testing reports to the city fire department no later than twenty (20) calendar days after such testing is performed.

Section 510. General insurance requirements.

Any person owning, operating or otherwise responsible for an airpark aircraft fuel storage facility shall at all times comply with federal, state and local law concerning insurance, liability and financial responsibility for fuel storage facilities including, but not limited to 49 U.S.C. § 1001ff and 40 C.F.R. 280 *et seq.*

Section 511. Aircraft fuel storage facility requirements

Aircraft fuel storage facilities shall be permitted only if the facility is constructed and maintained in accordance with these regulations and the following:

- (a) The aircraft fuel storage and dispensing area is for noncommercial, private use only by the owner or occupant.
- (b) Aircraft fuel storage areas shall only be constructed after written approval of the airport director and after issuance of all applicable city permits.
- (c) Fuel storage and dispensing area shall not be approved and operated except in conjunction with aircraft storage that meets the requirements of these regulations.
- (d) There shall be a maximum of two (2) aircraft fuel storage and dispensing areas on each building site, if the requirement for separate aviation fuel types dictates.

- (e) Total aircraft fuel storage shall not exceed thirty thousand (30,000) gallons.

Section 512. On-site aircraft fuel truck.

- (a) One (1) on-site aircraft fuel truck shall be permitted to operate in conjunction with an approved and permitted on-site fuel storage facility, in accordance with the Airpark Rules and Regulations, at an airpark location that has:
 - 1. Authorization for six (6) or more aircraft access permits and;
 - 2. A staging area greater than or equal to the size of all hangar(s) on the site.
- (b) The on-site aircraft fuel truck shall comply with all sections of Article 500 of the Airpark Rules and Regulations, as determined by the airport director.
- (c) The on-site aircraft fuel truck shall not be fueled from any source other than the approved on-site fuel storage facility.
- (d) The on-site aircraft fuel truck shall be prohibited from leaving the premises of the approved on-site fuel storage facility in which it is associated, except may be transported off-site for the purposes of repairs or sale.
- (e) The on-site aircraft fuel truck shall be painted in a generic fashion with no fuel brand name indicated. The on-site aircraft fuel truck shall, however, have all appropriate placards/identification as required by the city fire department and/or Airport/Airpark Rules and Regulations or Minimum Operating Standards.
- (f) The on-site aircraft fuel truck shall have a maximum capacity of five-thousand (5,000) gallons.
- (g) The on-site aircraft fuel truck shall be stored outside and not less than one-hundred (100) feet from a building or such other distance as shall be approved in written by the airport director and city fire department.
- (h) The on-site aircraft fuel truck shall be parked in a manner that provides a minimum of ten (10) feet of separation between said vehicle and any other vehicle or aircraft refueling device.
- (i) Violation of any part of this section will result in immediate suspension of all airpark fueling privileges, pending a permit revocation hearing in accordance with Scottsdale Revised Code section 5-701 through 5-705.

ARTICLE 600 FEES

Section 601. Airport/airpark access fee.

Any person owning or operating an aircraft based in the airpark, shall pay an airport/airpark access fee as listed in the airport/airpark rates and fees schedule on file with the city clerk, and shall pay any and all accrued fees.

Section 602. Airport/Airpark fuel flowage fee.

A person owning, operating or otherwise responsible for an airpark fuel storage area shall report fuel flowage by aircraft and pay a monthly fuel flowage fee for the total amount of fuel flowage at the fuel storage area, in addition to any other fee, as established in the airport/airpark rates and fees schedule on file with the city clerk.

Section 603. Airpark gate access device deposit.

- (a) Upon payment of a deposit as listed in the airport/airpark rates and fees schedule on file with the city clerk, satisfying all applicable airpark rules and regulations, and having been granted an approved airpark access permit, an aircraft gate access device shall be issued to:
1. An airpark aviation operator only for use in conjunction with the registered aircraft for which the airpark gate access device was issued, or visiting aircraft pursuant to article 300.
 2. An operator of an approved government-owned vehicle with a bona fide official need to access the airpark through the airpark aircraft access gates.
 3. An on-airport fixed base operator for use by approved fueling or other service vehicle.
- (b) The deposit shall be refundable only after cancellation of the approved airpark access permit and upon return of the aircraft gate access device in good working order.

Section 604. Airpark commercial aeronautical activity fee.

Any person engaged in commercial aeronautical activity in the airpark shall pay an aeronautical business permit fee as listed in the airpark minimum operating standards.