

## CHAPTER 13.39. - VANCE BRAND AIRPORT RULES AND REGULATIONS

### Sec. 13.39.010. - Introduction.

A. *Definitions.* The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*14 CFR* means title 14 of the Code of Federal Regulations.

*Agent* means a person acting on behalf of another.

*AGL* means above ground level.

*Air show* means aviation activities on the airport or within the airport traffic area for the purpose of aerobatics, fly-bys, aerial competition, for entertainment or for promotion.

*Aircraft* means a device that is used or intended to be used for flight in the air.

*Aircraft operator* means any representative of the aircraft owner, or in the case of a leased aircraft, any representative of the lessee empowered to enter into agreements with the city regarding use of the airport by an aircraft.

*Airport* means all of the sponsor-owned or leased real or personal property, buildings, facilities, and improvements within the boundaries of the Vance Brand Municipal Airport, as it presently exists or as it may exist when it is hereafter modified, expanded, or developed. The term "airport" also includes all of its facilities as shown on the most current airport layout plan.

*Airport advisory board* means an advisory board appointed by the council pursuant to section 2.94 to advise on matters relative to the development and utilization of the airport.

*Airport airside* means the entire area inside the perimeter fence.

*Airport landside* means all airport property outside the fenced perimeter of the airport.

*Airport manager* means the designated individual or duly authorized individual appointed by the city manager to administer and manage all operations and aspects of the airport and airport facilities, and to supervise all airport projects.

*Airport movement area* means all numbered runways and alphanumeric taxiways.

*Airport operation area* means any area inside the perimeter fence where aircraft operate, including all runways, taxiways, taxi lanes, and parking aprons/ramps.

*Authorized emergency vehicle* means any vehicle operated by a governmental or emergency service

such as law enforcement agencies, fire departments, the Federal Aviation Administration (FAA), the National Transportation Safety Board (NTSB), airport management, operations vehicle during an emergency, and private ambulance companies.

*Aviation-related activities* means activities or services directly related to or necessitated by aircraft operation.

*Based aircraft* means any aircraft that is based at or operated from the airport for more than 50 percent of any year.

*City fire marshal* means the duly appointed city fire marshal, or designee or appointee, having authority for fire suppression, fire prevention and safety inspections at the airport.

*Commercial operator* means a fixed base operator, specialized aviation service operator, nonstandard specialized aviation service operator, nonairport-based operator, or other person or entity engaged in sales or services to the public.

*CTAF* means the common traffic advisory frequency, presently 122.975 MHz, used by pilots to advise each other of their aircraft location, altitude, and intended direction of flight.

*Federal Aviation Regulations* means and includes the regulations codified at 14 CFR and all mandatory applicable FAA orders and advisory circulars.

*Fixed base operator (FBO)* means a commercial operator engaged in the sale of products, services, and facilities to aircraft operators, including aviation fuels and lubricants, ground services and support, tie-down, hangar, parking, aircraft maintenance, and general rental/flight training.

*Glider* has the same meaning as set forth in 14 CFR 1.1.

*Hangar operator* means a person who owns a hangar and uses it for subleasing, renting, or a commercial service to make money by subleasing or renting.

*Hangar owner* means a person that operates or owns a hangar not used for an FBO, SASO, commercial operator subleasing and/or renting, or non-aviation service.

*Hazardous materials* means any hazardous or toxic substance, material, or waste which is or becomes regulated by any federal, state, political subdivision, or local government agency. The term "hazardous materials" includes, without limitation, any material or substance that is:

- (i) Defined as a hazardous substance, under state law;
- (ii) Petroleum;
- (iii) Asbestos;
- (iv)

Designated as a hazardous substance, pursuant to section 311 of the Federal Water Pollution Control Act (33 USC 1321);

- (v) Defined as a hazardous waste, pursuant to section 1004 of the Federal Resource Conservation and Recovery Act (42 USC 6903);
- (vi) Defined as a hazardous substance, pursuant to section 101 of the Comprehensive Environmental Response, Compensation and Liability Act (42 USC 9601); or
- (vii) Defined as a regulated substance, pursuant to subchapter IX, Solid Waste Disposal Act (Regulation of Underground Storage Tanks) (42 USC 6991).

*High capacity aircraft* means any aircraft with 30 or more passenger seats.

*Lighter-than-air* has the same meaning as set forth in 14 CFR 1.1.

*Maintenance* means activities as defined in 14 CFR 1.1.

*May* means have the right or permission to do so, but not the obligation.

*Motor vehicle* means any motorized vehicle designed for movement of goods or people upon the ground.

*MSL* means the altitude above mean sea level.

*NFPA* means the National Fire Protection Association.

*Noise abatement procedures* means voluntary procedures outlined for airport operations in order to reduce the impact of airport noise on surrounding areas.

*Non-airport based operator (NABO)* means a person or business that has access to the airport or its infrastructure from outside the airport property; or that utilizes airport property to provide a commercial aeronautical activity or service on the airport, but does not lease space on the airport for such activity. However, a person conducting activities that the FAA considers use of the National Airspace System (NAS) shall not be considered to be a non-airport based operator.

*Nonstandard specialized aviation service operator (NSASO)* means a person or business that leases, subleases, or rents space at the airport and provides a commercial aeronautical activity or service, but does not meet the minimum standard of an FBO or SASO.

*NOTAM* means a "Notice to Air Men" notice available from the FAA to alert pilots of potential hazards that could affect the safety of flight.

*Owner* means any person holding the legal title of a motor vehicle, hangar lease, aircraft, or leaseback arrangement as shown by proof of title as registered with the county, the state, the city, or the FAA Registration Branch.

*Pattern altitude* means the altitudes as described in section 13.39.040.K of these rules and regulations while in the airport's traffic pattern.

*Pilot in command* means the person aboard the aircraft who is ultimately responsible for its operation and safety during flight, as defined by federal aviation regulations, which commences with the aircraft's first movement under its own power for the purpose of flight and ends when the aircraft comes to rest after landing.

*Property owner* means any person who has an ownership, leasehold, or other legal interest in personal or real property at the airport.

*Public area* means all portions of the airport open to public use, including roadways, sidewalks, parking areas, observation areas, and all land not under a current lease, excluding hazardous areas such as the airport movement area, FBO maintenance shops, or other areas as posted by the airport manager or designee.

*Regulations* means the Vance Brand Airport Rules and Regulations set forth in this chapter, as amended.

*Risk manager* means the risk manager for the city.

*Rotorcraft* has the same meaning as set forth in 14 CFR 1.1.

*Runway incursion* means any occurrence at the airport involving the incorrect presence of an aircraft, vehicle, or person on the airport movement area.

*Self-fueling* means refueling of an aircraft with his or her employees and using his or her own equipment, and cannot be contracted out to another party. Self-fueling differs from using the self-service fueling pumps made available by the airport, FBO or SASO. (See FAA AC 150/5230-4B.)

*Self-service* means the servicing of an aircraft by the owner of the aircraft with his or her employees and using his or her own equipment. See 14 CFR, part 43 for allowed activities. (See FAA AC 150/5230-4B.)

*Shall* means it will be done, must happen, and/or someone is obligated to do so.

*Skydive operator* means a person conducting commercial operations at the airport by providing parachute jumping services to the public. Except where inconsistent with the context, the term "skydive operator" also includes all the skydive operator's officers, employees, agents, and all pilots engaged in providing the skydive operator's services.

*Skydiver* means any person parachuting from an aircraft operated as part of the operations of a skydive operator.

*Specialized aviation service operator (SASO)* (formerly known as a specialty based operator, or SBO) means a commercial aeronautical business that is authorized to offer a single or limited service

according to the established minimum standards for commercial service providers for the airport. Examples of an SASO include, but are not limited to, the following commercial aeronautical activities: flight training, aircraft maintenance, air charter or taxi, skydiving, aircraft sales, avionics maintenance, aircraft rental and sales, and aircraft storage.

*SWMP* means stormwater management program.

*Tenant* means any person who occupies the whole or any part of a building or land on the airport, whether alone or with others.

*Transient aircraft* means all aircraft on the airport that are not based aircraft, as defined in this section.

*Unauthorized landing* means a landing on real or personal property without prior express permission of the property owner.

*UNICOM* means an air-ground communication facility operated by a non-air traffic control agency to provide advisory service at uncontrolled aerodromes and airports and to provide various nonflight services.

B. *Purpose and applicability.*

1. This chapter details the rules and regulations for all persons operating to, from, visiting, performing contractual obligations, or holding a lease at the airport.
2. These regulations, and any amendments thereto, are designed to promote the highest and best use of the airport property as an airport, protect the public health, safety, interest and general welfare at the airport, and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the airport by its lessees, consumers and users.
3. All activities and operations at the airport must comply with all applicable requirements of these regulations, this Code, and the Federal Aviation Regulations, as amended. In the event of any inconsistency between the regulations, this Code, or Federal Aviation Regulations, they shall apply in the following order: Federal Aviation Regulations, regulations, this Code.
4. The city has authority over renovation, construction and demolition of structures at the airport pursuant to title 15. No renovation, construction or demolition may occur unless the owner has a valid lease with the city, written approval of the airport manager, and a lease in good financial standing with the city, and approved building permits issued by the city.
5. The city has the proprietary right to designate parcels of property for non-aeronautical use with FAA approval and will charge non-aeronautical fair market value for such designated

property.

6. Liability and indemnification. The city assumes no responsibility or liability for any loss, injury or damage to persons or property caused by any reason, including, without limitation, fire, theft, vandalism, wind, or other natural causes, nor does the city assume any liability for injury to any person or property while at the airport or while using any of the public or private facilities at the airport. Nothing in these regulations constitutes a waiver by the city of any rights, immunities, privileges or limitations on liability available to the city under common law or the Colorado Governmental Immunity Act (C.R.S. § 24-10-101 et seq.).
- C. *Responsible party.* Any person accessing or using the airport shall be responsible for their actions and all actions of any person to whom they provide or facilitate access, whether directly or indirectly.
- D. *Emergency contingencies.* In any emergency contingencies not specifically covered by these regulations, the airport manager is authorized to make such rules and render such decisions as deemed proper providing they are posted at the airport manager's office and on the city's website. Any such rule or decision shall not continue beyond the duration of the emergency.
- E. *Amendment of regulations.*
  1. Any change in regulations adopted by the FAA that affects these regulations shall supersede the pertinent regulation without requiring any immediate action on the part of the city.
  2. Any person may request a change in these regulations. The request for a change in these regulations must be presented in writing to the airport manager. The request for change must be accompanied by a statement itemizing the reasons for a change or a new regulation, and an analysis of how the proposed change would improve the airport, either aesthetically, financially, or enhance airport operations or safety. The request will be reviewed by the airport manager and the airport advisory board which may, at their discretion, send the recommendation to the council.
  3. A copy of these regulations and all relevant airport documents will be made available at the airport manager's office and on the city's website.
  4. The airport advisory board shall review these regulations from time to time.

(Code 2009, § 13.39.010; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.020. - Authority over operations, enforcement and penalties.

- A. The city manager, assistant city manager, or airport manager may deny use of the airport, or the airport facilities, to any person for reason of safety or for violation of these regulations or

Code applicable to the airport.

- B. The city is the owner, operator and manager of the airport, and the city manager or designee, including the airport manager, shall have sole authority to enforce these regulations. This authority shall extend to control of leases; maintenance of grounds and facilities; operation of the airfield, including landing areas, taxiing areas, and public areas; inspection of all structures for compliance with these regulations and the Code; airport improvement; and aviation or non-aviation activities held upon the area owned or leased by the city.
- C. All persons, whether under lease with the city, sublease thereof or otherwise, shall abide by these regulations and all applicable provisions of the Code. Each FBO, SASO, hangar operator, and hangar owner shall be responsible to inform any sub-lessee, subcontractor, co-owner, or others operating on or from the person's leased area of these regulations and applicable provisions of the Code, and shall be responsible for their actions.
- D. The city manager, airport manager, city fire marshal, or their designees, and other officials with enforcement authority or responsibility pursuant to these regulations or the Code, shall have reasonable right of entry into all areas of the airport, including all parts of structures, in the performance of their duties, for the purposes of enforcing these regulations and the Code. If entry is denied, the authorized representative shall have recourse to every remedy provided by law to secure entry. In the case of an emergency, airport employees and emergency responders shall have the right of entry to any building at the airport without advanced notification. The city shall notify the tenant as soon as practicable of the specific circumstances that required emergency entry into their building.
- E. If the city manager or designee, including the airport manager, determines that there has been a violation of these regulations, the airport manager, after consultation with appropriate city staff, will decide on the corrective course of action, including, but not limited to, any or all of the following: the issuance of a municipal summons and complaint; a written notice of violation; revocation of a permit issued to commercial operators by the airport manager; or other appropriate measures consistent with airport lease agreements and related documents.
- F. If the airport manager elects to issue a written notice of violation, the notice must be personally delivered or sent by certified mail and shall set forth the violation and the date by which the violation must be corrected. The person notified must respond in writing within ten business days of receipt of the notice that they will comply with the notice and set forth what measures they will implement to prevent a similar violation in the future. If the person notified fails to respond within such ten-day period or fails to correct the violation within the time set forth in the notice, the city may resort to all other available remedies, including, but not limited to, issuance of a municipal summons and complaint.
- G. In addition to seeking any other prescribed penalties for a violation of this chapter, if any

lessee leasing land at the airport, or the lessee's sub-lessee, fails to maintain the leased area as set forth in these regulations, the city or its authorized agents may, upon providing 30 days' prior written notice, enter the area to correct the maintenance deficiency and charge the person the city's cost to correct the deficiency. The lessee or sub-lessee must pay the city this amount within 60 days after the city sends the lessee or sub-lessee a bill for this amount. Failure of the person to pay this amount within such 60 days is a violation of this chapter.

- H. The court shall punish a violation of this chapter by a fine of up to \$500.00.
- I. Any commercial operator whose permit has been revoked pursuant to this section may appeal the revocation pursuant to chapter 2.98 by filing a written notice of appeal with the airport manager within 15 days of the date of the notice of revocation. The hearing shall be held no later than 30 days after the written notice of appeal is filed with the airport manager.
- J. In addition to any other remedies or penalties for a violation of this chapter, the city attorney may bring and pursue conclusion actions to prevent, enjoin, or abate any violation of this chapter.
- K. The remedies provided in this section are cumulative and the airport manager and city may invoke any or all of these remedies.

(Code 2009, § 13.39.020; Ord. No. O-2016-42, § 1, 6-14-2016)

#### Sec. 13.39.030. - General rules and regulations.

- A. *Maintenance of premises.* All persons, whether under lease with the city, sublease thereof or otherwise, shall be fully responsible for all damage to facilities, equipment, real property, related appurtenances, and all other improvements in the ownership, care, custody, or control of the airport caused by the person, lessee, or by their employees, agents, customers, visitors, suppliers, or persons with whom they do business.
- B. *General conduct.* No person may utilize leased premises, public areas, and/or any facility of the airport for temporary or permanent lodging or other purposes in lieu of a residence, hotel, motel, or other public accommodation without prior written approval of the city. Such approval may only be granted for the purpose of accommodating participants and sponsors of air shows, airport special events, or emergency situations.
- C. *Abandoned, derelict or lost property.*
  - 1. Abandoned, derelict or lost property found in public areas at the airport, including, without limitation, aircraft, vehicles, equipment, machinery, baggage, or parts thereof should be reported (and/or turned in) to the airport manager.
  - 2. Property, including aircraft, unclaimed by their proper owner 30 days after notice by the airport manager may be legally disposed of. Notice shall be sent by first class mail to the

last known address of the owner if such address is known. If the address is unknown, the notice shall be published in a newspaper of general circulation in the city. The notice shall include a description of the property.

3. Disabled, derelict or damaged aircraft or parts shall be stored out of public view or removed from the airport. Consideration is given to circumstances beyond the aircraft owner's or operator's control regarding maintenance issues. Any aircraft disabled, wrecked, or damaged and not removed 30 days after notice or posting from the airport manager may be considered abandoned and legally disposed of. Such determination shall be made at the discretion of the airport manager, or city manager's designee. Notice may be given by posting it on the aircraft or parts, first class mail to the last known address of the owner, or by publication in a newspaper of general circulation in the city.
4. Abandoning an aircraft anywhere on the airport is prohibited. To the extent required to restore normal airport operations, the airport manager, at the risk and expense of the aircraft operator or owner, may remove damaged aircraft without liability for damage arising from or out of such removal.

D. *Use of roadways and walkways.*

1. No person shall travel on the airport other than on the roadways, walkways, or places provided for the particular class of traffic.
2. No person shall occupy the roadways or walkways in such a manner as to hinder or obstruct their proper use.
3. Driving upon or crossing of the airport movement area by nonauthorized vehicles is prohibited.

E. *Trash and other waste containers.*

1. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, and litter of any kind shall not be placed, discharged, or deposited at the airport, except in proper receptacles.
2. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, and litter of any kind shall not be allowed to accumulate in hangars or businesses at the airport.
3. Airport businesses shall keep their areas clean and sanitary at all times and arrange for the emptying of their trash receptacles.
4. Individuals accessing the airport are responsible for removal of the garbage, empty boxes, crates, rubbish, trash, papers, refuse, and litter generated by their presence.
5. Waste oil, chemicals, garbage, sludge, ashes, trash, or any other waste material shall not be disposed of on airport property. All paper, cans, bottles, or similar trash must be put in appropriate waste receptacles for disposal off site.

F.

*Fire.*

1. Fire extinguishers shall be in hangars and maintained in accordance with chapter 20 of the International Fire Code and/or chapter 16.32.
2. All persons, whether under lease with the city, sublease thereof or otherwise, shall comply with all directives issued by the airport manager regarding the removal of fire hazards, arrangement or modification of vehicles or equipment, or altering operating procedures considered unsafe from a fire prevention standpoint.
3. Smoking, matches, lighters, or any open flames are prohibited within 50 feet of any aircraft that is being fueled/defueled, refueling vehicle or fuel storage facility.
4. Open flames, flame-producing devices and other sources of ignition shall not be permitted in a hangar or in any location within 50 feet of an aircraft-fueling operation, except in locations approved by the airport manager. This excludes open flames utilized by a lessee in performance of aircraft maintenance and heating devices.

*G. Hazardous waste and materials.*

1. No person shall store, keep, handle, use, dispense, discharge, or transport any hazardous materials at the airport in contravention of any applicable laws, rules and regulations. Proper permits must be obtained from the appropriate agency and copies must be presented to the airport manager.
2. Lubricating oils and hazardous liquids shall be disposed of in a manner compatible with these regulations, the SWMP, the International Fire Code, and the Colorado Revised Statutes.
3. No fuels, oils, dopes, paints, solvents, acids, or any other hazardous materials shall be disposed of or dumped in drains, on aprons, catch basins, ditches, or elsewhere at the airport.
4. With permission of the FBO, used oil may be disposed of in collection vessels for off-site disposal.
5. Facilities (including hangar floors) shall be kept free from the accumulation of oil, grease, flammable liquids, rags, or other waste materials.
6. The use of volatile or flammable solvents for cleaning floors is prohibited.
7. Failure to clean the area and properly dispose of the substance may result in the airport providing cleanup and disposal at the expense of the responsible party.
8. All empty oil cans, paint cans, varnish cans, bottles, or other containers shall be removed from the airport in a timely manner and shall not remain on the floor, wall stringers, or overhead storage areas of the hangars, offices, shops, or other buildings.

9. Gasoline, oil and solvent drums or receptacles shall not be stored within aircraft or vehicle operating areas nor be in excess of amounts actually needed as current stock. Any such material shall be kept enclosed and covered in a clearly labeled housing of a design and type that meets the approval of the airport manager and city fire marshal.
10. Secondary containment is required for the storage of gasoline, oils, solvents, and hazardous materials in accordance with chapter 50 of the International Fire Code.

H. *Environmental cleanup.*

1. No person shall discharge any substance in or upon the airport in contravention of any applicable laws, rules, or regulations. Proper and applicable permits must be obtained from the appropriate agency and copies must be presented to the airport manager.
2. The state requires an immediate notification to the airport manager of any hazardous spill in excess of 25 gallons.
3. Hazardous spills that require reporting include, but are not limited to, jet fuel, gasoline, fuel oil, hydraulic oil, motor oil, turbine oil, alcohol, glycol, and all similar chemicals that could be considered hazardous.
4. In the event a hazardous spill occurs of any magnitude, the responsible party of such spill shall take appropriate action in the containment, cleanup, and rehabilitation of such hazardous spill. For any spill that is considered reportable, the responsible party shall notify the airport manager and any other appropriate agencies and departments. Should the city determine in its sole discretion that during the course of an environmental incident the responsible party is not capable of, has not, or refuses to take the appropriate action in a timely manner to mitigate the adverse environmental incident, then the city reserves the right to take action and/or employ those services that the city determines appropriate to control and/or cleanup the site. The cost of such services shall be borne by the responsible party.
5. If any person uses, dispenses, or stores any hazardous materials in such a way as to be subject to any of the requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA), 42 USC 11001 et seq., such person shall be responsible for any reporting obligations under EPCRA. The airport will not be responsible for compliance with any EPCRA requirements, except to the extent the airport itself stores, uses, or transports hazardous materials.

I. *Painting.*

1. Doping processes, painting, or paint stripping shall be performed only in facilities approved for such activities in accordance with chapter 4 of the International Building Code and approved by the city fire marshal.

2. Such areas shall display the appropriate hazardous materials placard in accordance with the state's department of transportation regulations.

J. *Storage of materials and equipment.*

1. Operators and/or lessees shall store, stack, box, or bag material (or equipment) in such manner as to preclude creating any hazard, obstructing any operation or littering.
2. Storage of materials or equipment shall not be permitted outside without the express written permission of the city.

K. *Compressed gases.* Cylinders or tanks not in use shall be stored appropriately in accordance with the International Fire Code and International Building Code.

L. *Lubricating oils.* A total of up to 60 gallons of lubricating oils having a flash point at or above 150 degrees may be stored in hangars, provided that the product is stored in the original container and has the original manufacturer's labeling (or the product is stored in other suitable containers approved by the airport manager). Larger quantities may be stored in accordance with applicable laws, rules and regulations.

M. *Signs.* No person may erect, paint, or maintain any sign on the airport without the prior written consent of the city which the city may grant or deny in its sole discretion.

N. *Discrimination.* No person, in the use of the airport's land and improvements, shall discriminate against any person or class of persons by reason of race, color, religion, sex, national origin, age, or disability in providing any products or services or in the use of any of the airport's land and improvements provided for the public, or in any manner prohibited by other applicable legal requirements.

O. *Assembly and demonstration.*

1. This section is intended to promote the free exercise of personal rights of individuals embraced by the First Amendment to the Constitution of the United States, and article II, section 10 of the state constitution, and balance those rights against the safe and efficient operation of the airport as a nonpublic forum.
2. No person shall engage in picketing, marching or demonstrating at the airport for any reason without prior written permission by the city manager or designee. If granted, such written permission shall specify the area of the airport on which picketing, marching or demonstrating shall be permitted, the date and time such activity shall be permitted, and any other reasonable conditions that the city manager or designee may deem necessary for the safety of persons and property or for the efficient operation and security of the airport.
3. All authorized picketing, marching and demonstrating shall be conducted:
  - (i) In a peaceful and orderly manner;

- (ii) Without physical harm, molestation, threat or harassment of any person;
- (iii) Without obscenities, violence, breach of the peace, or other unlawful conduct;
- (iv) Without obstructing the use of the airport by others;
- (v) Without hindrance to or interference with the proper safe, orderly and efficient access to and from, and operation of, the airport and activities conducted thereon; and
- (vi) In strict conformance with any operating procedures governing such activities at the airport and the direction and conditions prescribed in writing by the city manager or designee.

(Code 2009, § 13.39.030; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.040. - Aircraft rules and regulations.

A. *General.* Activities at the airport shall conform to all applicable provisions of this Code, including these regulations and the Federal Aviation Regulations, as amended.

B. *Based aircraft registration.*

1. Information of aircraft based at the airport (commercial or noncommercial) shall be provided to the airport manager and must be updated annually within 30 days of January 1. Such information shall include the following:
  - a. Aircraft make and model;
  - b. Aircraft registration number; and
  - c. Aircraft owner name, address and telephone number.
2. Lessees are responsible for ensuring the required information has been provided to the airport manager.
3. Based aircraft operators must have a tie-down agreement or hangar lease with either the airport or an authorized FBO, or rent hangar space from an approved tenant of the airport. Transient aircraft operators must check in with the FBO and provide the FBO with contact information in case of emergency. For arrivals after business hours, information should be provided the next day during business hours if the aircraft remains for that amount of time.

C. *Hours of operation.*

1. The airport is available for use 24 hours per day, seven days per week unless otherwise indicated by NOTAM.
2. The airport manager may authorize aviation related activities based at the airport which may negatively impact airport availability to individual owners, property owners and tenants. No person may conduct such activity without the express prior written permission

of the airport manager. Examples of such activities include air shows, fly-ins, special aircraft operations, balloon operations, glider operations, and emergency relief operations. Skydiving, parachuting, and ultralight operations using the normal airport movement area do not require written permission; however if the operations are being conducted on unleased property and areas outside the airport movement area, express prior written permission is required.

*D. Accidents or incidents.*

1. Aircraft operators involved in an accident on the airport resulting in any injury (or death) to a person or damage to property shall make a full and prompt report of the accident to the airport manager, complete any necessary reports and forms, and comply with all applicable provisions of the National Transportation Safety Board Regulations, part 830.
2. Damage to property includes, but is not limited to, damage to a runway, taxiway, apron, navigational aid, light, fixture, building or other structure, fence or other airport property.
3. In case of an incident, accident, or emergency the operator of any aircraft or vehicle shall make certain that the aircraft or vehicle is not moved or tampered with in any manner, unless specifically required to prevent loss of life or property, recovery of a deceased body, to secure hazardous materials, authorized by the NTSB or FAA or in the event that the NTSB or FAA waive jurisdiction, authorized by the airport manager or law enforcement personnel. Once authorization to remove the aircraft has been issued, the aircraft operator shall make immediate arrangements to have the aircraft removed.
4. If immediate arrangements are not made, the airport manager may have the aircraft removed at the aircraft operator's sole risk and expense without liability for damage arising from or out of such removal.
5. Airport tenants shall immediately report all thefts of airport property to the airport manager.
6. Any person involved in or witnessing a vehicle, aircraft, or pedestrian incident or accident at the airport resulting in any injury (or death) to a person or damage to property shall remain at the scene, notify the airport manager immediately, and provide all pertinent information as requested. No vehicle shall be removed from the accident until proper permission is given by the airport manager or the public official who is the incident commander.
7. No person shall enter upon the airport operation area, landing areas, aprons, or taxiways of the airport for the purpose of attending, observing, or assisting at the scene of an accident, except persons requested or permitted to do so by the airport manager, law enforcement, or those public officials authorized as incident commanders with the

following exception: if someone is rendering immediate first aid or lifesaving assistance, they may do so to save life or limb until arrival of properly trained first responders, emergency responders, or the airport manager, at which time, the person rendering assistance shall follow instructions given by the incident commander.

8. The airport manager shall determine when normal operations may resume.
9. In the absence of the airport manager the city manager or designee shall assume responsibility for all airport operations.

E. *Aircraft maintenance.*

1. Maintenance in accordance with the applicable section of 14 CFR, parts 43, 91, 135, and 145 may be performed on aircraft located in hangars.
2. Aircraft maintenance within hangars shall be limited to that specifically permitted by the occupancy code rating established in the International Building Code and in compliance with the directives of the city fire marshal.

F. *Aircraft cleaning.* Aircraft cleaning shall be performed in a manner which prevents contamination of surrounding soils and runoff of stormwater.

G. *Aircraft parking and storage.*

1. Aircraft shall be parked only in those areas designated for such purpose by the airport manager and shall not be positioned in such a manner so as to block a runway, taxiway, taxi lane, their associated safety or object free areas, aircraft run-up areas, access to hangars, parked aircraft or parked vehicles.
2. Unless under lease with the city, or as otherwise authorized by the airport manager or authorized FBO, no person shall use any area of the airport for the parking or storage of aircraft.
3. Should a person park an aircraft in violation of these regulations, then, to the extent required to restore normal airport operations, the airport manager may remove and store the aircraft at the expense of the aircraft operator without liability for damage that may arise from or out of such removal or storage.
4. Aircraft operators shall ensure parked and stored aircraft are properly secured as set forth in FAA AC 20-35C. Parked aircraft should not have parking brake set in event the airplane must be moved by the FBO or airport manager in accordance with these regulations.
5. The aircraft operator shall be responsible for aircraft security and should follow the guidelines and recommendations contained in the current version of TSA Information Publication A-001, Security Guidelines for General Aviation Airports, and Aircraft Owners and Pilots Association Airport Watch Program materials.

H.

### *Aircraft operations.*

1. Operating an aircraft in a careless, unsafe, negligent or reckless manner, in disregard of the rights and safety of others, without due caution and circumspection, or at a speed or in a manner which endangers, or be likely to endanger persons or the property of any person is prohibited.
2. Operating an aircraft constructed, modified, equipped, or loaded as to endanger, or be likely to endanger persons or the property of any person is prohibited.
3. Aircraft operators shall not land, take off, taxi, or park an aircraft on any area that has been restricted to a maximum weight-bearing capacity of less than the weight of the aircraft at the time of using such area without the express written permission from the airport manager.
4. Aircraft operators shall be responsible for the costs of any repairs and damage to the airport's runways, taxiways, or aprons caused by excessive aircraft weight bearing.
5. Air shows and performance of aerobatic maneuvers of aircraft are not permitted within the airport property without prior written permission of the airport manager and the FAA.
  - a. The airport manager shall not grant permission without FAA clearance or exemption and approval of an insurance policy by the risk manager.
  - b. The insurance policy shall cover all claims resulting from the event and indemnify and hold the city harmless against all claims, demands, liabilities, damages, suits, actions, judgments, fines, penalties, losses, and expenses, including attorneys' fees arising in any manner from the air show, contests, demonstration or exhibition.
6. No person, without specific written permission from the airport manager and in compliance with these regulations and the Code, shall collect any monies for use of any airport public area.
7. Airborne radar equipment shall not be operated or ground-tested in an area where the directional beam of such radar, if high intensity (50 KW or greater output) is within 300 feet or, if low intensity (less than 50 KW output) is within 100 feet of another aircraft, an aircraft refueling operation, an aircraft refueling vehicle, or a fuel storage facility.

#### *I. Taxiing operations.*

1. Aircraft operators shall obey all pavement markings, signage, and lighted signals unless the airport manager or designated representative directs otherwise.
2. The following runway and taxiway weight limitations for single and dual gear aircraft shall not be exceeded without prior approval from the airport manager. The following are weight limits for runways 11—29 and taxiways A and B:
  - a.

Single gear: 30,000 pounds.

b. Dual gear: 45,000 pounds.

J. *Skydive operations.*

1. All skydive operations will comply with applicable state and federal statutes, regulations, advisory circulars, the United States Parachute Association (or other nationally recognized skydiving organization's) basic safety requirements (BSRs), and parachute licensing procedures.
2. The skydive aircraft will announce on the Vance Brand Airport CTAF frequency, as frequency congestion allows, skydivers jumping two minutes before the jump and when jumpers exit the aircraft.
3. Skydive operators must provide the airport manager with a copy of their standard operating procedures (SOPs) which set forth the procedures they will utilize to minimize and prevent unauthorized landings. These SOPs will be used by the city manager or designee, including the airport manager, to evaluate unauthorized landings and determine if there has been a violation of these regulations.
4. The airport manager shall designate the authorized parachute landing area. All parachute landings outside of this area are unauthorized unless specifically authorized by the airport manager.
5. Skydive operators and skydivers shall take every reasonable measure to prevent and refrain from unauthorized landings. It is an affirmative defense to a charge of violating this subsection that the unauthorized landing resulted from an emergency that neither the skydive operator nor the skydiver could avoid.
6. Unauthorized off-site landings by skydivers shall be reported to the airport manager by the responsible skydive operator within 24 hours after learning of the event.
7. Each skydiver must acknowledge, in a form approved by the airport manager, risk manager, and city attorney that the city bears no liability for any loss, injury, death, or damage to persons or property arising from the skydiver's activities and operations whether such loss, injury, or death occurs at the time of the incident or follows as a result of such incident.
8. Each skydiver must agree, in a form approved by the airport manager, risk manager, and city attorney, to indemnify and hold harmless the city and each of its councilmembers, officers, officials, representatives, agents, employees, successors and assigns against all claims, demands, liabilities, damages, suits, actions, judgments, fines, penalties, losses, and expenses, including attorneys' fees by the skydiver or others, arising from the skydiver's activities and operations.

9. Each skydive operator shall comply with administrative procedures, which the airport manager may issue, and shall keep and produce for inspection and copy such records and reports as the airport manager may require.

K. *Traffic patterns.*

1. Aircraft should conform to the following traffic pattern altitudes, unless otherwise specifically authorized by air traffic control or necessary for safety of flight as determined by the pilot in command:
  - a. Small general aviation aircraft: 1,000 feet AGL;
  - b. Larger and turbine general aviation aircraft: 1,500 feet AGL;
  - c. Helicopters: 500 feet AGL; and
  - d. Ultralight and gyrocopters: 500 feet AGL.
2. All aircraft should fly the traffic pattern in accordance with the recommendations of the FAA Advisory Circular 90-66A, unless otherwise published in the airport facility directory or by NOTAM.
3. Recommended traffic patterns for noise abatement procedures for airplanes, rotorcraft, ultralight, and gyrocopters may vary from the above recommended procedures and should be followed when possible. These patterns are published on the city's airport department webpage.
4. Aircraft limitations. The following categories of aircraft require the prior permission of the airport manager before conducting any operations at the airport: gliders, with the exception of self-launch gliders; lighter-than-air aircraft; banner or glider towing; powered parachutes; paragliders; agricultural operations; firefighting operations; single gear aircraft operating above 30,000 pounds; or dual gear aircraft operating above 45,000 pounds.

L. *Restricted activities.* Unless otherwise approved by agreement, aircraft operators and owners shall provide advance notification to the airport manager before engaging in any of the following activities and shall conduct these activities in accordance with the specific requirements stipulated by the airport manager:

1. The landing upon or taking off of ultralight vehicles to and from unleased property or other areas not designated as airport movement area, unless approved in writing by the airport manager;
2. The landing upon or taking off of airships, dirigibles, blimps, balloons, and other certified lighter-than-air aircraft which utilize gasses or hot air to provide lift;
3. The landing upon or taking off of aircraft which tow banners or other devices;
4. Powered parachute or paraglider operations;

5. Operation of model (hobbyist) aircraft;
6. Operators of unmanned aerial vehicles (UAV) or unmanned aircraft systems (UAS) within five miles of the airport shall comply with all applicable legal requirements. This may include, but is not limited to, notifying and obtaining written permission from the airport manager to fly UAV or UAS within protected airspace;
7. Operation of aircraft with a maximum certificated takeoff weight in excess of the published weight-bearing capacity for the runway and/or taxiway;
8. Landing or taking off with flammable, explosive or corrosive materials, except those which are carried aboard (and necessary) for the operation of the aircraft or use by crewmembers or passengers. All shipments of hazardous material shall comply with regulations established in 49 CFR, parts 100—199 and any other applicable legal requirements governing such shipments. Hazmat and aircraft rescue and firefighting equipment and trained personnel will be required for this type of operation as a precautionary measure. Costs associated with trained hazmat personnel and related equipment shall be borne solely and completely by the aircraft operator or owner.

(Code 2009, § 13.39.040; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.050. - Hangars.

- A. Hangars shall be used as a hangar facility for the storage of aircraft, aircraft parts, aircraft tools, and aircraft equipment owned, leased or subleased by a lessee and for other purposes authorized by these regulations, as adopted or amended from time to time. A lessee may store limited quantities of non-aviation-related items as long as the principal use of the hangar is for the storage of aircraft. Determination of the appropriateness of the items to be in storage shall be the sole responsibility of the airport manager or the city manager's designee. A lessee shall have no right to use its leased premises, or any improvements thereon, other than as specifically allowed under this subsection. A lessee shall perform all activities on the premises according to federal aviation regulations and these regulations, as adopted or amended from time to time.
- B. Items stored within a hanger shall not hinder the ability of the aircraft to egress or ingress.
- C. Aircraft parked in hangars shall be parked in a manner so as to be completely contained in the hangar and not to obstruct adjacent aircraft parking, storage areas, taxiways, or taxi lanes, except for temporary staging or fueling of such aircraft.
- D. Any person wanting to enter into a lease with the city to establish a hangar at the airport that does not meet the requirements of an FBO or SASO, must meet all other requirements of these regulations, including those set forth in this section and all applicable provisions of this

Code.

- E. The council may require a person wanting to operate or own a hangar to construct or lease a building on the airport with adequate space to house the aircraft and provide adequate parking.
- F. The council may require a person wanting to operate or own a hangar to make other improvements either on the leased premises or on the airport to provide an adequate aircraft maneuvering area and taxiway to the public areas on the airport.
- G. The hangar operator or hangar owner shall not provide or allow services to be provided from the hangar to the general public, unless approved as an FBO, SASO, or other allowed use.
- H. Notwithstanding any other provisions of these regulations, the city may, with FAA approval, designate any area of the airport for non-aeronautical uses. Any person wanting to operate a non-aeronautical use at the airport must enter into a lease with the city in accordance with the applicable provisions of these regulations and this Code.

(Code 2009, § 13.39.050; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.060. - Ground vehicle rules and regulations.

A. *Ground vehicle operations.*

1. It is prohibited to operate a ground vehicle on the airport in a careless, negligent, unsafe or reckless manner, in disregard of the rights and safety of others, without due caution and circumspection, or at a speed or in a manner which endangers or is likely to endanger persons or property.
2. Vehicle operators shall report all motor vehicle accidents, as defined by state law, which occur on airport property to the airport manager and the city police department.
3. Airport landside speed limits. Vehicles, except for authorized emergency vehicles responding to an emergency, shall not be operated on the airport in excess of the posted speed limits or in excess of any speed stipulated in these regulations. In areas where signs, markers, or devices are not used or posted, the speed limit shall be 25 miles per hour.
4. Airport airside speed limits. Vehicles, except for authorized emergency vehicles responding to an emergency or airport management and operation vehicles responding to an emergency, shall not operate on the airport airside within 50 feet of aircraft at speeds in excess of 15 miles per hour.
5. Vehicle operators shall yield the right-of-way to pedestrians, emergency vehicles (or equipment), snowplows, and aircraft.
- 6.

Vehicle operators shall comply with any order, signal, sign, or directive of the airport manager or law enforcement personnel.

B. *Ground vehicle operations within the airport movement area.*

1. Only authorized vehicles may operate in the airport movement area.
2. Vehicles used in the airport movement area shall be painted and marked in a manner approved by the airport manager and be equipped with an approved and fully operational amber or red (authorized emergency vehicles only) rotating, flashing, or steady beacon on the roof or uppermost point of the vehicle in compliance with the current version of the FAA Advisory Circular 150/5210-5.
3. All airport vehicles, authorized by the airport manager to operate on the airport movement area, shall be equipped with a functioning two-way radio capable of communicating on the proper aeronautical frequencies (ranging from 108.00 MHz to 136.00 MHz). Such vehicles shall also display yellow or amber flashing lights.
4. The beacon shall be activated by the vehicle operator prior to entering the airport movement area and shall remain in operation while the vehicle is in the airport movement area.
5. The airport manager may restrict vehicles to a certain portion or segment of the airport. Under special circumstances, the airport manager may authorize vehicles not in compliance with the marking and communication criteria, set forth herein, to operate within the airport movement area.
6. Within the airport movement area, the recreational use of bicycles, ATVs, three-wheelers, scooters, mini-bikes, go-carts, rollerblades and skateboards is prohibited. It is prohibited to drive an unmarked personal vehicle or golf cart in the airport movement area unless specific written permission for each instance is obtained from the airport manager. The airport manager may issue an approval to FBOs and SASOs for aircraft towing and other purposes necessary for the normal conduct of their business in utilizing the airport movement area. Individual tenants needing to tow aircraft on taxiways without a runway crossing may also receive an approval for such activity. It is prohibited to drive from the north hangar area to the south hangar area, or the reverse, by way of the airport movement area.
7. Aircraft have the right-of-way over pedestrians, bicycles, vehicles, including authorized emergency vehicles, and any other mode of transportation other than aircraft.

C. *Pedestrian operations.*

1. Explicit authorization from the airport manager is required for pedestrians to cross the runway and taxiways and their associated safety areas, except for emergency and

authorized personnel.

2. Runway incursions are to be reported to the airport manager.

D. *Parking or stopping.* Vehicles shall not be parked or stopped:

1. In such a manner so as to obstruct a parking lot lane, driveway, roadway, walkway, crosswalk, fire lane, runway, taxiway, taxi lane, access to hangars, parked aircraft or parked vehicles;

2. Within 15 feet of a fire hydrant or fire lane, or restricting the access to or from the fire hydrant or fire lane;

3. Other than in accordance with restrictions posted on authorized signs;

4. Parking on airport property intended for the airport's tenants, users and their customers, and parking in the airport landside parking areas is limited to 72 hours;

5. The airport manager may designate or restrict areas for both public and tenant parking.

(Code 2009, § 13.39.060; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.070. - Commercial operations and fueling.

A. *Overview.* With the exception of NABOs and NSASOs, all commercial operators shall lease or build adequate facilities to accommodate all planned activities, obtain the requisite permits and approvals to legally operate, employ personnel who hold the appropriate licenses and certifications, and make their services available to potential customers.

B. *All commercial operators must meet and comply with the airport's minimum standards for commercial service providers.* Any person providing a commercial service or activity at the airport must have obtained a permit for such services from the airport manager after first having received any required approval from the city in order to operate at the airport. The permit will be issued in the form and manner as issued by the airport manager.

C. *Self-fueling/self-servicing.*

1. Aircraft operators are permitted to fuel, wash, repair, or otherwise service their own aircraft, provided there is no attempt to perform such services for compensation or hire from others and, further provided, such services are otherwise in compliance with these regulations.

2. An aircraft operator may hire an individual to provide, under the direction and supervision of the aircraft operator, services on the aircraft operator's aircraft.

D. *Refueling, defueling and fuel storage; general.*

1. *Fueling permit.* A person wanting to fuel aircraft at the airport must possess a valid aircraft fuel-dispensing permit issued by the airport manager. A commercial fuel-dispensing

permit is required by any FBO at the airport who wishes to sell fuel to the general public. A noncommercial fuel-dispensing permit is required for any person who wishes to fuel their own aircraft. A fuel-dispensing permit is available from the airport manager.

2. Refueling, defueling, and fuel storage on the airport shall conform to the current applicable provisions of 14 CFR and all appropriate NFPA guidelines.
3. Fuel transfers from one vehicle to another vehicle or from delivery vehicle to fuel storage facilities shall be bonded during the transfer process.

E. *Permit.*

1. Except as otherwise stated in these regulations, only an FBO shall refuel aircraft at the airport. The FBO must possess a valid commercial fuel-dispensing permit. The FBO shall meet the regulatory requirements of equipment, operations, and training, as stated in these regulations and this Code.
2. Any permit holder shall report any fuel dispensed during each calendar month and submit such report and the appropriate fuel flowage fees to the airport manager by the 15th day of the subsequent month.
3. The permit will be provided in the form and manner as issued by the airport manager.

F. *Refueling, defueling and fuel storage operations.*

1. A properly trained FBO employee shall be present and responsive at all times while fuel delivery vehicles transfer fuel into or out of any fuel storage facility.
2. The FBO employee shall remain within the immediate vicinity and in direct view of all operating controls and equipment.
3. The FBO employee shall not leave the discharge end of any hose unattended while the transfer of fuel is in progress.
4. The FBO employee shall not block open, disengage, or deactivate the deadman handle while fueling or transferring fuel.
5. Aircraft shall not be refueled or defueled in an area where aircraft engines are operating, aircraft or engines are being warmed by application of heat, or while the aircraft is located in a hangar.
- 6.

Persons engaged in fueling, defueling, and oil servicing of aircraft (or vehicles), the filling of refueling vehicles, dispensing equipment; or the dumping, pumping, or loading of aviation fuels (or oils) into or from fuel (or oil) storage facilities shall exercise care and extreme caution to prevent fuel and oil spills. In the event that a spill of any magnitude should occur, all associated activities shall cease and the responsible person of such spill shall take appropriate actions in the containment, cleanup, and rehabilitation of such hazardous spill.

7. Refueling vehicles shall be positioned so that the vehicle can be directly driven away from the loading or fueling position in the event of a fire or spill.
8. Not more than one refueling vehicle shall be positioned to refuel each wing of an aircraft, and not more than two refueling vehicles shall be positioned to service the same aircraft.
9. When high-capacity aircraft are refueled, additional refueling vehicles shall not be parked or positioned within 100 feet of the aircraft.
10. Aircraft fuel handling shall be conducted outdoors and at least 50 feet from any combustion or ventilation air-intake to any boiler, heater, incinerator room, or as approved by the city fire marshal.
11. Pumps, either hand or power operated, shall be used when aircraft are fueled from drums.
12. Vehicles shall be refueled only at refueling stations and from dispensing devices approved by the airport manager.
13. No aircraft or vehicle shall be fueled or defueled if an electrical storm is in progress within five miles of the airport.
14. When aircraft are being fueled or defueled, the refueling vehicle shall be bonded to the aircraft.
15. Refueling vehicle operators shall not operate the vehicle in reverse within 30 feet of an aircraft or structure unless another person is present and capable of monitoring and directing the movement of the vehicle.
16. Aircraft shall not be fueled or defueled while passengers are on board unless a passenger-loading ramp is in place at the aircraft's cabin door, the door is in the open position, and an attendant is present at or near the door.
17. Smoking is prohibited in or about any aircraft, on any apron, or within 50 feet of an aircraft being fueled or defueled, or within 50 feet of any fuel storage and dispensing equipment.
18. During fueling operations, no person shall use any material or equipment that is likely to cause a spark or ignition within 50 feet of such aircraft or vehicle.
19. The city assumes no liability or responsibility for violations of any applicable fueling requirements and procedures.

20. The lessee shall be solely responsible for any violation or incident to or in connection with the lessee's fueling storage facilities, equipment, operations and training.
21. Fueling vehicles, fueling trailers, and any other type of fueling apparatus where fuel is contained shall be parked or stored on an impervious surface to prevent soil and groundwater contamination.

G. *Noncommercial aircraft fuel dispensing.*

1. There is a need for a variety of fuels and quantities an FBO may not stock due to business or other reasons. This section provides requirements for regulating such aircraft refueling operations and the issuance of a nonpublic aircraft fuel-dispensing permit.
2. Except for those who are fueling per allowance under subsection C of this section, any person, other than an FBO or SASO, wanting to fuel their own aircraft at the airport must have a noncommercial fuel-dispensing permit. The permit is available from the airport manager.
3. A person applying for a nonpublic aircraft fuel-dispensing permit, hereinafter referred to as the permittee, shall provide the airport manager with a detailed description of the intended fueling operation, including a description of the fueling equipment to be used.
4. All aircraft fueling operations conducted at the airport shall be conducted in compliance with NFPA 407, Standard for Aircraft Fuel Servicing, using equipment permitted by Standard 407.
5. The permittee shall immediately notify the airport manager of any fuel spill or hazardous condition that occurs at the airport.
6. The permittee shall be responsible for all costs associated with any fuel spill cleanup and removal of contaminated materials associated with the fueling operation conducted under these regulations.
7. The permittee shall have a minimum of a 20-BC rated fire extinguisher readily available while transporting or dispensing fuel at the airport.
8. The city's fire department representatives and the airport manager, or designee, may immediately suspend any fueling operation and revoke the fueling permit for violation of any item or term of a noncommercial fuel-dispensing permit, or for noncompliance with the adopted fire code.
9. Fueling vehicles, fueling trailers, and any other type of fueling apparatus where fuel is contained shall be parked or stored on an impervious surface to prevent soil and groundwater contamination.
10. Requirements for a noncommercial fuel-dispensing permit:
  - a. Prior to issuance of a fueling permit, and subsequently upon request by the airport

manager, the permittee shall provide evidence of ownership or a valid lease or rental agreement for any aircraft being fueled;

- b. The permittee shall not sell fuel to any person, nor shall any fuel be delivered into any aircraft not owned or leased by the permittee. Sale of fuel or unauthorized fuel delivery by the permittee to any person shall be grounds for immediate revocation of the permit;
- c. The permittee shall be required to pay all applicable fees and taxes;
- d. The permittee shall report any fuel dispensed during each calendar month and submit such report and the appropriate fuel flowage fees to the airport manager by the 15th day of the subsequent month;
- e. Refueling vehicles, fueling pumps, meters, hoses, nozzles, funnels, fire extinguishers, and bonding devices used during fueling operations shall be maintained in a safe operating condition and in good working order and repair at all times;
- f. Adequate and proper fire extinguishers shall be immediately available during all fueling and defueling operations;
- g. Adequate and proper absorbent and fuel spill containment capable of damming or diking a fuel spill shall be immediately available at all times;
- h. Each refueling vehicle shall have a minimum 15-gallon spill kit; and
- i. Each fuel storage facility shall have a minimum 55-gallon spill kit.

(Code 2009, § 13.39.070; Ord. No. O-2016-42, § 1, 6-14-2016)

Sec. 13.39.080. - Minimum standards for commercial service providers; adopted.

- A. Pursuant to C.R.S., title 31, art. 16, part 2, as amended, and article IV of the Charter, the Minimum Standards for Commercial Service Providers, Vance Brand Municipal Airport, dated May 16, 2016, is adopted, by reference thereto, to have the same force and effect as if set forth in this chapter in every particular.
- B. At the time of adoption, one certified true copy of the Airport's Minimum Standards for Commercial Service Providers, Vance Brand Municipal Airport, is on file in the office of the city clerk and may be inspected by any interested person between 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The city shall keep a copy of the adopted code in the office of the airport manager for public inspection. The Minimum Standards for Commercial Service Providers, Vance Brand Municipal Airport, as finally adopted, is available for sale at the office of the city clerk, at a price reflecting cost to the city as established by the city manager, pursuant to this Code.

(Code 2009, § 13.39.070; Ord. No. O-2016-42, § 1, 6-14-2016)