



Draughon-Miller Central Texas Regional Airport Temple, TX

Airport Rules and Regulations



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Operated by the City of Temple, TX

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Rules and Regulations

The Draughon-Miller Central Texas Regional Airport (hereinafter referred to as the “Airport” or “DMCTRA”), owned and operated by the City of Temple, Texas an FAA-designated General Aviation airport, located at 7720 Airport Road, Temple, Bell County, Texas, hereby establishes these Rules and Regulations, effective upon recommendation by the City of Temple Airport Advisory Board and approval by the City Manager to provide for the efficient and safe operation of the Airport and to provide a high level of aeronautical service for the citizens of Temple, Texas and the aviation public. These Rules and Regulations are authorized by the Texas Transportation Code, Chapter 22, “County and Municipal Airports.”

Definitions

The definition of "aircraft", "airplane", and other common terms used in these Rules and Regulations are as defined in Part 1, Code of Federal Regulations, Title 14, Aeronautics and Space, also referred to as the Federal Aviation Regulations (FAR).

Aeronautical Activity – any activity or service conducted at the Airport that directly or indirectly involves, makes possible, is required for or is related to the operation of aircraft, or which contributes to or is required for the safety of such operations.

Agreement – a written contract, lease, permit, license, or other similar document executed by and between City and a person specifying the terms and conditions under which a person may use or exercise a privilege in connection with the Airport, and which recites or specifies the terms and conditions under which such activities may be conducted, including, but not limited to, the agreement term, rents, fees, and other charges to be paid, and the rights and obligations of the respective parties.

Aircraft Charter or Air Taxi – the commercial air transport of persons or property under the provisions of 14 CFR Part 91 or 135, either on an exclusive contract basis, or as a non-exclusive air taxi operator.

Aircraft Owner – a person or other such entity holding legal title to an aircraft or having rights to exclusive possession of an aircraft via lease or other instrument.

Aircraft Painting and Interior Refurbishment – all commercial activities required for and related to the painting of aircraft exteriors, and to the functional and/or cosmetic replacement or reconditioning of aircraft cabin interiors, fixtures, etc. Such activities do not include those other activities more commonly associated with airframe and power plant maintenance, as defined in 14 CFR Part 43 and elsewhere in these Rules and Regulations.

Aircraft Rental – the commercial rental or lease of aircraft (fixed and rotary wing) to the public for compensation, for a defined period of time.

Aircraft Sales – the commercial sale of new or used fixed and/or rotary wing aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.

Aircraft Storage – refers to the commercial rental or lease of aircraft storage facilities within an operator’s owned or leased hangars or at outdoor tie down locations within the operator’s leasehold area. Such services are provided per written agreement between the operator and aircraft owner.

Airframe and Power Plant Maintenance – the provision of major aircraft maintenance services for fixed and/or rotary wing aircraft, including those services involving the repair, maintenance, inspection, construction, or modification, and/or alteration of/to aircraft, aircraft engines, propellers, or accessories, or the removal of engines for major overhaul as defined in 14 CFR Part 43. This service category also includes the sale of aircraft parts and accessories. It pertains only to the provision of such services for aircraft not owned, leased, or operated by, or under the full and exclusive control of, the operator. This term is applicable to organizations commonly referred to as “maintenance, repair, and overhaul” (MRO) operators or organizations and aircraft manufacturer service centers.

Airframe and Power Plant (A&P) Mechanic – a person holding an aircraft mechanic certificate with both airframe and power plant ratings, as authorized and described in 14 CFR Part 65.

Airport – Draughon-Miller Central Texas Regional Airport (DMCTRA), including all DMCTRA-owned or leased real or personal property, buildings, facilities, and improvements within the boundaries thereof, as it presently exists or as it may exist when it is hereafter modified, expanded, or developed, and including all facilities depicted on the most current *Airport Layout Plan*.

Airport Director or Director – the administrative head of the Airport Department of the City or his or her designee.

Airport Layout Plan (ALP) – the current, FAA-approved depiction of the physical layout of the Airport, including the location and configuration of runways, taxiways, buildings, roadways, utilities, navigational aids, etc.

Aviation Shop Repair Service – the fee-for-service operation of a single or combined FAA-certified shop or shops for the repair, service, replacement, or refurbishment of aircraft radios, propellers, instruments, and accessories for general aviation aircraft, including those items described in 14 CFR Part 43, Appendix A (e.g., aircraft radios, electrical systems, or instruments). Also includes the sale of new and/or used aircraft radios, propellers, instruments, and accessories.

Based Aircraft – an aircraft which the owner or lessee physically locates at the Airport for an undetermined period and, whenever absent from the Airport, its owner or lessee intends to return the aircraft to the Airport for long-term storage on a permanent or semi-permanent basis.

City – the City of Temple, Texas, the City Council of Temple, Texas, or the City of Temple’s or the City Council’s representative, employee, agent, or designee.

City Council – the governing body of the City.

City Manager – the City’s city manager appointed by the City Council or the City Manager’s designee.

Class I flammable liquids – will be defined as provided by the latest version of NFPA 30, Flammable and Combustible Liquids Code, published by the National Fire Protection Association (NFPA).

Class II flammable liquids – will be defined as provided by the latest version of NFPA 30, Flammable and Combustible Liquids Code, published by the National Fire Protection Association (NFPA).

Commercial Aeronautical Activity – the conduct of any aspect of an aeronautical activity business, concession, operation, or agency providing goods and services to any person or entity for compensation or hire, including an exchange of services, regardless of whether such objectives are accomplished. An activity is considered commercial regardless of whether it is performed for a for-profit, non-profit, charitable, or tax exempted entity.

Commercial Operator – a person, firm, corporation, or other entity (“operator”) which makes possible, or is required for, the operation of aircraft, or which contributes to, or is required for, the safe conduct and utility of aircraft operations, the purpose of such activity being to generate and/or secure earnings, income, compensation, and/or profit, regardless of whether such objectives are accomplished.

Exclusive Right – a power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right can be conferred either by express agreement, contract, license, or permit, by the imposition of unreasonable standards or requirements, or by any other means.

Fixed Base Operator (FBO) – a full-service Commercial Operator authorized and engaging in activities such as aircraft fueling, aircraft maintenance, and other aircraft-related services.

Flying Club – a non-commercial and non-profit entity organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the flying club owners on a pro-rata share basis and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain, and replace such aircraft.

Fuel Handling or Fueling – the transportation, sale, delivery, dispensing, storage, or draining of fuel or fuel waste products to or from aircraft, vehicles, or equipment.

Fuel Storage Area – any portion of the Airport designated and/or authorized temporarily or permanently by the Airport Director as an area in which aviation fuel, motor vehicle gasoline, or any other type of fuel or fuel additive may be stored or loaded.

General Aviation – all phases of aviation other than aircraft manufacturing, military aviation, and scheduled or non-scheduled commercial air carrier operations.

Light-sport aircraft – will have the same definition as the term “light-sport aircraft” in 14 CFR 1.1, as amended.

Limited and Miscellaneous Aircraft Service and Support – a Commercial Operator authorized to offer and/or perform one or more of the following limited or miscellaneous activities at or on the Airport: (i) limited aircraft, engine, or accessory maintenance, cleaning (including appearance services), or component repair; (ii) aviation ground school instruction and flight simulator training; (iii) charter flight coordination; (iv) aircraft and/or aircrew management; (v) aircraft ground handling (above- and/or below-wing); or (vi) other miscellaneous activities directly related to aircraft service and support not specified elsewhere in these Rules and Regulations. The term “limited” refers only to aircraft, engine, and accessory maintenance activities that may be permitted only in the absence of an appropriate airframe and power plant maintenance and/or aviation shop repair service presence on the Airport that is in full compliance with the Airport Minimum Standards and these Rules and Regulations.

Person - any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other entity or their legal representatives, agents, or assigns.

Pilot Flight Training – the provision of personal instruction of prospective and active pilots in dual and solo flight, in fixed or rotary wing aircraft, including related ground school instruction, as necessary to complete an FAA written pilot’s examination and flight check ride for various categories of pilots’ licenses and ratings. Said activities must be performed in accordance with 14 CFR Part 61, 14 CFR Part 141, and/or 14 CFR Part 142, all as amended.

Preventive Aircraft Maintenance – maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations, as listed in 14 CFR Part 43, except for Item 22. Item 22 involves the replacement of prefabricated fuel lines and will, for the purposes of these Rules and Regulations and the Airport Minimum Standards, be considered a “major” aircraft repair.

Self-Fueling – the dispensing of aviation fuels into fuel tanks of aircraft, which are owned or operated by an authorized Airport lessee or based aircraft owner, using the lessee’s/owner’s equipment and employees.

Self-Service – aircraft refueling, repair, preventive maintenance, towing, adjustment, cleaning, and general services performed by an aircraft owner or his/her employees on his/her aircraft using resources supplied by the aircraft owner.

Self-Service Fueling – the dispensing of aviation fuel into fuel tanks of aircraft by the operator of that aircraft using dispensing equipment contained in fixed cabinets that are owned and made available by an authorized Airport lessee within their leasehold area; also, the commercial operation of an unmanned stationary fuel tank and dispensing equipment for general use via a card reader. This includes the operations of anyone using this type of equipment to provide fuel for sale or reuse.

Specialized Aviation Service Operator (SASO) – a Commercial Operator maintaining facilities or a physical presence on the Airport for the purpose of providing one or more of the following: (i) aircraft charter or air taxi, including air ambulance and aeromedical evacuation services; (ii) aircraft painting and refurbishment; (iii) aircraft rental; (iv) aircraft sales; (v) aircraft storage; (vi) airframe and power plant maintenance; (vii) aviation shop repair services; and (viii) pilot flight training.

Specialized Commercial Flying Service – a Commercial Operator authorized to engage in air transportation for hire for the purpose of providing the use of aircraft for one or more specialized activities, including, but not limited

to: (i) non-stop sightseeing flights that begin and end at the same airport; (ii) crop dusting, seeding, spraying, and bird chasing; (iii) banner towing and aerial advertising; (iv) aerial photography or survey; (v) power line, cable, or pipeline patrol; (vi) firefighting; (vii) aerial dispersal of chemicals, dispersants, retardants, etc.; (viii) helicopter operations in support of construction or repair work; and (ix) any other activities directly related to air transportation services for hire that are not specified elsewhere in these Rules and Regulations.

Sublease – a written agreement, approved by the City Manager, stating the terms and conditions upon which a third-party operator leases space from an Airport leaseholder.

TxDOT – Texas Department of Transportation, Aviation Division.

UAV/UAS/Drone – an unmanned aerial vehicle (UAV), commonly known as a drone. An UAV is a component of an unmanned aircraft system (UAS).

Ultralight aircraft – refers to aircraft that fall within the description given in FAR, Part 103.

Section 1. Use of Airport Restricted

No person may use the Airport for any commercial activity unless such commercial activity is approved and is in compliance with the Minimum Standards, these Rules and Regulations, and Chapter 3, Airports and Aircraft, of the City's Code of Ordinances.

Section 2. General Rules and Regulations

The following rules and regulations must be observed in the use and operation of the Airport:

Rule 2-1. Federal Air Traffic Rules – Federal Air Traffic Rules of the Federal Aviation Administration (FAA) for aircraft operated within the United States, and presently or hereafter effective, are hereby referred to, adopted, and made a part hereof as though fully set forth and incorporated in these Rules and Regulations.

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

Rule 2-3. Through-the-Fence Operations – No person is permitted to direct ground access to the Airport by their aircraft, or customers' aircraft or vehicle from property adjacent to or in the immediate vicinity of the Airport, without prior coordination with TxDOT Aviation Division and the FAA. Furthermore, no person's aircraft or vehicle is permitted direct ground access to property from the Airport – a practice commonly known as a “through-the-fence operation” -- without prior coordination with TxDOT Aviation Division and the FAA.

Rule 2-4. Lien for Charges – To enforce the payment of any charge for repairs, improvements, storage, or care of any personal property by the City of Temple or its agents in connection with the operation of the Airport, the City may place a lien upon such personal property, which will be enforceable as provided by state law.

Rule 2-5. Lien Possessory Right – To enforce the payment of any such charge, the Airport Director may retain possession of such personal property until all reasonable, customary, and usual compensation has been paid in full.

Rule 2-6. Unauthorized Signs and Equipment – No signs, non-aeronautical equipment, portable buildings, or trailers may be erected, moved-in, or installed on Airport property, except as may be specifically authorized by the Airport Director.

Rule 2-7. Suspicious Activities – Any person observing suspicious, unauthorized, or criminal activities should report such activities immediately to the Airport Director, Temple Police Department,

officers of the Texas Department of Public Safety, Aviation Division, and the Transportation Security Administration General Aviation Information Hotline at 1-866-GA SECURE or 1-866-427-3287.

Rule 2-8. Wrecked Aircraft – Every aircraft owner, his/her pilot, or agents, is responsible for notifying the FAA of disablement or wreck of their aircraft and promptly removing disabled or wrecked aircraft from the operational areas of the Airport under the direction of the Airport Director.

Rule 2-9. Repairs to Aircraft –

- A. Repairs Outside a Hangar** – Aircraft repair is not permitted on any part of a landing or takeoff area. Any repairs taking place outside of a hangar must be made only at places designated and authorized by the Airport Director for such purposes.
- B. Major Repairs** – Major engine, airframe, or avionics repairs must be conducted by a properly licensed mechanic or other person authorized by the FAA within a hangar or building rented, leased, or owned for such commercial purposes.
- C. Preventative Maintenance** – Any preventative maintenance authorized by FAR Part 43 may be made by the owner or operator of any aircraft, but only within a hangar leased or owned by that aircraft owner or operator, or at places designated by the Airport Director for such purpose.

Rule 2-10. Damage to Airport – Any person causing damage of any kind to the Airport, whether through violation of any of these rules, through vandalism, or through any act of negligence, will be liable to the City for any and all damage caused.

Rule 2-11. Injury to Person – Persons entering the Airport groundside property by automobile, other vehicular conveyance, or on foot (does not include persons in aircraft using approved airside facilities) do so at their own risk and with no liability to the City of Temple for any injury or damage to person or property. Further, any person desiring to use the Airport must observe and obey all laws, resolutions, orders, rules, and regulations promulgated and enforced by the City or by any other Authority having jurisdiction over the operation of the Airport.

Rule 2-12. Licensed Pilots – Only aircraft with current and correct FAA Certificates of Registration and Airworthiness may take off or land at the Airport, and only persons holding valid and current airman certificates, and medical certificates issued by the FAA for those flight operations requiring medical certificates, will be authorized to operate aircraft upon the Airport except as provided in these Rules and Regulations. Ultralight aircraft operating under FAR Part 103 do not require aircraft registration, pilot certificates, or medical certificates. This requirement also does not apply to students-in-training operating under licensed instructors, public aircraft of the federal government or of a state, territory, or political subdivision thereof, or aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft. Use of the Airport for the operation of ultralight aircraft and light-sport aircraft in the weight shift control and powered parachute class will be subject to recommendation by the Airport Advisory Board and approval by the City Council and must be in accordance with FAA Order 5190.6 (latest change), and appropriate FARs (Part 61 and 103) and any other local laws, rules, regulations, or standards established by the City.

Rule 2-13. Registration – Each person owning an aircraft based at the Airport, or any person based and receiving flight instruction toward an FAA rating at the Airport must register at the office of the Airport Director and provide his/her name, address, telephone number, aircraft model, aircraft registration “N” number or make and model of aircraft for those aircraft not requiring registration (i.e. ultralight aircraft), and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.

Rule 2-14. Animals – No person may enter the Airport with a dog, cat, or other animal unless the animal is, and remains, restrained by a leash or properly confined as determined by the Airport Director. Service animals which are individually trained to do work or perform tasks for the benefit of an individual with a disability are permitted as authorized by the Americans with Disabilities Act. The service animal must

be under the control of its handler by harness, leash, or other tether, unless the handler is unable because of a disability to use a harness, leash or other tether, or the use of such device would interfere the animal's safe, effective performance of its work tasks, in which case the service animal must otherwise be under the handler's effective control (e.g. voice control, signals, or other effective means.)

Rule 2-15. Living Quarters – No person may make permanent living quarters on Airport property. Exceptions may be allowed to this rule for just cause, such as alert crew members or security personnel, will be coordinated with TxDOT.

Rule 2-16. Intoxicants and Narcotics Prohibited – No person under the influence of any intoxicant, narcotic, or other illicit drug may operate any aircraft to or from the Airport. Such prohibition does not apply to a passenger under the care of a medical doctor and accompanied by a doctor, nurse, or caretaker.

Rule 2-17. Foreign Objects – No foreign objects, including bottles, cans, scrap, nuts, bolts, nails, or any object that may cause damage to an aircraft, may be left upon the floor of any building, on the ramp space or a parking apron, or upon any part of the surface area of the Airport. Individuals should pick up any such foreign objects when observed and place them in a proper trash receptacle.

Rule 2-18. Litter – No boxes, crates, cans, bottles, paper, tall grass, weeds, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter is permitted to accumulate in or about a hangar, building, or other leased space. This list is not inclusive. If such trash and litter is permitted to accumulate around a privately owned, rented, or leased hangar, building, or other Airport property, the Airport Director will notify the applicable property owner, sublessee, lessee, or occupant in writing to remove the offending litter. If the litter is not removed within the time period specified in the notice, the Airport Director may have the area cleaned and the cost for such cleaning will be charged to the property owner, sublessee, lessee, or occupant.

The Airport Directory does not have to provide written notice and may remove the litter immediately if it poses an immediate threat to the public's health or safety. The cost for such cleaning will be charged to the applicable property owner, sublessee, lessee, or occupant.

Littering is an offense of both City ordinance and state law and is subject to criminal prosecution and other enforcement action.

Section 3. Ground Operations

Rule 3-1. Air, Ground, & Vehicular Traffic – No person may operate a vehicle on the Airport except in accordance with the following rules, and all federal, state, and local laws, rules, and regulations:

- A.** All vehicles must yield the right of way to any aircraft in motion and all emergency vehicles.
- B.** No vehicle, except ground service and emergency vehicles, is permitted to approach so close to any aircraft with a running engine(s) so as to create a hazard.
- C.** When an Airport access gate is closed, all vehicles entering or exiting an operating Airport access gate must wait for the gate to completely close behind them before proceeding to their destination so as to not allow the entrance of any other vehicle.
- D.** Any vehicle authorized to operate on the Airport runways or taxiways must display a rotating or steady beacon that complies with FAA Advisory Circular 150/5210 (latest change).
- E.** All vehicles that are authorized to operate on taxiways or the runways must be equipped with a two-way aviation radio, are required to monitor the published Common Traffic Advisory Frequency (CTAF) for the Airport and must have the ability to communicate with aircraft via a two-way aviation radio.

Rule 3-2. Speed Limits – All vehicles must be operated within the posted speed limits at the Airport. The maximum speed limit for all vehicles in the airspace area, with the exception of authorized municipal vehicles in the performance their official duties, is fifteen (15) miles per hour, unless otherwise posted.

Rule 3-3. Airside Vehicle Parking –

- A. No person may park or stop a vehicle on an area with grass, unless otherwise approved by the Airport Director.
- B. No person may park or stop a motorhome, recreational vehicle, camper, fifth wheel, trailer, or boat of any size airside. Other motor vehicles not listed in this Subsection B may be parked airside if the vehicle is parked in a designated area for parking such vehicle.
- C. No person may park or stop a vehicle in a manner so as to obstruct roadways.
- D. No person may park or stop a vehicle in any space marked for parking in such a manner as to occupy part of another marked parking space.
- E. No person may park or stop any vehicle in any reserved areas so marked, unless authorized to do so in an Airport Directive or with prior permission from the Airport Director. If a person is allowed to park a vehicle in a reserved area, the person's vehicle may be parked only in the space or area specifically assigned to the vehicle.
- F. Operators, Owners, Lessees, and Sublessees of the Airport and their employees may park their private vehicles only on their leased or owned premises, or in designated lessee, owner, or public parking areas, as designated by the City.
- G. Only those persons with authorization are permitted to park in City-owned parking lot(s). The Airport Director will establish and designate public parking areas.
- H. Motor vehicles parked in areas of the Airport without proper City authorization or in violation of these Rules and Regulations, Minimum Standards, or Chapter 3 are subject to impound. Impounded vehicles will be towed to the City's official vehicle impound area or other area designated by the City.

Rule 3-4. Airport Terminal/FBO Parking –

- A. Owners of vehicles that will be parked in the Airport Terminal/FBO parking lot for longer than 72 hours must provide their contact information and an estimated time of return to Airport staff.
 - 1. Motorhomes, recreational vehicles, campers, fifth wheels, trailers, and boats of any size may not be parked in the Airport Terminal/FBO parking lot for more than 72 hours, unless otherwise authorized in writing by the Airport Director.
- B. Vehicles will not be allowed to park in the Airport Terminal/FBO parking lot for more than 30 days without prior approval from the Airport Director.

Section 4. Airport Security

Rule 4-1. Security – The Transportation Security Administration publication "Security Guidelines for General Aviation Airport Operators and Users," Information Publication A-001, Version 2, dated July 2017, or the most currently updated version, is available for reference at the TSA's website – www.tsa.gov.

This document is used by the Airport as a guideline for security on the Airport and is incorporated by reference as a working document.

Rule 4-2. Access Codes/Devices – Persons who have been provided either a code or device for the purpose of obtaining access to the Airport may not divulge, duplicate, or otherwise distribute the same to any other person, unless otherwise approved in writing by the Airport Director.

Section 5. Aircraft Operation Rules

Rule 5-1. Aircraft Tie Downs –

- A. All aircraft not hangared must be tied down and have the wheels chocked when remaining at the Airport overnight and during inclement weather.

- B. All aircraft owners or their agents are responsible for the tie down and security of their aircraft at all times, particularly during inclement weather.
- C. Aircraft parked overnight on the transient apron must pay a tie down fee, in accordance with the Airport's most current Rates and Charges for each night, except such fee may be waived at the discretion of the Airport Director.

Rule 5-2. Running Aircraft Engines –

- A. Aircraft not equipped with adequate brakes must not be started until the wheels have been set with chocks attached to ropes or other suitable means of removing them.
- B. No aircraft may be started or left running without an aircraft mechanic, student pilot, or certificated airman immediately at the aircraft's controls.
- C. No aircraft engine may be started or run inside any building or hangar.
- D. No engine may be started, run up, or warmed up until and unless the aircraft is in such position that the propeller stream, or jet blast, will clear all buildings, other aircraft, and groups of people.

Rule 5-3. Damage to Airport Lighting – Any person damaging any runway, ramp, or taxiway light or fixture by operation of aircraft or otherwise must immediately report such damage to the Airport Director. Persons causing damage to runway or taxiway lights will be responsible for replacement cost of the light(s) and/or fixture(s).

Rule 5-4. Taxiing Aircraft –

- A. No person may taxi an aircraft until it is reasonably ascertained there will be no danger of collision with any person or object in the immediate area.
- B. Aircraft must be taxied at a safe and prudent speed and in such manner as to be under the control of the pilot in command at all times.
- C. Aircraft not equipped with adequate brakes may not be taxied near buildings or parked aircraft unless an attendant (wing-walker) is at a wing of the aircraft to assist the pilot.
- D. Aircraft may not taxi onto the runway from the ramp and taxiway area if there is an aircraft approaching to land or on the ground in takeoff position. Aircraft waiting on the taxiway for another aircraft to take off or land will remain behind the runway holding position markings.
- E. Aircraft must not be taxied by engine power into or out of any hangar.

Rule 5-5. Parking Aircraft –

- A. Unoccupied aircraft must not be parked or tied down within any protected area (object free area, runway safety area, etc.) as described in FAA Advisory Circular 150/5300-13 (latest change). All non-hangared aircraft must be parked in the areas designated by the Airport Director for that purpose.
- B. Aircraft must not be parked within fifty (50) feet of an aircraft fuel pump or fuel service truck parking area.
- C. Aircraft must not be parked in such a manner as to hinder the normal movement of other aircraft or vehicular or pedestrian traffic unless specifically authorized by the Airport Director as an emergency measure.
- D. It is the responsibility of the pilot in command when leaving a parked aircraft unattended to ensure that the brakes are set and/or the aircraft is properly chocked and/or tied down.

Rule 5-6. Wash Racks – Wash racks must only be used for purposes of washing and polishing aircraft, and any other purpose approved by the Airport Director. Washing and cleaning materials and run-off must be used and disposed of in compliance with all applicable federal, state, county, and local laws and

regulations, including but not limited to those promulgated by the Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA).

Rule 5-7. Loading and Unloading Aircraft – Loading or unloading aircraft with the engine running is prohibited. Any exceptions must be approved by the Airport Director.

Rule 5-8. Authority to Suspend Operations – The Airport Director may suspend or restrict any or all Airport or aeronautical operations whenever such action is deemed necessary in the interest of safety.

Rule 5-9. Standard Traffic Pattern and Altitude – All flight activity must adhere to FAA Advisory Circular 90-66, "Recommended Standard Traffic Patterns and Practices for Aeronautical Operations at Airports without Operating Control Towers" (latest change and as depicted in the Aeronautical Information Manual). Recommended traffic pattern altitudes are 1000 feet Above Ground Level (AGL) for piston powered airplanes and 1500 feet AGL for turbine powered airplanes. Helicopters must operate as to not obstruct the normal traffic pattern. The use of standard traffic patterns does not alter the responsibility of each pilot to observe and avoid other aircraft.

Rule 5-10. Clearing Public Right of Ways – No aircraft may takeoff or land in such manner as to clear any public street or highway at an altitude of less than fifteen (15) feet, or seventeen (17) feet over an interstate highway, twenty-three (23) feet over a railroad, or the clearance height of the tallest bridge over the waterway; nor may aircraft land or take off on the taxiway or over hangars or other structures, automobile parking areas, or groups of spectators. (See FAR 77).

Rule 5-11. Takeoffs on Areas Other Than Runways – Takeoffs or landings must not be made on the apron, parking ramp, taxiway, or any area other than designated runways by airplanes, gyroplanes, powered lift, balloons, airships, ultralights, or light sport aircraft unless prior written authorization from the Airport Director is obtained. Helicopters may operate to and from designated helicopter landing areas.

Rule 5-12. Takeoffs – Low approach, full stop, touch and go, or stop and go landings may be made at the discretion of the pilot in command. Pilots remaining in the traffic pattern making landings should broadcast on the Common Traffic Advisory Frequency (CTAF) their pattern direction of turn and their landing intentions (low approach, full stop, touch and go, stop and go) at a minimum by the final segment leg. All aircraft departing must clear the traffic pattern for traffic before taxiing into takeoff position. (See FAR 91.113 (g).)

Rule 5-13. Preferred Runway – If the winds are calm or at a ninety (90) degree crosswind to Runway 02-20, the preferred take-off and landing runway is Runway 15-33.

Rule 5-14. Student Training, Local Operations –

- A. Flight instructors must avail themselves and their students of all rules and regulations, including local rules and FARs in effect at the Airport.
- B. The Airport Director may designate and advise Airport users via public posting and electronic transmission of limited areas of the Airport and local areas sanctioned by the FAA for practice flying and student training.

Rule 5-15. Agricultural Spraying Operations – Agricultural (Ag) spraying operations must be conducted in accordance with procedures approved by the Airport Director and made known to all persons conducting agricultural spraying operations. Ag operations must be accomplished in accordance with the standards of the EPA and TCEQ in an area so designated by the Airport Director. Each Ag operator must carry the amount and type of insurance required by the state.

Rule 5-16. Special Procedures, Parachuting –

- A. The Airport Director may, in the interest of safety, designate special traffic procedures for certain operations, such as helicopters, air shows or aviation fly-ins, agricultural operations, gyroplanes, powered lift, gliders, balloons, airships, ultralights, and light sport aircraft in the weight shift control or powered parachute class. Any such change from standard procedures will be published in the

FAA's Airport / Facility Directory if permanent nature or the Airport Director will issue a Notice to Airmen (NOTAM) if such change is temporary. Permanent changes require filing through the TxDOT Aviation Division to the FAA. Temporary closing of a portion of the Airport for special events will be approved by the FAA, through the TxDOT Aviation Division. (See FAA Order 5190.6 (latest change).)

- B.** Parachute descent onto the Airport property will not be permitted without a recommendation by the Airport Advisory Board, written approval of the FAA Flight Service Station (FSS), written approval of the FAA Flight Standards District Office (FSDO), written approval of the FAA Air Traffic Control Supervisor, and finally the approval of the City Council by resolution. The Airport Director may develop operating procedures and designated landing areas for parachute operations during special events.

Rule 5-17. Model Aircraft – Model aircraft not capable of carrying a person will not be permitted to operate, take off or be launched from, flown over, or land at the Airport. Model A/C operations for specific aeronautical events such as fly-ins or air shows may be approved for specific times by the Airport Director after all considerations for public safety are taken into consideration.

Section 6. Fueling, Flammable Liquids, and Fire Safety

Rule 6-1. Fueling Aircraft –

- A.** All aircraft fueling, fuel equipment, and procedures will be in accordance with Manual 407 – “Standard for Aircraft Fuel Servicing, 2017 edition,” as amended, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy MA 02169-7471, 800-344-3555, <http://catalog.nfpa.org>.
- B.** All transportation, storage, and other handling of aircraft and vehicle fuel must comply with the City's currently adopted fire code and FAA Advisory Circular 150/5230-4 (latest change).
- C.** All aircraft must be fueled clear of all hangars, other buildings, and aircraft by at least fifty (50) feet.
- D.** Fueling trucks must not be parked within any building or hangar, or within fifty (50) feet of any building, hangar, or parked aircraft, as determined by the City of Temple Fire Marshal. Fuel trucks must be parked with at least ten (10) feet separation between vehicles.
- E.** Aircraft fuel storage tanks for below-ground or above-ground use must be constructed and installed, registered as required, monitored for leakage, operated, and maintained in accordance with federal and state statutes, rules, and regulations promulgated by the EPA and TCEQ.
- F.** Aviation or auto fuels must not be stored within a hangar or building except in approved five (5) gallon or smaller containers, manufactured and marked for such purpose, and only with the written approval of the City of Temple Fire Marshal and the Airport Director.
- G.** Persons or businesses wishing to dispense fuel into their privately-owned aircraft may not be denied; however, at present, DMCTRA has elected to exercise its exclusive and proprietary right, pursuant to FAA Advisory Circular 150 / 5190-6, *Exclusive Rights at Federally Obligated Airports*, to serve as the sole commercial aircraft fuel service provider. Private fueling facilities located on leased or private property must be installed and the fuel dispensed in accordance with all rules applicable to aircraft fueling and fire safety.
- H.** Public sale of automobile gasoline or diesel for use in aircraft will not be permitted on the Airport without prior written authorization of the Airport Director. Aircraft authorized by the FAA to use auto gasoline may be privately fueled by the owner in a location designated by the Airport Director in accordance with all rules applicable to aircraft fueling and fire safety.
- I.** All aviation fuel storage tanks, aviation fuel pumps, hydrant fuel services, and aircraft fuel service vehicles, whether publicly or privately owned, must have the type of aviation fuel dispensed printed in large block letters, including octane of aviation gasoline, plus the fuel I.D. number, and “NO

SMOKING” signs. This information must be printed conspicuously on all sides of the fueling tanks, pumps, etc. so the information is visible from any direction on the ground.

- J. Fuel spills in excess of one gallon must be reported to Airport staff and immediate action taken by the person responsible for the spill to contain and clean up the spill in accordance with all local, state, and federal regulations.

Rule 6-2. Fuel Flowage Fee – Any person, or any person or agent acting for or through this person, including, but not limited to, any wholesale fuel distribution company, who delivers fuel to a fuel storage tank or who delivers fuel obtained from a source not on the Airport directly into any aircraft on the Airport must pay the fuel flowage fee determined by the City’s rate and fee schedule recommended by the Airport Advisory Board and approved by the City Manager.

Payment to the City of Temple of all fuel flowage fees due must be made according to written agreement or, if there is no written agreement, according to City policy.

Payment of fuel flowage fees must be accompanied by a report, in a form approved by the Airport Director, that indicates the amount of fuel delivered to the Airport.

Military aircraft conducting operations which require fueling from U.S. Government facilities are exempt from fuel flowage fees.

Rule 6-3. Fire Safety –

- A. Every person using the Airport or its facilities in any manner must exercise the greatest care and caution to avoid and prevent fire.
- B. Smoking, including the use of any type of electronic cigarette and the ignition of any match, lighter, or electronic cigarette, in any area of the Airport is prohibited, except in posted “Designated Smoking Areas.” Smoking, including the use of any type of electronic cigarette, the ignition of any match, lighter, or electronic cigarette, and open flame within fifty (50) feet of any fuel tank, fuel pump, or fuel truck is prohibited.
- C. Compressed flammable gas may not be kept or stored upon the Airport, except at such place as may be designated by the Airport Director.
- D. No more than five (5) gallons of gasoline may be stored in a hangar. The gasoline must be stored in a UL-approved metal safety container.
- E. Used motor oil must be safely disposed of promptly. No more than ten (10) gallons of unused motor oil may be temporarily stored in a hangar.
- F. Class I and Class II flammable liquids may not be stored in hangars.
- G. Hangar entrances must be kept clear such that emergency or fire / rescue personnel and equipment can immediately access the hangar without hindrance.
- H. All floors must be kept clean and free of oil. Volatile or flammable substances may not be used to clean floors, walls, or any portion of a hangar structure.
- I. All Airport lessees must supply and maintain such adequate and readily accessible fire extinguishers as may be required by applicable fire codes and regulations. Each fire extinguisher must meet the City of Temple’s currently adopted fire code or the NFPA 407’s standards, whichever is stricter, and carry a suitable tag showing the date of most recent inspection.
- J. No person may use flammable fluids or substances or have open flames within the storage area of any hangar.
- K. An operator of a vehicle may not stop, stand, or park an occupied or unoccupied vehicle within twenty-five (25) feet of a fire hydrant or block a fire lane at the Airport.

Section 7. Lease of Airport Property and Construction on Airport

Rule 7-1. Lease of Airport property –

- A. Hangars and other buildings or structures owned by the City of Temple may be leased on a monthly or yearly basis for the storage of aircraft and ancillary equipment.
- B. The City may lease property within the Airport boundaries for the construction of hangars, buildings, lean-tos, aprons, taxiways, and auto parking lots in accordance with an approved Airport Master Plan/Airport Layout Plan and any applicable design guidelines and as provided by Chapter 3, Airports and Aircraft, of the City’s Code of Ordinances. Aviation related use will be given priority in the use of all leased or privately-owned property, buildings, or structures.
- C. If the aviation needs of the Airport are sufficiently met, the City Council may authorize non-aviation use of any portion of the Airport or any building on the Airport as provided by Chapter 3, Airports and Aircraft, of the City’s Code of Ordinances.
- D. Applications for lease of Airport property must be submitted per City policy.

Rule 7-2. Lease Term – No lease of airport property or facilities may be granted for a term exceeding thirty (30) years. However, if a loan or deed of trust lien is obtained expressly for construction of a facility which will become property of the City at the end of the lease term, free and clear of all liens and encumbrances, the initial term of a lease of airport property or facility may exceed thirty (30) years but in no case may be more than forty (40) years. Non-aviation lease terms may be negotiated with the City Manager on a case-by-case basis.

Rule 7-3. Construction on Leased Property –

- A. As provided in FAR Part 77, any person/organization who intends to sponsor any construction or alterations on or near the Airport or the sponsor’s agent must file electronically with the FAA for the proposed work. See FAR Part 77. The sponsor or their agent must file at <http://oeaaa.faa.gov> (or most current URL). A determination of no objection must be received from the FAA prior to any construction on the Airport. No hangar or structure may be erected beyond the building restriction line or in conflict with the approved Airport Master Plan / Layout Plan.
- B. TxDOT Aviation Division approval, if required, must be obtained prior to any construction on the Airport.
- C. All plans and specifications for construction, renovation, remodeling, or refurbishing of the leased premises must meet all current fire and building regulations adopted by the City, unless otherwise permitted under state law, and the state’s currently adopted version of the National Electrical Code.
- D. The City’s Planning & Development Department’s written approval of the plans and specifications must be obtained prior to construction of the improvements.
- E. Construction must begin within one hundred twenty (120) days after the effective date of the lease or final comment from TxDOT and the FAA for the filed air space study as required by FAR Part 77, whichever date is later. Construction must be substantially completed within one hundred eighty (180) days from the start of construction. Projects anticipated to exceed one hundred (180) construction days require written authorization from the Airport Director. The improvements on the leased premises will remain the lessee’s property until expiration or termination of the lease and its covenants, at which time the property and all improvements will revert to the City, or as otherwise agreed to in the contract between the City and the lessee.
- F. Any privately owned structure or hangar not used for aeronautical purposes for a period exceeding ninety (90) days, or not available for lease or sublease for aeronautical purposes, unless so authorized for non-aviation uses by the City Council, must be removed after due notice to the owner in writing

or the City will consider such structures or hangars abandoned and will seek title to such structure or hangar.

- G. Leased land from which any building, hangar, or structure is removed, after due notice must be cleared, cleaned, and put back in its original condition or in a condition approved by the Airport Director in writing. Unless otherwise provided the lease agreement, if such leased land is not returned back to the City in the condition required under this Section, the City may perform the work to get the land into the required condition and charge the lessee for the cost of this work.

Rule 7-4. Assignment and Sub-letting – Without the prior written approval of the City Manager, the leased premises or any rights thereunder (except to a leasehold mortgagee as provided by these Rules and Regulations) may not be assigned or sublet. Any assignment or subletting will be expressly subject to all the terms and provisions of the original lease.

Rule 7-5. Insurance – An Airport lessee must during the entire term of his/her lease maintain at their sole cost and expense insurance relating to the leased premises as follows:

- A. Insurance against loss or damage to improvements by fire, lightning, and other risks included under standard extended coverage policies.
- B. General public liability insurance against claims for bodily injury, death, or property damage occurring on, in, or about the leased premises, such insurance to afford protection to the Airport according to the Airport Minimum Standards, Section 4.1.6, or, if not addressed in the Minimum Standards, according to City policy.
- C. Hangar keeper's liability insurance providing coverage for aircraft not owned by the lessee according to the Airport Minimum Standards, Section 4.1.6., on property damage to aircraft in the care, custody, or control of lessee, or if not addressed in the Minimum Standards, according to City policy.
- D. Any additional insurance coverage deemed necessary by the City.
- E. All such policies of insurance must be issued by insurance companies acceptable to the City, must name the City of Temple as an additional insured, and must provide for at least thirty (30) calendar days before such cancellation or modification takes effect (ten (10) calendar days in case of nonpayment of premium).
- F. The required insurance must include a waiver of subrogation in favor of the City.

Rule 7-6. Environmental Issues and Indemnification – Lessees of the Airport or their agents, employees, independent contractors, or authorized sublessees may not install, store, use, treat, transport, or dispose of any:

- A. Asbestos, in any form.
- B. Urea formaldehyde foam insulation.
- C. Transformers or other equipment which contain dielectric fluid containing levels of polychlorinated biphenyls in excess of 50 parts per million.
- D. Any other chemical, material, air pollutant, toxic pollutant, waste, or substance which is regulated as toxic or hazardous or exposure to which is prohibited, limited, or regulated by the Resource Conservation Recovery Act, the Comprehensive and Environmental Response Compensation and Liability Act, the Hazardous Materials Transportation Act, the Toxic Substances Control Act, the Clean Air Act, and/or the Clean Water Act or any other federal, state, county, regional, local, or other governmental authority or which, even if not so regulated, may or could pose a hazard to the health and safety of the airport occupants or users or the public, Airport, or the City, and which is either:
 - 1. In amounts in excess of that permitted or deemed safe under applicable law; or

2. In any manner which is prohibited or deemed unsafe under applicable law. (The substances referred to in (A), (B), (C) or (D) are collectively referred to hereinafter as "Hazardous Materials").

Rule 7-7. Environmental Cleanup Laws – An Airport lessee must, at their own expense, comply with all existing or hereafter enacted or amended laws and regulations relating to Hazardous Materials (collectively, "Cleanup Laws") in effect at the time of the lease and all future laws thereafter. An Airport lessee must, at their own expense, make all submissions to provide all information to, and comply with all requirements of the appropriate governmental authority (the "Authority") under the Cleanup Laws. Should any Authority require that a cleanup plan be prepared and that a cleanup be undertaken because of the existence of Hazardous Materials which were installed, stored, used, treated, transported, disposed of, or discharged on the Leased Premises, by an airport lessee, its agents, employees, independent contractors, or sublessees during the term of a lease, the Airport lessee must prepare and submit the required plans and financial assurances in accordance with such Cleanup Laws. The Airport must be indemnified and held harmless from and against all obligations, damages, injunctions, fines, penalties, demands, claims, costs, expenses, actions, liabilities, suits, proceedings, and losses of whatever nature (including, without limitation, administrative fines, attorneys' fees, and court costs), and all cleanup or removal costs and all actions of any kind arising out of or in any way connected with the installation, storage, use, treatment, transporting, disposal, or discharge of Hazardous Materials in or on the leased premises by an Airport lessee.

Rule 7-8. Environmental Notices – An Airport lessee must promptly supply the Airport Director and the City of Temple City Attorney's Office with copies of any notices, correspondence, and submissions made or received from any governmental authorities of the EPA, the United States Occupational Safety and Health Administration (OSHA), TCEQ, or any other local, state or federal authority that requires submission of any information concerning environmental matters or Hazardous Materials.

Rule 7-9. Environmental Survival – An Airport lessee's liability pursuant to any environmental issue will survive the expiration or earlier termination of their lease.

Rule 7-10. Storm Water Compliance

- A. The Airport is subject to federal storm water regulations, 40 C.F.R. Part 122 for "vehicle maintenance shops" (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, and/or de-icing operations that occur at the Airport as defined in these regulations and, if applicable, state storm water regulations. Each Airport lessee must become familiar with these storm water regulations if it conducts "vehicle maintenance" or conducts equipment cleaning operations or performs de-icing activities as defined in the federal storm water regulations.
- B. The Airport will take steps necessary to apply for or obtain a storm water discharge permit as required by the applicable federal and/or state regulations, including the leased property occupied or operated by an Airport lessee. A storm water discharge permit issued to the Airport may name an Airport lessee as a co-permittee.
- C. An Airport lessee's close cooperation is necessary to ensure compliance with any storm water discharge permit terms and conditions, as well as to ensure safety and to minimize costs. If required by law, an Airport lessee must implement and maintain "Best Management Practices" to minimize the exposure of storm water to "significant materials" generated, stored, handled, or otherwise used as defined in the federal storm water regulations.
- D. The Airport's storm water discharge permit is incorporated by reference into each lease and any subsequent renewals.
- E. The Airport will provide, upon request, an Airport lessee with a written notice of those storm water discharge permit requirements that are in the Airport's storm water permit, that a lessee will be obligated to perform from time to time, including, but not limited to:

1. Certification of non-storm water discharges;
2. Collection of storm water samples;
3. Preparation of storm water pollution prevention or similar plans;
4. Implementation of “good housekeeping” measures or best management practices; and
5. Maintenance of necessary records.

Such written notice will include applicable deadlines and an opportunity to dispute any of the storm water discharge permit requirements as provided by the storm water permit.

- F. Each Airport lessee must participate in any organized task force or other work group established to coordinate storm water activities of the Airport.
- G. All persons upon the Airport must comply with all applicable TCEQ regulations and terms and conditions of the Airport’s storm water discharge permit.

Rule 7-11. Non-Discrimination Covenants –

- A. Each lease will include, as a covenant running with the land, a clause to ensure that:
 1. No person on the grounds of race, color, national origin, sex, creed, or disability may be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of the leased property; and
 2. In the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, sex, creed, or disability, may be excluded from participation in, denied benefits of, or otherwise be subjected to discrimination.
- B. The right to conduct aeronautical activities to furnish services to the public is granted to an Airport lessee subject to the lessee’s agreement:
 1. To furnish said services on a fair, equal, and not unjustly discriminatory basis to all users.
 2. To charge fair, reasonable, and not unjustly discriminatory prices for each unit or service provided an allowance may be made to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

Rule 7-12. Hold Harmless – The City of Temple will not be liable to an Airport lessee’s employees, agents, servants, customers, or invitees, or to any other person whomsoever, for any injury to persons or damages to property on or about the leased premises or any adjacent area owned by the City of Temple.

Section 8. Knowledge of Rules Implied

By publication and adoption of these Rules and Regulations, all persons are be deemed to have constructive knowledge of its contents. The Airport Director will post a copy of the Rules and Regulations electronically on the Airport’s website and elsewhere as appropriate, and copies will be available at all times in the Airport Director’s office. Copies will be furnished in physical form upon request.

Section 9. Conflict of Rules and Regulations

If there is an irreconcilable conflict between these Rules and Regulations and the FAR or any other applicable state or federal law, rule, or regulation, the latter will prevail to the extent such conflict exists. If there an irreconcilable conflict between these Rules and Regulations and the Airport Minimum Standards, or any other City law, rule, or regulation, the more stringent provision will prevail to the extent such conflict exists.

Section 10. Penalty for Violations

A person's failure to comply with these Rules and Regulations may subject the person's written agreement, if any, or the violator's right to use or exercise a privilege in connection with the Airport, to suspension or termination or may result in the denial of the violator's access to the Airport, as provided by the applicable written agreement or, if not addressed in a written agreement, as provided by Chapter 3, Airports and Aircraft, of the City's Code of Ordinances.

Any violation of these Rules and Regulations is punishable and subject to any remedy as provided by Chapter 3, Airports and Aircraft, of the City's Code of Ordinances.

Section 11. Severability

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

Section 12. Enactment

These Rules and Regulations and amendments of the same will be in full force and effect from and after its recommendation by the Airport Advisory Board and approval by the City Manager.