

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 23-033

AN ORDINANCE RELATING TO AVIATION; REPEALING AND REPLACING CHAPTER 14 – AVIATION, OF THE CODE OF THE CITY OF LAKE LAND, FLORIDA IN ITS ENTIRETY; PROVIDING FOR AND INCLUDING NEW ARTICLES AND SECTIONS; MAKING FINDINGS; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lakeland is vested with the authority to adopt and amend rules, regulations and ordinances for its Airport, including enforcement by prescribing penalties for violations thereof, pursuant to Florida Statute § 332.08, as may be amended; and

WHEREAS, the rules and regulations set forth in this Chapter are necessary to protect the health, safety, interest and general welfare at the Airport and to prevent activity or action that would interfere with the safe, orderly and efficient use of the Airport by its passengers, operators, tenants and authorized users; and

WHEREAS, the Federal Aviation Administration has issued regulations requiring the City of Lakeland, on behalf of its municipal airport, to establish operational procedures to meet requirements for airport certification; and

WHEREAS, the City Commission of the City of Lakeland now finds revisions to the Aviation Chapter of the Code of the City of Lakeland are necessary to reformat, clarify and update Airport procedures and processes and establish rules and regulations governing them pursuant to this Chapter.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. City of Lakeland Code of Ordinances Chapter 14-Aviation, as amended, is hereby repealed in its entirety. All ordinances and resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 3. City of Lakeland Code of Ordinances Chapter 14-Aviation, is hereby replaced in its entirety with the following Articles and Sections:

CHAPTER 14 - AVIATION

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Chapter 14 – AVIATION

ARTICLE 1. – IN GENERAL

Sec. 14-1. – Definitions.

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

Abandoned Aircraft shall mean an aircraft that has been disposed of on the Airport in a wrecked, inoperative, or partially dismantled condition or an Aircraft that has remained in an idle state on the Airport for forty-five (45) consecutive calendar days. For purposes of this Section, “idle state” shall be defined as an aircraft in an unusable condition and without written approval of the Airport.

Abandoned Property shall mean tangible personal property, including but not limited to, motor vehicles, vessels, equipment and personal property, that has been disposed of on the Airport in a wrecked, inoperative, or partially dismantled condition or has no apparent intrinsic value to the rightful owner..

Aeronautical Activity shall mean any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of aircraft; any activity which contributes to, or is required for, the safety of such operations; or any activities which have a direct relationship to the operation of aircraft or the operation of the Airport.

Agency shall mean any federal, state, or local government Entity, unit, agency, organization, or authority.

Air Operations Area (or AOA) shall mean any area of the Airport used or intended to be used for the landing, take off or the surface maneuvering of aircraft.

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

Aircraft Operator shall mean a person who uses, causes to be used, or authorizes to be used, an aircraft, with or without the right of legal control (as Owner, Lessee, or otherwise) for the purpose of air navigation, including the piloting of aircraft or the operation of aircraft on any part of the surface of the Airport.

Aircraft Owner shall mean the registered legal owner of an aircraft according to Federal Aviation Administration records.

Airfield shall mean those portions of the Airport, excluding airside terminal aircraft ramps and cargo aircraft ramps, provided for the landing, taking off, and taxiing of aircraft, including without limitation, approach and turning zones, clear zones, aviation or other easements, runways, a fully integrated taxiway system, runway and taxiway lights, and other appurtenances related to aeronautical activity.

Airport shall mean Lakeland Linder International Airport, located in Lakeland, Florida, including all land, improvements, and appurtenances within the legal boundaries as it is identified on the Federal Aviation Administration approved Airport Layout Plan for Lakeland Linder International Airport, as may be amended.

Airport Certification Manual is a written document designed to comply with 14 CFR Part 139.

Airport Director shall mean the duly appointed Airport Director of the Airport or duly authorized representative.

Airport Minimum Standards shall mean the set of regulations, policies and minimum operational and facility requirements, as adopted by the City, which are required for those persons and/or entities conducting Commercial Activities at the Airport.

Airport Security Program is a written document designed to comply with 49 CFR Part 1542 and/or Florida Statute § 330.30, as may be amended.

Air Traffic Control Tower (or ATCT) shall mean the Air Traffic Control Tower located on the Airport, a service operated by an appropriate authority sanctioned and certified by the Federal Aviation Administration for the control, separation, and movement of aircraft in the air or on the ground.

City shall mean the City of Lakeland, Florida, a municipality organized and existing in accordance with the laws of the State of Florida.

City Commission shall mean the City Commission of the City of Lakeland, Florida.

Commercial Activity shall be defined as any activity conducted at or on the Airport by any Entity in which:

1. the exchange, trading, buying, or selling of commodities, goods, services or property of any kind at the Airport; or
2. engaging in any activity (including but not limited to an Aeronautical Activity) on the Airport for the purpose of securing revenue, earnings, income, and/or compensation, whether or not such revenue, earnings, and/or compensation are ultimately exchanged, obtained, or transferred; or
3. the offering or exchange of any product, service, or facility on the Airport as a part of other revenue, earnings, income, and/or compensation producing activity on or off the Airport or any other revenue-producing activity, whether or not a profit is produced.

Commercial Aeronautical Services shall mean activities as defined in the Airport's Minimum Standards including, but not limited to, the sale of aviation petroleum products, aircraft ground support services, charter operations as defined by the Federal Aviation Administration, specialized commercial aviation services, charter brokerage, aircraft hangar leasing, pilot training, aircraft rental and sight-seeing, aerial photography, agricultural spraying or dusting, fire suppression, aerial advertising and surveying, aircraft sales and leasing, aircraft management, repair and maintenance of aircraft, sale and repair of aircraft parts, avionics sales and repair, hangar and tie-down rental and leasing, aircraft stripping/painting/refinishing, aircraft interior refinishing, aircraft salvage, and any other activities which because of their relationship to the operation of Aircraft can appropriately be regarded as an Aeronautical Activity.

Commercial Aeronautical Operator shall mean an Entity that engages in Commercial Aeronautical Services.

Commercial Ground Transportation shall mean the act of providing the carriage of persons or property to or from the Airport in a Commercial Vehicle.

Commercial Ground Transportation Operator shall mean any Entity or person engaged in any type of Commercial Ground Transportation.

Commercial Vehicle means any vehicle for hire other than a private vehicle.

County shall mean Polk County, Florida, a political subdivision of the State of Florida.

Derelict Aircraft shall mean any aircraft that is not in flyable condition or does not have a current certificate of airworthiness issued by the Federal Aviation Administration and is not in the process of actively being repaired.

Driver Training Course shall mean an airport driving course that meets the latest regulatory requirements and industry best practices according to the Federal Aviation Administration to ensure safe operations in the Movement Area.

Environmental Protection Agency shall mean the agency within the U.S. Government having responsibility for enforcing the environmental regulations or laws enacted by Congress or its authorized successor(s).

Federal Aviation Administration (or FAA) shall mean the agency within the U.S. Department of Transportation that has the responsibility for regulating the Airport and Aeronautical Activities.

Federal Aviation Regulation (or FAR) shall mean regulations prescribed by the FAA governing all aviation activities in the United States, which are written, approved, and published by the FAA. Compliance with FARs is mandatory. In 1996, all references to the FARs were changed to Title 14 of the Code of Federal Regulations (14 CFR).

Fire Code shall mean the currently adopted edition of the Florida Fire Prevention Code and all other applicable fire codes, rules, and regulations.

Fire Department shall mean the City of Lakeland Fire Department having jurisdiction over the Airport.

Fixed Base Operator (or FBO) means an entity engaged in services as defined in the Airport Minimum Standards including, but not limited to, delivering, dispensing, providing, or selling aviation fuel and lubricants, hangar storage facilities, ramp parking and tie-down facilities, airframe and power plant repair, and ancillary aircraft ground support services.

FDOT shall mean the Florida Department of Transportation or its authorized successor(s).

FOD shall mean foreign object debris.

Identification Badge shall mean the credential issued by the City to comply with the Airport Security Program and to provide positive identification of persons who have additional rights and privileges on the Airport such as Movement Area driving, escort, and other additional privileges.

Independent Operator shall mean any entity conducting a Commercial Activity, but without an established place of business on the Airport.

Mechanic shall mean any individual duly licensed for the inspection, repair or maintenance of an aircraft, aircraft engine(s) or aircraft instruments, communication equipment or accessories.

Movement Area shall mean the runways, taxiways, and other areas of the Airport which are used for taxiing or hover taxiing, air taxiing, take off, or landing of Aircraft, exclusive of loading Ramps and Aircraft parking areas.

National Fire Protection Association (or NFPA) shall mean the National Fire Protection Association.

Permit Holder shall mean a person who has a self-fueling permit issued by the Airport Director to self-fuel its own Aircraft as defined in this Chapter 14.

Person(s) shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or any other group acting as an entity, or any combination thereof, including any trustee, receiver, committee, assignee, or other representative or employee thereof.

Public Area shall mean those Airport areas normally used by the general public. Such areas include restrooms, administration building lobby, hallways, passageways, public transportation waiting areas, viewing areas, roadways, walkways, sidewalks, and Vehicle parking lots. Public Areas do not include the areas owned and/or leased by Commercial Aeronautical Operators unless such businesses so designate certain areas as Public Areas. Public Areas do not include the AOA, Restricted Areas, employee parking lots or any other areas of the Airport where an Identification Badge is required for entry.

Ramp shall mean a concrete or asphalt surface that is used for Aircraft parking, loading, unloading, storage, servicing and staging.

Regulatory Measures shall mean federal, state, county, and City laws, codes, ordinances, policies, Rules and Regulations, including, without limitation, those of the U.S. Department of Transportation, FAA, Department of Homeland Security, Transportation Security Administration, FDOT, NFPA; and the Airport Minimum Standards.

Restricted Area shall mean areas of the Airport, other than Public Areas, wherein entry or use thereof is restricted to authorized personnel pursuant to applicable legal requirements including, but not limited to the AOA, Runways, Taxiways, Taxilanes, and fire lanes, fuel farm, Airport maintenance facilities/shop, mechanical rooms, electrical vaults, computer server room, fire breaks and any other areas marked/posted as restricted with signage or placards.

Rules and Regulations shall mean all procedures, rules, and regulations approved by the City governing the use of and activities at the Airport.

Run-up shall mean aircraft engine operation above normal idle power for purposes other than initiating taxi or takeoff.

Safety Areas shall mean areas abutting the edges of the runways and taxiways and areas designated as such in the Airport Certification Manual.

Safety Management Systems shall mean the formal approach to managing safety risk and ensuring the effectiveness of safety risk controls Through the adoption of procedures, practices, and policies.

Secured Area shall mean any area(s) of the Airport identified in the Airport Security Program requiring security access procedures pursuant to regulatory measures.

Self-Fueling shall mean the fueling or servicing of an aircraft by the Aircraft Owner with his or her own employees and using his or her own equipment as set forth in Chapter 11 of FAA Order 5190.6B, Airport Compliance Manual, as may be amended.

Solicitation or Solicit shall mean to repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, ask orally, in writing, or otherwise, or endeavor to obtain by asking, request, implore, plead for, importune, seek or try to obtain. Solicitation also includes requests to sign a petition.

Sterile Area shall mean any area(s) of the Airport to which access is controlled by the inspection of Persons or property in accordance with the Airport Security Program.

Tenant shall mean a lessee of land or premises within the boundaries of the Airport and any of the lessee's authorized sublessees.

Terminal shall mean the commercial passenger Terminal located at the Airport.

Tie-down shall mean the manner by which an Aircraft is secured to the ground at three (3) points by ropes, chains, or cables that are capable of holding an Aircraft in wind gusts of 50 knots or greater.

T-Hangar shall mean an Aircraft storage hangar in which light Aircraft are stored in separate areas that when viewed from above each bay looks like the letter "T".

Transport Network Companies shall mean an entity that provides pre-arranged passenger transportations services for compensation using an online-enabled application or platform to connect passengers with drivers using personal vehicles.

Transportation Security Administration (TSA) shall mean the Agency within the U.S. Department of Homeland Security responsible to safeguard United States transportation systems and ensure secure travel or its authorized successor(s).

Through-the-Fence (TTF) shall mean accessing the Airfield from adjacent property for the purpose of conducting Commercial Activities.

Vehicle(s) shall mean any device for the conveyance of people or goods whether wheeled, tracked or trailers designed to be hitched to such device.

Cross Reference – Rules of construction and definitions generally, Ch.1, Sec.1-2.

Sec. 14-2. – Purpose and Authority.

The Rules and Regulations set forth in this Chapter are designed to protect the health, safety, interest, and general welfare of the Airport and its users and to ensure the safe, orderly, and efficient operation of the Airport subject to the authority and approval of the City Commission, the City Manager and Airport Director as specifically prescribed herein.

Sec. 14-3. – Applicability and Scope.

(a) The Rules and Regulations set forth in this Chapter shall apply to all users of the Airport. Any Commercial Aeronautical Operators shall also be subject to the Airport Minimum Standards.

(b) Any permission granted directly or indirectly, expressly or by implication, to any Person entering upon or using the Airport shall be conditioned upon the following:

1. Assumption of responsibility for their actions by every Person exercising or taking advantage of such permission; and
2. Compliance with this Chapter, the Airport Minimum Standards, and all applicable local, state or federal regulations; and
3. Payment of any applicable rates and charges imposed by the City.

Sec. 14-4. – Indemnification and Liability.

(a) The City and the Airport, including its officers, officials, employees, representatives, and agents, shall be held harmless and shall not be responsible or liable for loss, loss of use, damage or injury to Persons or property arising out of any accident, incident or violation of Regulatory Measures of any nature whatsoever, or from any cause whatsoever to any individual, aircraft, equipment or property occurring on or from Airport or in the use of any facility located on Airport property. Persons, Tenants, licensees, permittees and operators shall indemnify and hold harmless the City and the Airport for

any risks or occurrences that may take place upon their leaseholds located on Airport property.

(b) The City and the Airport assume no responsibility for any loss, injury, or damage to Persons or property by reason of fire, theft, vandalism, wind, flood, earthquake, collision, strikes, war, acts of terrorism, or acts of God nor; do they assume liability for injury to Persons or property while on the Airport. The direct or indirect grant of permission to use the Airport in conformance with this Chapter 14 shall in no event constitute a waiver of sovereign immunity as may apply to the City and the Airport in accordance with the laws of the State of Florida.

Sec. 14-5. – Authority of the Airport Director.

(a) The Airport Director is authorized to suspend operations on the Airport, in part or in whole, and close the Airport when necessary to avoid endangering Persons or property. Such suspension or closing may restrict or prohibit access to Movement Areas and operational areas of the Airport, including pedestrian access.

(b) The Airport Director is authorized to restrict vehicle and/or pedestrian access to any area of the Airport to ensure safety or security when necessary.

(c) The Airport Director is authorized to designate Aircraft and Vehicle parking areas on the Airport.

(d) The Airport Director is authorized to establish interim rules and regulations on an emergency basis for the safety of Persons and property at the Airport.

(e) The Airport Director reserves the right to deny the use of the Airport to any Person who knowingly violates any provision of the Rules and Regulations of this Chapter.

(f) The Airport Director is authorized to impose rates and charges not otherwise established pursuant to resolution or ordinance adopted by the City Commission.

(g) The Airport Director reserves the right to establish, review or approve the fees charged by Persons providing products and services to the public at the Airport, and specifically reserves the right to establish, by policy or agreement, limits on prices charged by Airport Terminal concessions. The foregoing reservation does not apply to the fees charged by Commercial Aeronautical Operators.

(h) The Airport Director is authorized to exercise any additional authority that may be delegated by the City Manager or the City Commission through adoption of ordinances, resolutions or policies governing the operation of the Airport.

Sec. 14-6. – Enforcement.

(a) In addition to the enforcement of this Chapter by the Airport Director or other authorized representative of the City, all the powers of the City's Police Department to enforce the ordinances of the City and the laws of the State and the United States are hereby extended to Airport facilities, pursuant to the authority set forth in Florida Statute § 332.08, as may be amended.

(b) The Airport Director has the authority to take such actions as may be necessary to safeguard the public at the Airport, as well as all facilities under the Airport's control.

Sec. 14-7. – Violations.

A violation of the Rules and Regulations set forth in this Chapter or any applicable Regulatory Measure may result in suspension, revocation, denial of access or use of Airport facilities, termination of an agreement(s), or removal from the Airport. Any such violation shall be subject to all legal, equitable, statutory, and common law rights and remedies available to the City.

Sec. 14-8. – Loitering.

No Person shall loiter on any part of the Airport or in any building on the Airport for a period of time longer than reasonably necessary to transact such business at the Airport. Nothing herein shall be deemed to prohibit any Person from remaining in the Terminal in the event of a delayed departure or for the purpose of meeting arriving or departing passengers. However, no Person shall be permitted to remain overnight in the Terminal, except as authorized by the Airport Director.

Sec. 14-9. – Security.

(a) All Persons using the Airport shall comply with the Airport Security Program and any applicable Regulatory Measures including, without limitations, any Regulatory Measures imposed by the TSA.

(b) No Person shall in any way tamper with, interfere, disable, circumvent, or destroy any lock, gate, door, fence, or security device on the Airport.

(c) No Person shall make, possess, use, offer for sale, pass, and/or deliver any forged or falsely altered pass, permit, identification badge, sign and/or other authorization issued by or on behalf of the City.

(d) Tenants are responsible for controlling access to the AOA, Restricted Areas, Secured Area, and Sterile Areas through their leased premise(s). Tenants shall keep their fence lines and gates clear of obstructions in accordance with the Airport Security Program.

(e) No Person shall provide a code, device, or Identification Badge for the purpose of obtaining access to the AOA, Restricted Areas, Secured Area, and Sterile Areas to another Person unless authorized by the Airport Director.

(f) No Person shall leave baggage or articles unattended in or in the vicinity of the Terminal. Unattended baggage and articles are subject to search and may be confiscated or destroyed by the City's Police Department, TSA, or other authorized law enforcement agency or government officials.

(g) No person may enter a Sterile Area of the Airport without submitting to the screening of their person and property by the TSA. This prohibition does not apply to entry into the Sterile Area through doors and access points other than the passenger screening area by authorized personnel.

(h) Any Person who enters the passenger screening area within the Terminal is subject to search by the TSA, regardless of whether the person declares their intent to withdraw from the screening area.

(i) No Person shall interfere with the screening of passengers and property by TSA officers.

(j) No passengers shall enter or remain in a Sterile Area having in their possession any items prohibited by the TSA or FAA.

(k) No Person shall enter upon any AOA, Ramps, Movement Areas, Restricted Areas, Secured Areas, Sterile Areas, or any area designated as restricted, except Persons authorized by the Airport Director.

Sec. 14-10. – Commercial Aeronautical Operators and Services.

(a) No Person shall occupy, rent space or conduct Commercial Aeronautical Services, without first completing an application and obtaining a written contract, permit, or other specified form of written authorization from the City.

(b) Any Person engaged in Commercial Aeronautical Services shall adhere to the Airport Minimum Standards.

(c) Any Person shall engage in a Commercial Aeronautical Service within the Airport without previously having secured and paid for all licenses, permits, insurance, and taxes required by the City or other regulatory agency.

(d) Any Person basing or otherwise maintaining an Aircraft at the Airport shall not permit said Aircraft to be used for a Commercial Aeronautical Service unless such Commercial Aeronautical Service is expressly authorized by the Airport Director.

Cross Reference – Businesses, Ch. 18; Peddlers and Solicitors, Ch. 78; Secondhand Goods, Ch. 82.

Sec. 14-11. – Independent Operators and Through-the-Fence.

(a) Independent Operators shall be duly licensed or certified, as required, for all work performed on the Airport, including the maintenance of required insurance, and compliance with the provisions of this Chapter.

(b) Independent Operators shall not engage in any Commercial Activity, without first completing a written application and obtaining a written contract, permit, or other form of written authorization from the City.

(c) TTF operations are prohibited, except as specifically approved by the City, in writing, an access permit or similar agreement, specifying the conditions of access and compensation to be paid to the City.

(d) Independent Operators and entities engaged in TTF Commercial Aeronautical Services shall comply with the Airport Minimum Standards.

Sec. 14-12. – Obstruction of Airport Use or Operation.

(a) No Person shall obstruct, impair or unreasonably interfere with the safe, orderly and efficient use of the Airport.

(b) No Person shall throw, shoot, or propel any object at an Aircraft.

(c) No Person shall create glare or other visual disturbances that may interfere with or endanger Aircraft operations.

(d) No Person shall tamper with any Aircraft without the aircraft owner's express permission.

(e) No Person shall point any laser at an Aircraft.

(f) No Person shall knowingly, recklessly or negligently cause FOD to be left within the AOA in a manner that may pose a risk to the operation of Aircraft. All persons with access to the AOA shall keep the same clear of FOD by collecting and disposing of debris in covered containers to prevent potential engine intake or damage to Aircraft, or by notifying the Airport Director.

(g) No Person shall erect a crane, building, or other structure without complying with FAR Part 77, as may be amended, which establishes standards and notification requirements for objects affecting navigable airspace on and off the Airport.

Sec. 14-13. – Animals.

(a) No Person shall enter any part of the Airport with a domestic animal, unless such animal is kept restrained by a leash or is completely and continuously under control.

(b) Except for animals that are to be or have been transported by air and properly confined for air travel, no Person shall permit any animal under his or her control or custody to enter the Terminal unless properly confined and in direct control of said Person, with the exception of police and service animals.

(c) No Person shall permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate on the sidewalks of the Airport or within any Airport building.

(d) No Person shall permit any wild animal under his or her control or custody to enter the Airport except those that are properly confined just prior to being placed on an Aircraft or immediately following removal from an Aircraft.

(e) No Person shall feed or perform any other act to encourage the congregation of birds or other animals on the Airport.

(f) No Person shall hunt, trap, kill or injure any animal at the Airport, except in the conduct of official duties for the purpose of wildlife management as may be authorized by the Airport Director.

(g) Supervised animals used for law enforcement, wildlife management, and other governmental purposes may be on the Airport without being on a leash.

(h) Notwithstanding the provisions set forth above, animals shall be allowed to the extent mandated by applicable law, including service animals pursuant to the American with Disabilities Act.

Cross Reference – Animals, Ch. 10.

Sec. 14-14. – Prohibited Conduct.

(a) Commercial Activity except when expressly allowed by written agreement of the Airport Director.

(b) Conduct that in any way obstructs, delays or interferes with the free movement of any other Person or authorized business of the Airport.

(c) Pinning, tying, or attaching any symbol, insignia, article or object to the luggage or Vehicle of any Person without consent.

(d) Use of any musical instrument, noise-making device, sound or voice amplifying apparatus, singing or chanting, or any other sound which may reduce the effectiveness

of the public-address system or interfere with the business functions of the Airport, except upon written approval of the Airport Director. The foregoing restriction does not apply to the use of the public announcement system in the Terminal or the use of individual gate announcement systems by airlines, subject to amplification limits established by the Airport Director.

(e) Placement of table, bench, chair, sign, structure, fixture, or object on Airport property unless permitted by the Airport Director.

(f) Distribution of commercial literature or other commercial goods, or the display of signs or other commercially printed material on Airport property unless permitted by the Airport Director.

(g) Any conduct which improperly indicates or represents, or attempts to indicate or represent, to the public that an individual is a representative of the Airport.

(h) Any conduct which misrepresents the identity of the individual or organization for which the individual is performing the permitted activities.

(i) Any activity which constitutes a danger to Persons or property, or which interferes with the orderly formation and progression of waiting lines, or which interferes with any of the following:

(1) pedestrian or Vehicle travel;

(2) the issuance of tickets or boarding passes or equivalent documents for air or ground transportation;

(3) luggage, cargo movement, or handling;

(4) the entry to or exit from Vehicles, elevators, escalators, doorways, or passageways;

(5) security procedures;

(6) government inspection procedures; and

(7) cleaning, maintenance, repair, or construction operations.

(j) Any consumption of alcoholic beverages in the Terminal, except in those areas designated for the sale and/or consumption of alcohol by the Airport Director and licensed in accordance with the City's ordinance governing Alcoholic Beverages.

(k) Any lewd, indecent, obscene, disorderly, destructive, or unlawful act including the use of abusive or threatening language.

Sec. 14-15. – Solicitation.

(a) No Person shall solicit for any purpose on Airport property.

Cross Reference – Peddlers and Solicitors, Ch. 78.

Sec. 14-16. – Lost and Abandoned Property.

(a) Personal property of any nature or description shall not knowingly be abandoned on the Airport. Personal property, other than Aircraft or Vehicles, that has been voluntarily given up by the owner, left or lost at the Airport without the owner claiming it shall be deemed to be Abandoned Property and handled in accordance with state law governing Abandoned Property. Nothing herein shall be construed to deny the Airport, its tenants or commercial operators the right to maintain lost and found services for the personal property of their patrons, invitees or employees.

(b) Any Vehicle remaining in a public parking facility on the Airport for more than thirty (30) days will be considered an abandoned vehicle, unless otherwise authorized by the Airport Director.

(c) The Airport may remove or cause to be removed from the AOA, any Restricted Areas, any roadway or right-of-way, or any other area on the Airport, any vehicle which is disabled, abandoned, illegally or improperly parked, or which creates an operational obstruction or safety issue. The Airport will not be liable for damage to any vehicle or loss of personal property in such vehicle resulting from the act of removal.

(d) Abandoned Property shall be removed, stored and/or disposed of at the owner's expense in accordance with the provisions set forth in Florida Statute. The Airport shall not be liable for damage that may result from such removal.

Cross Reference – Impounded and Abandoned Property, Ch. 54.

Sec. 14-17. – Commercial Photography.

No Person shall take still, motion, or sound motion pictures, sound records, or recordings of voices on the Airport for commercial purposes without prior written authorization from the Airport Director. This provision does not apply to coverage by the news media conducting business in authorized areas and in accordance with this Chapter.

Sec. 14-18. – Accident and Incident Reporting.

(a) Any Person involved in or witnessing an accident resulting in any injury or death to a Person or damage to any property shall immediately call "911".

(b) Any person involved in any type of accident or incident, including a witness thereto, occurring on Airport property must report the accident or incident to the Airport Director or authorized designee.

(c) Any Person involved in any type of accident or incident occurring on Airport property shall report the accident or incident to the appropriate agency as may be required by Regulatory Measures.

Cross Reference - Aircraft Accidents and Incidents, Ch 14., Sec. 14-23.

Sec. 14-19. – Safety Management System.

All Persons engaged in activity at the Airport, whether using or occupying Airport land and/or improvements or otherwise, shall adhere to the practices recommended by the FAA and shall fully comply with all Safety Management Systems Regulatory Measures imposed by any governmental agency.

Sec. 14-20. – Firearms and Weapons.

(a) No Person, except those persons authorized by federal, state and municipal laws, may carry a firearm, weapon or destructive device inside the Terminal or the Sterile or Secured areas of the Airport, provided that no Person will be prohibited from carrying any legal firearm or weapon into the Terminal when such firearm or weapon is encased for shipment, for the purpose of checking such firearm or weapon as baggage to be lawfully transported on an aircraft.

(b) Other than duly authorized federal, state and municipal law enforcement personnel, the carrying of firearms on the Airport by watchmen and guards must be approved by the Airport Director.

(c) No Person shall discharge any firearm, weapon or destructive device on the Airport except in the performance of official duties requiring discharge thereof.

(d) No Person shall furnish, give sell or trade any firearm, weapon or destructive device on the Airport.

ARTICLE 2. – AIRCRAFT OPERATIONS

Sec. 14-21. – Aircraft Operations.

(a) All Persons shall operate an Aircraft to, from, or on the Airport in conformity with applicable regulations of the FAA, TSA, Director of the Airport and the rules and regulations set forth in this Chapter 14.

(b) No Person shall operate an Aircraft at the Airport in a reckless or negligent 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.

(c) No Person shall operate an Aircraft constructed, equipped or loaded in such a manner as to endanger, or to be likely to endanger, Persons or property.

(d) No Aircraft Operator shall cause an Aircraft to land, take off or taxi in areas other than those authorized by the ATCT, and in no event, shall an Aircraft enter a grass or unpaved Movement Area unless so authorized. All Aircraft Operators shall park Aircraft upon leased property unless specific permission is granted by the Airport Director and in accordance with this Chapter 14.

(e) No Person other than a pilot, student pilot, or Mechanic shall taxi an Aircraft on any part of the Airport. A certified pilot, student pilot, or Mechanic shall be at the controls of an Aircraft while an engine of such Aircraft is being started or operated. All pilots, student pilots, and Mechanics shall obey all pavement markings, signage, and ATCT instructions.

(f) No Person may de-ice an Aircraft by applying any substance without prior permission from the Airport Director.

(g) Unless otherwise provided in an agreement with, or at the express direction of, the Airport Director, Lessee, or authorized FBO, no Person shall use any area of the Airport for the parking and storage of Aircraft.

(h) Aircraft shall only be parked in those areas designated for such purpose under the authority of the Airport Director and shall not be parked or stored in a Movement Area or positioned in such a manner as to block a runway, taxiway, taxi lane, penetrate FAR Part 77 imaginary surfaces, or obstruct access to hangars, parked Aircraft, and/or parked Vehicles.

(i) The Airport reserves the right to remove and store an Aircraft at the expense of the Aircraft Owner or Aircraft Operator and without liability for damage that may arise from or out of such removal or storage if such Person(s) use any area of the Airport for Aircraft parking or storage with obtaining prior written permission of the Airport Director.

(j) Aircraft Operators shall ensure parked and stored Aircraft are properly secured in accordance with best industry practices and FAA guidance, including without limitation, FAA Advisory Circular 20-35, Tiedown Sense.

(k) In the event of an emergency or other occurrence presenting risk to the safety or security of the Airport or Airport users, the Operator of any Aircraft parked or stored at

the Airport shall move the Aircraft to the location and/or position on the Airport upon request of the Airport Director to a specified location. In the event the Aircraft Operator refuses, is unable to, or unavailable, the Airport may move the Aircraft. In no event shall the Airport incur any liability for damage that may arise due to such movement and the Aircraft Operator shall be responsible for all costs associated with such movement.

(l) The Airport Director may deny access to the Airport to any Aircraft Operator who has operated an Aircraft at the Airport in a reckless or negligent manner has violated an air traffic rule or regulation of the FAA, or presents an imminent danger to persons or property.

Sec. 14-22. – Airworthiness, Derelict Aircraft and Abandoned Aircraft.

(a) All Persons operating Aircraft on the Airport shall possess an appropriate certificate or license issued by FAA or appropriate foreign government. As required by the FAA, all Aircraft operating at the Airport shall display on board a valid airworthiness certificate as required and issued by the FAA or appropriate foreign government and shall display a valid registration number issued by the FAA or appropriate foreign government on the exterior of the Aircraft.

(b) All Aircraft parked outside shall have the appearance of being whole. Aircraft missing components such as wings, empennage parts, landing gear, doors, or having tears in the skin or flat tires, are considered to be Derelict Aircraft.

(c) Derelict Aircraft shall be promptly removed from the Airport within fourteen (14) calendar days of the written request of the Airport Director. If the Aircraft Owner or Aircraft Operator provides satisfactory evidence that an open work order is being actively pursued on the Aircraft, then such Aircraft shall be removed from the Airport within thirty (30) calendar days following the date of the Airport Director's written request.

(d) Abandoning an Aircraft anywhere on the Airport is prohibited. The Airport reserves the right to remove such Abandoned Aircraft without liability for damage arising from or out of such removal and any costs associated with such removal will be the sole responsibility of the Aircraft Owner or Aircraft Operator.

(e) An Abandoned Aircraft or Derelict Aircraft may be subject to lien and removal from the Airport pursuant to Florida Statute.

Sec. 14-23. – Aircraft Accidents and Incidents.

(a) Any Aircraft Operators involved in an accident on the Airport, regardless of whether it results in personal injury or damage to property shall independently notify the Airport and make a prompt and complete report of the accident to the Airport Director, in addition to completing any necessary reports, or forms required by other regulatory

agencies, including but not limited to, the National Transportation Safety Board (“NTSB”) and the FAA. Copies of all such reports and forms shall be provided to the Airport Director.

(b) Aircraft or associated Aircraft parts involved in an accident on the Airport may not be disturbed, moved or removed from the scene of the accident until authorized by the Airport Director or the FAA and/or the NTSB, when applicable.

(c) Once authorization to remove an Aircraft has been issued by the Airport Director, the Aircraft Operator shall immediately remove the Aircraft at the Aircraft Owner’s or Aircraft Operator’s expense. If such Aircraft is not immediately removed, the City reserves the right to remove the Aircraft at the expense of the Aircraft Owner or Aircraft Operator and without liability to the City for any damage arising from or out of such removal.

(d) Containment and clean-up of petroleum spills from an Aircraft is an integral process of the removal of a disabled or Abandoned Aircraft. The Airport Director may authorize appropriate licensed Persons to clean up petroleum spills without liability to the City and at the expense of the Aircraft Owner or Aircraft Operator.

Sec. 14-24. – Restricted Activities.

(a) Use of the Airport for any of the following activities is restricted and requires prior written permission of the Airport Director and compliance with all applicable Federal Aviation Regulations.

(1) Use of any portion of the Airport as a parachute or skydiving landing area.

(2) Operations by gliders, ultralights, powered parachutes, lighter-than-air Aircraft, and hot air balloons.

(3) Operating drones or unmanned aerial vehicles to, from, or at the Airport or in a manner that violates Regulatory Measures.

(4) Operating model airplanes to, from, or at the Airport.

(b) Except to the extent prohibited by federal or state aviation regulation(s), the Airport Director has the authority to impose conditions on the conduct of the above-enumerated Aeronautical Activities at the Airport.

Sec. 14-25. – Engine Run-ups.

(a) Run-up of Aircraft engines is not allowed in areas outside the Movement Area unless approved by the Airport Director.

(b) No Person other than a pilot, student pilot, or Mechanic shall start and/or operate an Aircraft engine at the Airport.

(c) Any Person operating an Aircraft engine shall take precautions to alert and protect the public from hazards of operation.

(d) The operation of Aircraft engines inside hangars is strictly prohibited except as otherwise set forth in this Chapter.

Sec. 14-26. – Maintenance of Aircraft.

(a) No Person shall repair an Aircraft or Aircraft engine, propeller, or other Aircraft apparatus in any area of the Airport other than those areas specifically designed for such repairs by the Airport Director, except that minor adjustments or minor repairs may be made while the Aircraft is at an Aircraft parking position prepared for departure. Any Aircraft being repaired at a gate position shall be immediately moved to another location upon request by the Airport Director.

(b) Aircraft repairs in storage areas of hangars are limited to inspections and replacements of parts and repairs incident thereto, provided such repairs do not involve appliances using open flames or heated parts.

(c) The starting or operating of Aircraft engines inside any hangar is prohibited. This will not be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving Aircraft within any hangar.

(d) Doping processes, application of chemical solvents in preparation for painting, or paint stripping, sanding and painting of Aircraft or other similar processes shall be performed only in those facilities approved for such activities by the Airport Director and shall be conducted in compliance with all applicable Regulatory Measures.

ARTICLE 3. – VEHICLE RULES AND REGULATIONS

Sec. 14-27. – Vehicle Rules and Regulations.

(a) All Vehicles operating on Airport property are required to be in compliance with all applicable state and federal laws, including the Florida Uniform Traffic Control Law and the rules and regulations governing vehicles set forth in this Chapter 14.

(b) Use of quad-bikes, one wheels, big wheels, three wheelers, scooters, mini-bikes, bicycles, go-carts, roller blades, motorcycles, mopeds and skateboards, is not permitted on the AOA except when authorized, in writing, by the Airport Director.

(c) All Vehicle operators must possess a valid driver's license issued by a state or territory of the United States.

(d) Vehicles shall not be operated within the AOA unless the vehicle is in sound mechanical order, has adequate lights, and brakes, and permits clear visibility from the driver's position.

(e) Vehicles shall not be operated in such a manner or within such proximity of an Aircraft as to create a hazard or interfere with the safe operation of the Aircraft.

(f) Vehicles are prohibited from driving on any part of the AOA except to provide service to Aircraft, passengers, pilots, or Tenants, unless specifically designated by the Airport Director as being authorized to operate in such areas. The Airport Director may restrict Vehicles to a certain portion(s) or segment(s) of the AOA. Such restrictions shall prohibit Vehicle operations outside designated area(s).

(g) Vehicles used on the AOA shall be marked and operated in accordance with FAA Advisory Circulars 150/5210-5 and 150/5210-20, and any other applicable Letter of Agreement(s) between the Vehicle operator and the ATCT. Unless otherwise directed or authorized by the Airport Director or ATCT.

(h) All Vehicles shall yield the right-of-way to any Aircraft in motion and emergency Vehicles responding to an accident or incident.

(i) Positive locking couplings are required for all towing equipment.

(j) The maximum number of carts, equipment, or other device pulled by a Vehicle shall not exceed four (4) when pulled in a single train.

(k) All Persons operating a Vehicle inside the AOA shall have successfully completed the non-Movement Area Driver Training Course or be under escort by someone designated with such privileges as printed on their Identification Badge.

(l) All Persons operating a Vehicle inside the Movement Area shall have successfully completed the Movement Area Driver Training Course or be under escort by someone designated with such privileges as printed on their Identification Badge.

(m) All Persons operating a Vehicle shall establish two-way communication with the ATCT and receive authorization from the ATCT prior to entering the Movement Area, unless other procedures have been agreed upon through a Letter of Agreement with the ATCT and were approved by the Airport Director.

(n) Failure to follow all ATCT instructions shall result in the immediate suspension of Movement Area driving privileges.

(o) In the event of radio failure, a Vehicle in the Movement Area shall stop and hold its position until escorted or given a directive signal light from the ATCT. Vehicles that

experience radio failure while located on a runway shall continue until clear of the holding position markings and await escort or directive signal lights from ATCT.

(p) Any Vehicle entering the Airport will be subject to inspections in accordance with the Airport Security Program and any other applicable Regulatory Measures.

(q) No Person shall operate a Vehicle on the Airport overloaded or carrying more passengers than the Vehicle is designed to carry. Passengers may not ride in any trailer or cart.

(r) No Vehicle shall be operated on the Airport if it is so constructed, equipped, or loaded as to endanger Persons or property.

(s) No Person shall drive a Vehicle or move equipment between an Aircraft and the Terminal when passengers are boarding or deplaning from the Aircraft.

(t) No Person shall stop a Vehicle for loading, unloading or any other purpose on the Airport other than in areas specifically designated for such use and only in the manner prescribed by signs, lines, and other means provided. Stopping on the flight arrival and departure drives and the commercial curbs of the Terminal will be restricted specifically to active loading and active unloading of passengers and their baggage unless previously approved by the Airport Director. Unattended Vehicles may be cited and/or towed.

(u) Any Person operating a Vehicle must drive such Vehicle on the streets and other vehicular traffic areas on the Airport, including parking areas, at a speed that is reasonable and prudent under the existing conditions, having due regard to actual and potential hazards and must comply with speed limits indicated on signs posted and maintained by the Airport. In areas in which signs are not posted the speed limit shall be twenty-five (25) miles per hour. Inside the AOA the speed limit shall be fifteen (15) miles per hour and five (5) miles per hour within the wingtip clearance of an Aircraft.

Cross Reference – Traffic and Vehicles, Ch. 98.

Sec. 14-28. – Vehicle Parking and Storage.

(a) Vehicles shall not be parked or stopped in such a manner as to obstruct a parking lot lane, driveway, roadway, walkway, crosswalk, fire lane, emergency fuel shutoff device and the approaches thereto, Movement Areas, Ramp, or access gate and/or obstruct access to hangars, gates, emergency exits or building entrances or exits, parked Aircraft, or parked Vehicles or other than in accordance with restrictions posted on authorized signs, unless otherwise authorized by the Airport Director. In addition, Vehicles parked inside the AOA may only park in those areas authorized by the Airport Director.

(b) Hangar Tenants shall be allowed to park Vehicles inside the hangar for only such periods as may be required in connection with use of the Airport or use of Aircraft to, from or at the Airport. In no event shall Hangar Tenants park Vehicles inside a hangar for more than thirty (30) consecutive days. Storage of any Vehicles inside a hangar for a period exceeding thirty (30) consecutive days must be approved in advance by the Airport Director. In no event may hangars be used for storage of Vehicles in a manner that violates FAA policies concerning required Aeronautical use of Aircraft hangars.

(c) Boats, recreational Vehicles, racecars, personal watercraft and trailers (non-aviation related) shall not be parked or stored on the Airport except for governmental purposes or incidental or short-term storage of less than seven (7) days unless authorized by the Airport Director. In no event may hangars be used for storage in a manner that violates FAA policies concerning required Aeronautical use of Aircraft hangars.

(d) No Person shall conduct maintenance of a Vehicle on the Airport unless authorized by the Airport Director.

(e) Vehicles, including but not limited to, tow tractors, ground power units, belt loaders, baggage carts, and fuel trucks, operated by Commercial Aeronautical Operators or Tenants shall be cleaned and/or maintained in areas identified by the Commercial Aeronautical Operator or Tenant and approved by the Airport Director.

(f) Vehicles shall not be parked in any area requiring payment for parking without paying the required parking charges for the right and privilege of parking.

(g) At the discretion of the Airport Director or authorized law enforcement officers, any Vehicle or ground support equipment that is illegally parked, disabled, abandoned, derelict or creates a safety hazard in violation of this Chapter 14 may be removed at the expense of the registered owner of said Vehicle.

(h) Law enforcement officers are authorized to issue parking tickets for violation of any provision of the Florida Uniform Traffic Control Law or the Airport's rules and regulations governing the operation, loading, unloading or parking of motor vehicles on the Airport.

ARTICLE 4. – FUELING HAZARDOUS MATERIALS AND FIRE PREVENTION

Sec. 14-29. – Fueling, Defueling and Fuel Storage.

(a) All dispensing, storage, and handling of aviation fuels must be in compliance with NFPA 407, 14 CFR Part 139, FAA Advisory Circular 00-34, FAA Advisory Circular 150/5230-4, and any other applicable Regulatory Measures.

(b) No Person may install a fuel dispensing or collecting system (fixed or mobile) without prior written permission of the Airport Director.

(c) Fueling entities are required to develop and maintain a *Spill Prevention, Control, and Countermeasure Plan* (SPCC) as required by 40 CFR Part 112.

(d) No Vehicle designed for or employed in the transportation of fuel may be operated on a taxiway or runway at any time without prior written permission of the Airport Director.

(e) No Person shall dispense aviation fuel directly into a Vehicle or sell fuel for such purposes.

(f) Fueling entities shall have thirty (30) days to bring a fuel Vehicle, which no longer meet the requirements set forth in this Chapter 14, into compliance. If the fuel Vehicle is not returned to service within thirty (30) days, then the Vehicle shall be determined to be abandoned property and must be removed from the Airport.

(g) Fueling entities shall have thirty (30) days to bring fuel dispensing or collecting systems, which no longer meet the requirements set forth in this Chapter 14, into compliance. If the fuel dispensing or collecting systems are not returned to service within thirty (30) days, the Airport has the authority to repair the facility at the Fueling entity's expense.

Sec. 14-30. – Fueling Safety Training.

(a) Each fueling entity must appoint a fueling supervisor who is required to complete an aviation fuel training course in fire safety meeting the requirements of AC 150/5230-4. The fueling supervisor must be trained prior to initial performance of duties or be enrolled in an authorized aviation fuel training course that will be completed within ninety (90) days of initiating duties and receive recurrent training at least every twenty-four (24) consecutive calendar months.

(b) All other employees who fuel Aircraft, accept fuel shipments, or handle fuel must receive at least initial on-the-job training within sixty (60) days of hire in fire safety and recurrent training every twenty-four (24) consecutive calendar months from the fueling supervisor. Training for employees may also be completed through an approved line service fuel safety course.

(c) Fueling entities must provide written confirmation to the Airport Director once every twelve (12) consecutive calendar months that personnel fuel safety training was accomplished. Fueling entities must use the template provide by the Airport Director for the letter.

(d) Fueling personnel training records must be maintained for twenty-four (24) consecutive calendar months at the fueling entity's office and be available for review upon request and during quarterly inspections. In addition, a copy of the training record must be provided to the Airport Director.

(e) Fueling entities must develop and maintain standard operating procedures for Aircraft fuel and ground handling operations that comply with FAA Advisory Circular 00-34. Such standard operating procedures must be available to review by the Airport Director upon reasonable notice.

Sec. 14-31. – Self-Fueling.

(a) An Aircraft may be Self-Fueled at the Airport only in accordance with this Chapter.

(b) T-Hangar Tenants wishing to Self-Fuel their Aircraft may do so without a Self-Fueling permit. However, T-Hangar Tenants may only conduct Self-Fueling with two (2), twenty-five (25) gallon fuel cans that meet current applicable Fire Codes.

(c) The Airport Director shall issue a Self-Fueling permit to any Person who desires to Self-Fuel its own Aircraft and who meets the requirements of this Chapter 14. The Self-Fueling permit shall allow the Self-Fueling of those Aircraft set forth in the permit and shall authorize fueling only by the Permit Holder and its bona fide employees. The Airport Director may issue a Self-Fueling permit subject to such terms and conditions as are reasonably necessary for the safe and efficient use of the Airport. The permit shall set forth:

(1) The name of the Person to which the permit is issued.

(2) The registration number ("N" number) of the Aircraft that the Permit Holder is allowed to Self-Fuel.

(3) The normal storage location of each Aircraft covered by the permit.

(d) Under no circumstances shall a Self-Fueling permit allow the commercial fueling or other Commercial Activity at the Airport.

(e) Under no circumstances shall a Permit Holder allow contractors, agents, Commercial Aeronautical Operators, or other third-parties or any natural Persons other than bona fide employees to Self-Fuel Aircraft set forth in the permit.

(f) A Self-Fueling permit will allow the Permit Holder and its employees to fuel only the following Aircraft:

(1) Aircraft in which the Permit Holder has 100 percent ownership interest.

(2) Aircraft for which the Permit Holder has an exclusive Lease.

(3) Aircraft which are owned or held in an exclusive Lease by a corporation whose voting stock is 100 percent owned by the Permit Holder.

(4) Any other Aircraft for which, in the discretion of the Airport Director, determines that a Permit Holder has demonstrated that it has a long-term owner interest comparable to the ownership and leasing arrangements allowed in this Section and in applicable FAA Orders and Advisory Circulars.

(g) All equipment used in the Self-Fueling of Aircraft pursuant to the Self-Fueling permit shall be owned or held in a Long Term Exclusive Lease by the Permit Holder and shall comply with the safety and public health requirements and regulations of this Chapter 14 and other provisions of the Code. The location and all specifics of any fuel tanks and other facilities needed for Self-Fueling must be approved by the Airport Director in order to maintain overall safe conditions for the operation of the Airport.

(h) Self-Fueling shall be conducted only by a Lessee's own employees and its own equipment in compliance with all laws, regulations including but not limited to fire safety, building codes, and environmental insurance requirements.

Sec. 14-32. – Hazardous Waste and Materials.

(a) No Person shall store, keep, handle, use, dispense, discharge, or transport on the Airport any hazardous material in contravention of any Regulatory Measures.

(b) Proper permits relating to hazardous materials and hazardous substances shall be obtained from the appropriate Agencies including, but not limited to, the Florida Department of Environmental Protection and the Environmental Protection Agency of the United States. Copies of such permits shall be provided to the Airport Director upon request.

(c) Safety data sheets for all hazardous materials shall be maintained on site and be available to emergency responders and for review by the Airport Director upon request.

(d) No fuels, oils, dopes, paints, solvents, acids, or any other hazardous substance shall be disposed of or dumped in drains, on Ramps, catch basins, ditches, or elsewhere on the Airport.

(e) Any Person who experiences overflowing or spilling of hazardous materials or substances anywhere on the Airport shall be responsible for the immediate cleanup of the spill, proper disposal of the substance, rehabilitation of the affected area, and

notification of the Airport Director and other Agencies as required by Regulatory Measures.

(f) No Person may, without prior written permission of the Airport Director, keep, transport, handle, or store at, in or upon the Airport any cargo of explosives or other hazardous materials or substances which are barred from loading in, or for transportation by, civil Aircraft in the United States under the Regulatory Measures. Compliance with said Regulatory Measures will not constitute or be construed to constitute a waiver of the required notice or an implied permission to keep, transport, handle or store such explosives or other dangerous items at, in or upon the Airport. Advance notice of at least twenty-four (24) hours must be given to the Airport Director to permit full investigation and clearances for any operation requiring a waiver of this Chapter 14.

(g) No Person may offer, and no Person may knowingly accept, any hazardous materials or substances for shipment at the Airport unless the shipment is handled and stored in full compliance with current Regulatory Measures.

(h) Any Person engaged in the transportation of hazardous materials or substances, including radioactive cargo, shall have designated personnel at the Airport authorized and responsible for receiving and handling such shipments in compliance with all applicable Regulatory Measures.

(i) Any Person engaged in the transportation of hazardous materials or substances shall provide storage facilities which reasonably ensure against unauthorized access or exposure to Persons and against damage to shipments while at the Airport.

(j) Any Person engaged in the transportation or handling of hazardous materials or substances shall maintain a sufficient supply of absorbent materials(s) which may include, but may not be limited to, booms, blankets, pads, pillows, and other materials to contain and pick-up the spilled product.

(k) If the responsible party is not capable of, has not, or refuses to take the appropriate action in a timely manner during an environmental incident to mitigate the adverse impact of such incident, then the Airport Director reserves the right to take action and/or employ those services that the Airport Director determines necessary to control and/or clean up the site. The cost of such services shall be paid by the responsible party.

Sec. 14-33. – Compliance with Fire Regulations.

(a) Any Person engaged in any activity at the Airport shall comply with the Fire Code adopted by the City and all other applicable Rules and Regulations.

(b) Person shall comply with all directives issued by the City regarding the removal of fire hazards, arrangement or modification of Vehicles or equipment, and altering procedures considered a fire hazard.

(c) Smoking is prohibited in certain areas including, but not limited to, Ramps, Fuel Storage Facilities, Terminals, areas posted as non-smoking, or other locations as determined by the Airport Director. In accordance with Florida Statute, no Person may smoke within an interior Public Area, enclosed indoor workspace, and other areas designated by signage as “Non-smoking”.

(e) Open flames are prohibited inside hangars.

Cross Reference – Fire Prevention and Protection, Ch. 42.

ARTICLE 5. – PRESERVATION OF PROPERTY

Sec. 14-34. – Preservation of Property.

(a) No building, sign, structure, pavement, excavation, equipment, marker, landscaping, or other property on the Airport, may be altered, constructed, or erected without the written approval of the Airport Director, except as otherwise authorized by an existing lease or contract, and shall comply with all applicable building and City codes. The Airport Director has the authority to order the building, sign, structure, pavement, excavation, equipment, marker, landscaping, or other property on the Airport removed or corrected at the expense of the owner.

(b) Unless otherwise provided for by a contractual agreement, no Person will use any area of the Airport, including buildings, whether privately or publicly owned, for the storage of cargo or any other property or equipment without prior written permission of the Airport Director. The Airport Director will have the authority to order the cargo or any other property removed and stored at the expense of the owner without responsibility or liability by the Airport.

(c) No Person shall keep, store or discard any inflammable liquids, gases, signal flares, oil rags or other similar materials in hangars or in any building on the Airport, provided that such material may be kept in the Aircraft for such purpose except for those rooms or areas specifically approved by the Airport Director for such use.

Sec. 14-35. – T-Hangars and Hangars.

(a) All T-Hangars shall be used only for the storage and self-servicing of Aircraft. No activity other than the normal service of Aircraft shall be permitted in such structures. Prohibited activities include, but are not limited to, fuel transfer, welding, torch cutting, soldering, doping, parts cleaning, spray painting, the starting or operating of aircraft

engines, and activities in which hazardous operations are performed or jeopardizes the safety and security of the facility.

(b) No Tenant shall engage in any Commercial Aeronautical Services in T-Hangars.

(c) Airport hangars and T-Hangars shall be used exclusively for the storage of Aircraft and the conduct of Aeronautical Activities, except with express written permission of the Airport Director. Any storage or parking of Vehicles or any other non-aviation related items or property shall be considered an unauthorized use and such items will be removed and placed in storage at the owner's sole expense and the City shall have no liability for any damage arising from such removal or storage.

ARTICLE 6. – PENALTIES AND REMEDIES

Sec. 14-36. – Fines.

Any fines levied against the City by another Agency due to any Person's noncompliance with Regulatory Measures shall be the responsibility of the Person.

Sec. 14-37. – Revocation of Unescorted Access Privileges

Persons operating inside the AOA of the Airport in direct violation of the Rules and Regulations set forth in this Chapter 14, Airport Certification Manual, or Airport Security Program, may be subject to revocation of their unescorted access privileges and/or immediate removal from the AOA.

Sec. 14-38. – Fees and Charges.

(a) All fees and charges will be in accordance with the Airport's published rates and charges, or in accordance with agreements between the City and any Person.

(b) All regularly scheduled air carriers operating at the Airport shall be required to enter into an operating agreement prior to commencing service at the Airport. The use of Aircraft gates, ticket counters, and related facilities shall be subject to the Airport's published rates and charges in order to recover the Airport's costs to provide such facilities.

(c) All air carrier and air cargo carriers operating at the Airport shall be subject to landing fees based on the certified maximum gross landed weight of the Aircraft. Such fees shall be payable regardless of whether the Aircraft is landing or taking-off, However, the Aircraft Operator will not be charged for both a landing and a take-off.

(d) The payment of rentals, fees, and charges relating to the use of Airport premises and facilities shall be made before take-off, except as may otherwise be provided for in a written agreement with the Airport

(e) Persons issued an Identification Badge shall be subject to fees in accordance with the Airport's published rates and charges, or in accordance with a written agreement with the Airport.

ARTICLE 7. – INSURANCE REQUIREMENTS

Sec. 14-39. – Insurance Requirements

(a) All Aircraft and Vehicles must meet the minimum insurance coverage as required by the City's Risk Management Department.

(b) All Tenants shall obtain the minimum insurance coverage as required by the City's Risk Management Department, prior to entering into a lease for use of any Airport facility or other form of agreement when applicable.

ARTICLE 8. – COMMERCIAL GROUND TRANSPORTATION SERVICES

Sec. 14-40. – Use of Facilities

(a) No Person shall conduct Commercial Ground Transportation Services described in this Chapter 14 at the Airport without a valid and current permit issued by the City or pursuant to the terms of a written agreement to specifically operate at the Airport. The authorization to conduct Commercial Ground Transportation Services at the Airport shall be obtained in accordance with the rules and regulations set forth in this Chapter, in addition to any other applicable City ordinances, rules or regulations, which shall include, but may not be limited to, Chapter 18, Business Tax Receipts and Chapter 106, Vehicles for Hire, of the Code of the City of Lakeland.

(b) Permits issued by the City shall be for a term no longer than one (1) year and shall expire December 31st of each calendar year, unless otherwise terminated or revoked in accordance with the provisions of the permit. Permits shall not be assignable or transferable.

Cross Reference – Business Tax receipts, Ch. 18. Vehicles for Hire, Ch. 106.

Sec. 14-41. – Performance of Commercial Ground Transportation Services.

(a) All Commercial Ground Transportation Operators and Transport Network Companies shall be subject to on-site supervision and direction of the Airport Director.

(b) The Airport Director may designate a staging area that includes portions of the curb in front of the Terminal and other areas of the Airport for passenger pick up and drop off. The Airport Director may further designate holding areas away from the Terminal to alleviate or avoid congestion immediately in front of the Terminal. Commercial Ground Transportation Operators arriving at the Airport shall park or wait in the designated location and follow the instructions and hand signals of Airport employees and law enforcement personnel.

(c) Unless engaged in active loading or unloading of passengers or luggage, all Commercial Ground Transportation Operators and Transport Network Companies shall not allow their Vehicle(s) to idle and shall turn the engine off.

(d) No Commercial Ground Transportation Operators and Transport Network Companies shall be more than five (5) feet away from their Vehicle while parked or stopped at the curb in front of the Terminal. Unattended Vehicles shall be cited and towed away by the City at the Vehicle owner's expense.

(e) Commercial Ground Transportation Operators are not permitted to refuse service based on a passenger's intended destination, the number of passengers, or for similar reasons; provided, however, that drivers may refuse service to a large group if the taxicab is not configured to accommodate the intended number of passengers or luggage.

(f) Unless otherwise provided by permit or agreement, or in instances where a valid reservation for a pre-reserved customer is made, Commercial Ground Transportation Operators and Transport Network Companies may not pick up or solicit passengers for pick up on the Airport.

Cross Reference – Peddlers and Solicitors, Ch. 78; Traffic and Vehicles, Ch. 98; Vehicles for Hire, Ch. 106.

SECTION 4. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 5. This ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 21st day of August, A.D. 2023.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY