

CITY OF CHARLOTTE
COUNCIL POLICY

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1. PURPOSE

The purpose of this policy is to establish rules and regulations governing operations and activities taking place at Fitch H. Beach Municipal Airport.

2. AUTHORITY

This policy is adopted pursuant to Section 72-20 of the Charlotte Code of Ordinances.

3. AIRPORT RULES AND REGULATIONS

Section 1. Use of Airport Restricted

No person, partnership, firm, association, corporation or entity, incorporated or otherwise, shall use the Airport for any commercial or nonaviation activity except pursuant to a written agreement approved by the City Council.

Section 2. General Rules and Regulations

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

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

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

Rule 3. Hangars and other buildings or structures owned by the City may be leased to private individuals, companies, or corporations on a monthly or yearly basis for the storage of aircraft and ancillary equipment.

Rule 4. Lease of Airport Property The City may lease property within the building area or other portions of the Airport for the construction of hangars, buildings, lean-tos, aprons, taxiways, and auto parking lots in accordance with an approved Airport Master Plan/Airport Layout Plan. Aviation related use must be given priority in the use of all leased or privately owned property, buildings, or structures. If the aviation needs of the airport are sufficiently met, the City may consider authorizing nonaviation use of any portion of the Airport or any building on the Airport on a case by case basis. Application of such nonaviation use shall

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be made to the City Council. Such nonaviation use may be subject to the approval of the Michigan Department of Transportation.

- A. Individual lease periods shall be determined on a case-by-case basis.
- B. Any privately owned structure or hangar not in use for aviation purposes for a period in excess of ninety (90) days or not available for lease or sublease for aviation purposes, unless so authorized for nonaviation 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.
- C. Leased land from which any building, hangar, or structure is removed, after due notice or expiration of the lease, will be cleared, cleaned, and put back in its original or acceptable condition by lessee.
- D. Leased property on the Airport may be subleased by the lessee only with written approval of the City Council.
- E. No hangar or structure may be erected within the building restriction line or in conflict with the approved Airport Layout Plan.
- F. All construction must be authorized by the City Council and must be of a compatible standard capable of withstanding winds of 85 mph, with doors open or closed. Furthermore, all structures must comply with any and all City building codes, and applicable airport compatible land use or zoning ordinances, and the approved Airport Layout Plan.
- G. **Through the Fence Operations Prohibited** – No private individual, partnership, FBO, company, or corporation shall be permitted direct ground access to the Airport by their aircraft, customers’ aircraft, or private vehicle from property adjacent to or in the immediate vicinity of the Airport. Furthermore, no private individual, partnership, company, corporate, or customers’ aircraft or vehicle shall be permitted direct ground access to property from the Airport – a practice commonly known as a “through the fence operation.” Under extenuating circumstances, the City Council may request approval from the Michigan Department of Transportation for certain through the fence operations on a case by case basis.

Rule 5.Unauthorized Signs and Equipment – No signs, nonaeronautical equipment, portable buildings, or trailers may be erected, moved-in, or installed on Airport property, except as may be specifically authorized by the Airport Manager.

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Rule 6.Surreptitious Activities – Any person observing suspicious, unauthorized or criminal activities should report such activities immediately to the Airport Manager, Charlotte Police Department, County Sheriff’s Department, or other law enforcement agency.

Rule 7.Wrecked Aircraft – Every aircraft owner, his/her pilot, or agents, shall be responsible for notifying FAA and promptly removing disabled or wrecked aircraft from the operational areas of the Airport, under the direction of the Airport Manager.

Rule 8.Repairs to Aircraft – No aircraft shall be repaired on any part of the landing or takeoff area. All outside repairs shall be made only at places approved by the Airport Manager for such purpose. Major engine, airframe, or avionics repairs shall be conducted by a properly licensed mechanic within a hangar or building rented, leased, or owned for such commercial purposes. Any preventative maintenance authorized by FAR Part 43 may be made by the owner or operator of any aircraft, but only within a hangar leased or owned by that aircraft owner or operator or at places approved by the Airport Manager for such purpose.

Rule 9. Damage to Airport – Any person, individual, or corporation or the owner of any aircraft causing damage of any kind to the Airport, whether through violation of any of these rules, through vandalism, or any act of negligence, shall be liable therefore in and to the City.

Rule 10. Injury to Person – Persons entering upon the Airport ground side property by automobile, other vehicular conveyance, or pedestrian traffic (not including persons in aircraft using approved air side facilities) do so at their own risk and with no liability incurring to the City for any injury or damage to person or property. Further, any person desiring to use the Airport shall observe and obey all valid laws, resolutions, orders, rules, and regulations promulgated and enforced by the City or by any other authority having jurisdiction over the conduct and operation of the Airport.

Rule 11. Licensed Pilots – Only properly registered aircraft and persons holding current airman and medical certificates as required and issued by the FAA shall be authorized to operate aircraft upon the Airport except as provided in these rules and regulations. This limitation shall not apply to students in training under licensed instructors nor to public aircraft of the Federal government or of a State, Territory, or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

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Rule 12. Registration – Each person owning an aircraft based at the Airport, employed, or receiving instruction at the Airport shall register at the office of the Airport Manager their name, address, telephone number, aircraft model, aircraft registration “N” number, and the name, address, and telephone number of their next of kin or person to be notified in case of an accident or emergency.

Rule 13. Intoxicants and Narcotics Prohibited – No person under the influence of any intoxicant, narcotic, or other illicit drug shall operate or fly in any aircraft to or from the Airport. Such prohibition shall not apply to a passenger under the care of a medical doctor, nurse, or caretaker.

Rule 14. Foreign Objects – No foreign objects, including bottles, cans, scrap, nuts, bolts, nails, or any object that may cause damage to an aircraft, shall be left upon the floor of any building or upon any part of the surface area of the Airport. Individuals are encouraged to pick up such foreign objects when observed and place them in a trash receptacle.

Section 3. Ground Operations

Rule 15. Air and Ground Traffic – Vehicular Traffic – All vehicular traffic on the Airport shall be confined to streets, roads, and avenues of passage designated and provided for that purpose and shall not be operated at a speed in excess of 10 miles per hour. Official vehicles only will be driven on the landing area. Such official vehicles will have a ground to air radio transceiver tuned to the local UNICOM frequency or Common Traffic Advisory Frequency (CTAF) and a flashing beacon light mounted on the roof of the car or a checkered orange and white flag mounted on the front bumper of the vehicle. Special use vehicles such as an ambulance, hearse, or delivery van may be driven on the apron with the permission of the Airport Manager. An aircraft owner who rents, leases, or owns his/her private hangar may park his/her automobile in the hangar while on a trip in his/her aircraft.

Rule 16. Fueling of Aircraft

A. Aircraft shall not be fueled while the engine is running or while in a hangar or other enclosed place, except that an Ag spray aircraft on a fast turnaround may be fueled and loaded with chemicals with the aircraft engine idling if the Airport Manager has provided written authority to the Ag operator, the pilot remains at the controls, the aircraft’s wheels are chocked, there are at least two 20B fire extinguishers within fifty (50) feet of the aircraft being serviced, and a qualified ground crew member is present during the fueling operation. No persons shall be in the aircraft at the time of refueling.

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B. Prior to making any fueling connection to an aircraft, the fueling equipment shall be bonded to the aircraft by use of a cable suitable for that purpose and approved by the local Fire Marshal. The bond shall be made prior to fueling and maintained until fueling is completed and fuel connections have been removed. In addition, when fueling overwing, the fueling nozzle shall be bonded with a nozzle bond cable having a clip or a male plug to a metallic component of the aircraft that is metalically connected to the aircraft fuel tank filler port or a female receptacle designed to accommodate the male plug. If there is no plug receptacle or means for attaching a clip, the operator shall touch the filler cap with the nozzle spout before removing the cap so as to equalize the static electrical potential between the nozzle and the filler port. The nozzle spout shall be kept in contact with the filler neck until the fueling is completed. When a funnel is used in aircraft fueling, it shall be kept in contact with the filler neck as well as the fuel spout or fuel supply container to avoid the possibility of a spark at the fill opening. Only metal funnels shall be used for fueling. Bonding and fueling connections shall be disconnected in the reverse order of connection after fueling is completed.

C. All aircraft shall be fueled clear of all hangars, other buildings, and aircraft by at least fifty (50) feet.

D. Aviation or auto fuels shall not be stored within a hangar or building except in small quantities and in approved containers manufactured and marked for such purpose and only with the approval of the local Fire Marshal.

Rule 17. Tiedown of Aircraft

A. All aircraft not hangared shall be tied down and the wheels chocked at night and during inclement weather.

B. All aircraft owners or their agents are responsible for the tiedown or security of their aircraft at all times and particularly during inclement weather.

Rule 18. Running Aircraft Engines

A. Aircraft not equipped with adequate brakes shall not be started until the wheels have been set with chocks attached to ropes or other suitable means of removing them.

B. No aircraft shall be hand propped, started, or left running without a qualified person at the controls.

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C. No aircraft engine shall be started or run inside any building or hangar.

D. No engine shall be started, run up, or warmed up until and unless the aircraft is in such position that the propeller stream or jet blast will clear all buildings, other aircraft, and groups of people.

Rule 19. Damage to Runway Lights – Any person damaging any runway or taxiway light or fixture by operation of aircraft or otherwise, shall immediately report such damage to the Airport Manager. Persons causing damage to runway and taxiway lights as a result of negligent operation of an aircraft or willful acts will be liable for replacement cost of the light(s) and/or fixture(s) and may be charged with a misdemeanor as provided in Section 8 hereunder.

Rule 20. Taxiing Aircraft

A. No person shall taxi an aircraft until he/she has reasonably ascertained there will be no danger of collision with any person or object in the immediate area.

B. Aircraft will be taxied at a safe and prudent speed and in such manner as to be under the control of the pilot at all times.

C. Aircraft not equipped with adequate brakes will 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 shall 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 shall not be taxied by engine power into or out of a hangar or T-hangar.

Rule 21. Parking Aircraft

A. Unoccupied aircraft shall not be parked or tied down within any protected area (object free area, runway safety area, etc.) as described in FAA AC 150/5300-13 and all aircraft not hangared shall be parked in the areas designated by the Airport Manager for that purpose.

B. Aircraft shall not be parked within fifty (50) feet of an aircraft fuel pump.

C. Aircraft shall not be parked in such a manner as to hinder the normal movement of other aircraft and traffic unless specifically authorized by the

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Airport Manager as an emergency measure.

D. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set and/or it is properly chocked and/or tied down.

Rule 22. Loading/Unloading Aircraft – Pilots are prohibited from loading or unloading aircraft with the engine running, except as stated in Rule 19.A herein.

Section 4. Takeoff and Landing Rules

Rule 23. Authority to Suspend Operations – The Airport Manager may suspend or restrict any or all operations whenever such action is deemed necessary in the interest of safety, provided operations under instrument meteorological conditions may be continued by properly instrument-rated pilots following appropriate flight rules.

Rule 24. Clearing Street – No aircraft shall land or take off 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, or twenty-three (23) feet over a railroad, nor land or take off on the taxiway or over hangars or other structures, automobile parking areas, or groups of spectators.

Rule 25. UNICOM – All pilots with radio equipped aircraft shall call on the local UNICOM frequency 123.0 to determine the active runway and to announce their position and intentions for takeoff or landing. If no UNICOM frequency is assigned to the airport, pilots of radio equipped aircraft taking off or landing at the Airport should report their intentions on the MULTICOM frequency 122.9.

Rule 26. Emergency Locator Transmitter (ELT)

A. Immediately after takeoff and after landing prior to engine shutdown, pilots should tune their aircraft radios to the emergency frequency (121.5 or 243.0) and listen to determine if their aircraft's emergency locator transmitter (ELT) is transmitting. If the ELT turned on and transmitted after a takeoff or landing, as soon as possible after turning it off, advise the FAA Automated Flight Service Station for the area at telephone number 800-WX-BRIEF (800-992-7433) that your ELT accidentally turned on at the approximate time and coordinates, if known, and the time and coordinates it was turned off.

B. If a pilot lands an aircraft at the Airport, parks and locks or hangars the aircraft with the ELT transmitting and the Airport Manager determines such has occurred, the Airport Manager shall take immediate action to telephone and/or locate the pilot of the aircraft, advise him/her of the

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situation, and request that the pilot return to the Airport immediately and turn off the ELT. Should the Airport Manager be unable to locate the pilot or if the pilot is unable to return to the Airport within a reasonable time to turn off the ELT, the Airport Manager, accompanied by a local peace officer, a Civil Air Patrol officer, or an FAA representative, shall take the necessary action to turn off the ELT, provided the action does not result in damage to the aircraft. The aircraft owner shall be responsible for all charges associated with turning off the ELT.

Rule 27. Takeoffs on Apron or Taxiways – Takeoffs or landings shall not be made on the apron, parking ramp, or taxiway by fixed-wing, rotary-wing, or ultralight aircraft except by special permission of the Airport Manager.

Rule 28. Takeoffs Allowed – Touch and go landings may be made at the discretion of the pilot. Pilots remaining in the pattern making touch and go landings should broadcast on the UNICOM or Common Traffic Advisory Frequency (CTAF) their pattern turns and their touch and go intentions after turning final. All aircraft shall clear for landing and takeoff traffic before taxiing into takeoff position.

Rule 29. Traffic Pattern Altitude – Traffic pattern elevation at the Airport is 1900 feet above ground level (AGL) for small aircraft, which is 1009 feet above mean sea level (MSL) elevation. Traffic pattern elevation at the Airport is 2400 feet above ground level (AGL) for large aircraft, which is 1509 feet above mean sea level (MSL) elevation.

Rule 30. Student Training and Practice Flying

- A. Flight instructors shall inform students and themselves of all rules and regulations in effect at the Airport.
- B. By notices posted in his/her office, the Airport Manager may designate limited areas of the Airport and local areas approved by the FAA for practice flying and training of students.
- C. Aircraft shall not be permitted to remain on the landing or takeoff areas for the purpose of instruction.

Rule 31. Special Procedures

- A. The Airport Manager may, in the interest of safety, designate special traffic procedures for certain operations, such as helicopters, air shows, agricultural operations, gliders, ultralights, etc. Any such change from standard procedures shall be published in the FAA's Airport/Facility Directory if of a permanent nature or the Airport Manager shall issue a

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NOTAM if such change is if a temporary nature.

B. Parachute jumping on to the Airport property shall not be permitted without the recommendations of the Airport Advisory Board and the approval of the City Council.

Rule 32. Flying of Model Airplanes – Engine powered model airplanes, cable or radio controlled, or model gliders shall not be permitted to operate, take off or be launched from, flown over, flown in the terminal area of, or land at the Airport except as authorized by the Airport Manager.

Section 5. Fire Regulations

Rule 33. Applicable Rules

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

B. Smoking or open flame within fifty (50) feet of any fuel tank, fuel pump, or fuel truck is prohibited.

C. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Manager.

D. No flammable substance shall be used for the cleaning of any aircraft part or other thing inside a hangar, T-hangar, or other building upon the Airport.

E. No one shall smoke or ignite a match or lighter in any building or hangar.

F. Hangar entrances shall be kept clear at all times.

G. The floors in all buildings shall be kept clean and free of oil. Volatile, flammable substances shall not be used for cleaning the floors.

H. No boxes, crates, cans, bottles, paper, tall grass, weeds, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter shall be permitted to accumulate in or about a hangar, building, or other leased space. If such trash and litter is permitted to accumulate around a private owned, rented, or leased hangar/building, the Airport Manager shall notify the hangar/building owner, renter or lessee by registered letter to remove the offending litter. If within ten (10) work days after receipt of the letter the hangar/building owner, renter, or lessee has not removed the trash and litter as directed, the

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Airport Manager may have the area cleaned and the cost for such cleaning shall be charged to the hangar/building owner, renter, or lessee.

I. Prior to the fueling of any aircraft, the aircraft shall be bonded to the fuel pump to equalize the static electrical potential between the fueler and the aircraft. Bonding shall be accomplished in the interest of fire safety as described in Section 3, Rule 19.B.

J. A sufficient number, rating, and size of fire extinguishers shall be available whenever aircraft are being refueled.

K. All aviation fuel nozzles shall have “dead man” controls which will shut off the fuel flow when the nozzle hand control is released. Nozzles with mechanical hold open devices will not be permitted for fueling aircraft.

L. The pilot and passengers will exit the aircraft and the aircraft will be unoccupied during fueling operations, except as provided in Rule 19.A.

M. In all matters related to aircraft fueling safety, the provisions of Manual 407 – “Standard for Aircraft Fuel Servicing, 2001 edition,” (or as revised) published by the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy MA 02269-9101, 800-344-3555, shall prevail.

Section 6. Knowledge of Rules Implied

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

Section 7. References to Airport Manager

References in these rules and regulations to “Airport Manager” shall be interpreted to include the Assistant Airport Manager and others designated by the Airport Manager to act in his/her behalf.

Section 8. Conflict of Rules and Regulations

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

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Section 9. Severability

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

4. EFFECTIVE DATE

This policy shall be effective upon its approval by the City Council.