

Rock Hill-York County Airport
BRYANT FIELD (UZA)

Regulations and Minimum Standards

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Legislative History

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I.

Definitions

Unless from the context a different meaning is apparent as used in these regulations, the terms hereinafter used shall be defined as follows. These definitions shall not supersede any definitions contained in specific written agreements.

Air Operations Area

That area used or intended to be used for landing, takeoff, or surface maneuvering of aircraft.

Air Taxi

An aviation service defined under either Part 121 or Part 135 of the Federal Aviation Regulations. Such operations may be subject to the Minimum Standards herein.

Aircraft

Any contrivance now known or hereafter invented, used, or designed for flight in air. See specific classifications of business, club, commercial, private, or public aircraft.

Airport

The Rock Hill-York County Airport/Bryant Field, located near the intersection of SC Highway 161 and State Road S-46-678.

Airport Commission

The Rock Hill - York County Airport Commission as established by the City Code pursuant to the Agreement between the City of Rock Hill and York County dated June 8, 1992.

Airport Manager

The Airport Manager is the City Manager, or his designee. See page .

Airside

See Air Operations Area

Apron

That area intended to accommodate aircraft for purposes of loading or unloading passengers or cargo, refueling, parking, or maintenance.

Aviation fuel

Avgas, aviation gasoline, jet fuel, auto gas, bottled propane, or any other fuel brought onto the Airport to be used in aircraft.

Based aircraft

An aircraft that is (a) owned by a Fixed Base Operator located at the airport under a lease; (b) parked in a tiedown or hangar leased from either an FBO or the airport; or (c) the subject of an access agreement.

Business aircraft

Aircraft owned by businesses not engaged in any aviation business covered by the Minimum Standards herein.

Cargo (Air)

Any property carried on an aircraft other than mail, stores, or baggage.

City

The City of Rock Hill, South Carolina.

Club aircraft

Aircraft owned and operated in accordance with the Flying Club section of these Regulations.

Commercial aircraft

Aircraft owned by a Fixed Base Operation under any portion of the Minimum Standards herein.

Commercial Operation

Any business activity at the Airport the purpose of which is to make a profit. See Concessionaire and Fixed Base Operation.

Concessionaire

A business operation at or on the Airport under a concession agreement. See page .

County

The County of York, South Carolina.

FAA

The Federal Aviation Administration.

Fixed Base Operation (FBO)

An individual, partnership, firm, association or corporation engaged in one or more aeronautical services for which minimum standards are provided herein and which has entered into a written lease or agreement for the use of any portion of the airport.

Flight pattern

The configuration or form of a flight path flown, or prescribed to be flown, by an aircraft as in making an approach to a landing.

Flying clubs

A flying club is recognized as a plan for the joint ownership of aircraft and distribution of the cost of maintaining and operating such aircraft. See page .

Hangar-keeper

An aircraft storage Fixed Base Operator.

Instructor

Any individual holding the requisite FAA certificate who gives or offers to give for compensation instruction in the operation, repair, or maintenance of aircraft, aircraft powerplants and accessories, or other aviation accouterments including the repair, packaging and maintenance of parachutes.

Owner (of the Airport)

The City of Rock Hill.

Owner Service Area

A designated location for servicing of aircraft. See page .

Person

A natural person.

Private aircraft

Aircraft owned by individuals and operated non-commercially.

Private facilities

Those areas leased to an aircraft owner for aircraft storage or to a Fixed Base Operation or concessionaire.

Public aircraft

Aircraft owned and operated by a local, state or federal government entity.

Public facilities

The following facilities on the Airport:

- a. Runways for the purpose of landing and take off.
- b. Taxiways for the purpose of ground movement of aircraft.
- c. Aircraft parking space for the purpose of parking and storing aircraft; loading and unloading passengers, baggage, mail, and cargo; performing operations incidental to the immediate preparation of aircraft for departure, such as inspection, cleaning,

and fueling; making minor and emergency repairs to aircraft; parking mobile equipment actively used in connection with the foregoing.

d. Access to the ramp for the primary purpose of loading and unloading passengers and their baggage, and the loading and unloading of mail and cargo.

e. Any other space, facilities or services provided for public use by aircraft operations.

Ramp

See Apron.

Refueler truck

Any motor vehicle used for transporting, handling, or dispensing of aviation fuels, oils, and lubricants.

Regular operation

Landing or takeoff at the Airport on 12 or more days in any 6 month period.

South Carolina Aeronautics Commission (SCAC)

See SCDOA.

SCDOA

The South Carolina Division of Aeronautics.

Sponsor

See Owner.

Surface Vehicle

Every device in repose, or by which any person or property is or may be transported or drawn upon a roadway, including bicycles.

Terminal area

That area used or intended to be used for such facilities as terminal and cargo buildings, gates, hangars, shops, other service buildings, automobile parking, airport motels, restaurants, garages, and automobile service; and an area for parking and positioning of aircraft in the vicinity of the terminal building(s) for loading and unloading.

Ultralight and non-powered aircraft

Balloons, dirigibles and other lighter than air craft and aircraft that are not required to be registered by the FAA solely because of having less power than the minimum power required to register.

I. Authority

A. Purpose

The Airport Commission hereby adopts and approves the following rules and regulations for the operation and use of the Airport. A library of other regulations, laws, and rules incorporated herein or otherwise applicable to activity at the Airport, to the extent practical, shall be maintained in a public place at the Airport.

The use of the Airport or any of its facilities in any manner shall create an obligation on the part of the user thereof to obey all the regulations herein.

No person shall solicit funds for any purpose and no signs or advertisements may be posted at the Airport without permission of the owner.

A. General rules

The privilege of using the Airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof. By their use of the Airport, users of any type agree to hold the City, the County, the Airport Commission, and elected officials, officers, employees, or volunteers of the City or County harmless from any and all liability resulting from such use. The privilege of using the Airport shall be upon the further condition that any person desiring to use the same shall furnish insurance according to these Regulations. Specific requirements may be in other in other documents, such as leases or access agreements.

Smoking or lighting of an open flame is prohibited on the ramp, at places with posted signs, within fifty feet of any aircraft and within fifty feet of hangars, fuel trucks, or fuel loading stations, and tank farms. By permission of the fire authority the Airport Manager may designate smoking areas. No person shall start an open fire any place on the Airport without permission of the Airport Manager.

Any person damaging any light, sign, or fixture, or any other Airport property, by operation of an aircraft or otherwise, shall report such damage promptly to the Airport Manager and shall be fully responsible for the cost of repair or replacement.

I. **Airport Manager**

The Airport Manager shall, at all times, have authority to take such reasonable action as may be necessary to enforce these regulations and to efficiently manage the Airport and its operations. In any contingencies not specifically covered by these rules and regulations, the Airport Manager shall be authorized to make such reasonable rules, orders, and decisions as may be necessary and proper.

Whenever these Regulations specify the Owner, Sponsor, Landlord, City, or other authority, the Airport Manager shall exercise such authority. Except for cases referred to the courts, all decisions of the Airport Manager may be appealed to the Airport Commission.

The Airport Manager may take action to close the Airport or any portion thereof to all traffic at any time when the Manager determines that conditions are unsafe for takeoffs or landings.

I. Minimum Standards for Fixed Base and Commercial Operations

A. General

The owner has the right to and does hereby regulate all commercial enterprises using the Airport as a basis of operation, whether such operation is aeronautical or nonaeronautical in nature. No commercial operation of any kind or type shall be conducted on the Airport unless specifically authorized by the owner.

All commercial operations shall be subject to all City requirements applicable to businesses operating in the City, such as business license, business personal property taxes, permits, etc. The minimum standards for a person or persons, firms or corporation based upon and engaging in one or more aeronautical services at the Airport, are contained herein. In addition to the minimum standards, such Operations shall comply fully with all other regulations.

Any aeronautical activity or combination of activities may be conducted by any person, firm or corporation upon application to and approval by the owner. Reasonable terms and conditions for the privilege of engaging in these various services will be established by the owner commensurate with the nature and scope of the activities involved. The owner shall determine substantial conformance to the standards for fixed base Operations. All personnel hereinbefore required to hold Federal Aviation Administration certificates and ratings shall maintain such certificates and ratings.

Note that Balloons, Ultralights, Dirigibles, Aerobatic Operations, and other commercial activities will be subject to the minimum standards applicable to the particular type of activity engaged in. These provisions also apply to temporary commercial operations. For example, lessons in operation of a balloon would be treated as a flight school.

A. Lease Proposal Requirements

The Airport Commission will not accept an original request to lease a portion of the Airport unless the request is a written proposal which sets forth the scope of operation to be performed and shall include the following:

- A. The services(s) to be offered.
- B. The amount of land to be leased.
- C. The building space to be constructed or leased.
- D. The number of aircraft to be provided.
- E. The number of persons to be employed.
- F. The hours of proposed operation.
- G. A description of the types of insurance coverage to be maintained, including limits, and name(s) of insurers.
- H. Evidence of financial capability to perform and provide the proposed services and facilities.

A. Applicable to all commercial operations

Tenants are required to keep their premises clean and clear of all rubbish, junk, debris, and unsightly objects. Garbage, refuse and other waste material shall be placed in receptacles provided for such purpose and no person shall destroy, remove or disturb in any way buildings, signs, equipment, markers, or other property on the Airport. If, after warning by the Airport Manager, the area is not cleaned within 30 days, cleaning will be done by the Airport Manager and billed to the tenant or person.

No tenant shall store material or equipment, use inflammable liquids or gases, or allow leased premises to become in such condition so as to violate, in any manner, the fire code in force in the area of the Airport. The storage of paint thinners, fuels or other such volatile materials in storage hangars is prohibited. Tenants of all hangars and buildings shall provide suitable fire extinguisher(s) and equipment, and they shall be kept in good condition as required by the fire code and inspected as required by the code.

The use or storage or disposal of hazardous materials shall be done in strict compliance with the Pollution Prevention Plan and any other local, state, or national requirements governing such use or storage.

All plans, specifications, architectural designs and landscaping shall require the written approval of the Airport Commission prior to construction. All construction shall be undertaken in accordance with building permit and related requirements of the City. A Notice of Proposed Construction or Alteration, on a form and in a manner prescribed by the Federal Aviation Administration, shall be filed and a Notice of Finding shall have been received from the Federal Aviation Administration by the lessee, prior to the start of any construction. Within thirty (30) days of completion of construction or alteration, the lessee shall submit a complete set of "as-built" plans on Mylar film with a detailed cost breakdown for development and construction under these standards.

All operations shall also provide adequate parking for surface vehicles. When located in multi-tenant facilities, such parking may be shared among various users and not specifically assigned to a particular user. The Airport Commission shall determine the parking requirements for each tenant, which shall never be less than required by the Zoning Code or other City ordinance.

Suitable pavement markings and lighting shall exist to provide for the orderly and safe movement of aircraft and vehicles on the leased premises. Lighting used to illuminate off-street parking, aircraft parking, or buildings constructed thereon shall be so arranged as to reflect light away from adjacent properties and the runways and taxiways used for aircraft operations.

All hangars, taxiways, and aprons shall be constructed, graded, and drained so as to direct all storm waters which may fall upon the leased premises into approved retention and disposal devices. Storm water which may be discharged from the premises shall not be contaminated with products or materials which may result from the lessees action, or failure to take action, upon the leased premises. Tenants shall take such steps and measures as are necessary to comply with all federal, state and local regulations governing storm water discharge.

Lease term shall be negotiable and shall depend on the nature of the improvements proposed and provide a reasonable amortization period. Rent shall be at fair market value as determined by the Airport Commission. Rent may be fixed for an initial term not to exceed three (3) years, and thereafter shall change based on any increase in the Consumer Price Index. Both real and personal property taxes, regardless of whether assessed against the Airport or the Tenant, shall be paid by the Tenant.

General lease provisions. All leases between the City of Rock Hill and an Operation shall be in writing. Tenant shall provide a completion bond or other good and sufficient security acceptable to the City guaranteeing completion of any improvements to be erected on the leasehold. Tenant shall furnish such evidence as may be reasonably requested by the Airport Commission to show the Tenant is financially capable of providing the services and facilities set forth in the lease.

A. Sale of Aircraft and Aircraft Parts and Accessories

Statement of Concept. An aircraft sales operation is a person or persons, firm or corporation engaged in the sale of new or used aircraft and who provides such repair, services, and parts as necessary to meet any guarantee or warranty on new or used aircraft. A parts and accessories operation is a person or persons, firm or corporation engaged in the sale of new or used aircraft parts and accessories but not in installation or repair of such items.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area of not less than 200 square feet.

Required Services. The Operation shall provide necessary and satisfactory arrangements for repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. Servicing may be provided through written agreement with a repair shop operation at the Airport or on another airport within reasonable distance.

Hours of Operation. The Operation shall have its premises open and services available on a regular basis, not less than 20 hours per week. Such hours shall

be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

A. Airframe and Power Plant Repair Facilities

Statement of Concept. An aircraft engine and airframe maintenance and repair operation is a person or persons, firm or corporation providing one or a combination of airframe and power plant repair with at least one person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area of not less than 200 square feet. The operation shall also provide by lease from the City a hangar building, including related shops and storage rooms, of not less than 2,000 square feet. The operation shall provide for paved aircraft access from the common areas of the Airport to his leasehold.

Required Services. The Operation shall provide sufficient equipment, supplies, and availability of parts equivalent to that required for certification by the Federal Aviation Administration as an approved repair station. It is acceptable for parts to be available by overnight express on the next business day.

Hours of Operation. The Operation shall have its premises open and services available eight hours daily, on all usual business days. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, and on duty or on call during the appropriate business hours, at least one person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating, and one other person not necessarily rated.

A. Aircraft Rental

Statement of Concept. An aircraft rental operation is a person or persons, firm or corporation engaged in the rental of aircraft to the public.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area of not less than 200 square feet. The operation shall also provide by lease from the City adequate facilities for storage of aircraft.

Required Services. The operation shall have available for rental, either owned or under written lease, not less than two certificated and airworthy aircraft, at least one of which must be at least a four-place airplane.

Hours of Operation. The Operation shall have its premises open and services available eight hours daily, on all usual business days. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

A. Flight Training

Statement of Concept. A flight training operation is a person or persons, firm or corporation engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and it shall provide such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' certificates and ratings involved. Instruction in operation of any aircraft not requiring a pilot's certificate (such as balloons or ultralight craft) is also covered by these provisions to the extent applicable.

Leasehold and Improvements. The Operation shall provide by lease from the City an office, classroom, flight planning facility, and customer waiting area of not less than 500 square feet. The operation shall also provide by lease from the City adequate facilities for storage of aircraft.

Required Services. The operation must offer flight training, both ground and air, leading to a private pilot's certificate.

Hours of Operation. The Operation shall have its premises open and services available at least eight hours daily, three days per week. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, at least two flight instructors who have been properly certificated by the Federal Aviation Administration to provide the type of training offered, one of whom shall be employed on a full time basis.

A. Accessory Repair Station

Statement of Concept. An accessory repair station operation is a person or person, firm or corporation engaged in the business of and providing a shop for the repair of aircraft radios, propellers, instruments, and accessories for general aviation aircraft. This category shall include the sale of new or used aircraft radios, propellers, instruments, and accessories, but such is not an exclusive right.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area, shops and storage rooms of not less than 400 square feet. If the operation offers removal/installation service it shall also provide by lease from the City a hangar building of not less than 2,000 square feet which may include the shops and storage rooms and shall provide for paved aircraft access from the common areas of the Airport to the leasehold.

Required Services. The Operation shall hold the appropriate repair shop certificates issued by FAA.

Hours of Operation. The Operation shall have the premises open and services available eight hours daily, on all usual business days. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, and on duty or on call during the appropriate business hours, never less than one person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating, and one other person not necessarily rated.

A. Aircraft Charter and Air Taxi

Statement of Concept. An aircraft charter and an air taxi operation is a person or person, firm or corporation engaged in the business of providing air transportation of persons or property to the general public for hire, either on a charter basis (Commercial Operation) or as an air taxi operation, as defined in Part 135 of the Federal Aviation Regulations.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area of not less than 200 square feet. The operation shall also provide by lease from the City adequate facilities for storage of aircraft and shall provide for paved aircraft access from the common areas of the Airport to the leasehold.

Hours of Operation. The Operation shall have its premises open and services available eight hours daily, six days per week. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, and on duty or on call during the appropriate business hours, trained personnel in such numbers as are required to provide service in an efficient manner but never less than at least one Federal Aviation Administration certificated commercial pilot.

A. Aircraft Storage

Statement of Concept. An aircraft storage operation is the service of storing aircraft not owned by the Operation either in hangars or tied down on an apron. Tractoring of aircraft and other incidental activities are included.

Leasehold and Improvements. The Operation shall provide by lease from the City an area of at least one acre, which shall be at least 75% improved with pavement or building(s). The Operation shall provide by lease from the City an office and customer waiting area of not less than 200 square feet. The operation shall provide for paved aircraft access from the common areas of the Airport to his leasehold.

Hours of Operation. The Operation shall have its hours of operation posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

A. Multiple Services

Statement of Concept. A multiple services operation shall be one engaged in any two (2) or more of the aeronautical services for which minimum standards have been hereinbefore provided.

Leasehold and Improvements. The total leasehold of such operation shall be determined by negotiation and shall not be less than that required for the single service among those provided which requires the greatest land area. At least 75% of the gross land area leased shall be improved with pavement or building(s). Hangars and other building improvements shall occupy at least 10% of the gross land area leased.

Required Services. The Operation shall comply with the aircraft requirements, including the equipment thereon, for each aeronautical service to be performed except as hereinafter provided. Multiple uses can be made of all aircraft except aircraft used for crop dusting, aerial application or other commercial use of chemicals. The Operation shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each aeronautical service the Operation is performing.

Hours of Operation. The Operation shall have its premises open and services available not less than that required for the single service among those provided which requires the maximum hours of operation. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, and on duty or on call during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards for each aeronautical service. Multiple

responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the Operation

A. Special Commercial Flying Services

Statement of Concept. A specialized commercial flying services operation is a person or persons, firm or corporation engaged in air transportation for hire which are excluded from Federal Aviation Regulations Part 135, such as:

- A. Nonstop sightseeing flights within a 25-mile radius of the Airport.
- B. Crop dusting, seeding, spraying and bird chasing.
- C. Banner towing and aerial advertising.
- D. Aerial photography or survey.
- E. Fire fighting.
- F. Power line or pipe line patrol.
- G. Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

Leasehold and Improvements. The Operation shall provide by lease from the City an office and customer waiting area, shops and storage rooms as the Airport Commission may determine for the particular service offered, consistent with other sections of these regulations. If the operation includes the use of aircraft, it shall also provide by lease from the City a hangar building or paved apron as the Airport Commission may determine for the particular service offered, consistent with other sections of these regulations, and shall provide for paved aircraft access from the common areas of the Airport to the leasehold.

Hours of Operation. The Operation shall have the premises open and services available as the Airport Commission may determine for the particular service offered, consistent with other sections of these regulations. Such hours shall be posted on the office. A telephone number for contacting the Operation at all other times shall also be posted on the office.

Personnel. The Operation shall have in its employ, and on duty or on call during the appropriate business hours, never less than one person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed and one other person not necessarily rated.

Required Services. In the case of crop dusting, aerial photography, or commercial use of chemicals, Operation shall provide for safe handling of such chemicals in strict compliance with the Pollution Prevention Plan. Such facilities will be in a location on the Airport which will provide the greatest safety to the public.

A. Short-term Exhibits and Promotions

Statement of Concept. Short-term exhibits and promotions include visits by historic or famous aircraft or aviators for less than 14 days. Such events may include sight-seeing rides or product sampling or other commercial promotional activities. This category does not include any event that significantly restricts normal use of the airport.

Requirements. Enterprises intending to use the airport for exhibits and/or promotions under this section shall make arrangements for use of airport facilities at least two weeks in advance of any public notice of the event. Such arrangements shall include provisions for security, emergency medical services, crowd control, parking, ground traffic control, and other considerations appropriate to the particular event. Proper insurance coverage and a signed agreement including indemnification provisions shall be required. Payment for use of the airport facilities shall be determined commensurate with the facilities used and consistent with other requirements of these regulations.

A. FAA-Required Lease Clauses

Certain clauses are required by the FAA to be included verbatim in every lease. The text of these clauses is available from the Airport Manager. They include clauses captioned:

- Premises to be operated for use and benefit of Public
- Non-discrimination
- Aircraft service by owner or operator of aircraft
- Non-exclusive rights clause
- Lessor right to further develop or improve the landing area
- War or national emergency
- Obstructions
- Subordination

I. Other Operations by Agreement

A. Corporate or Private Hangars

Statement of Concept. A corporate or private hanger may be an existing or newly constructed facility for the storage and maintenance of aircraft owned or leased by the lessee. No commercial aviation activity shall be conducted. The tenant may service its aircraft in the hanger if the hanger meets other requirements of these regulations or at any established owner service area. All owner maintenance shall comply with the owner service section of these Regulations.

Leasehold and Improvements. Airport property available for lease under these standards shall be designated in the Airport Master Plan. All building and grounds maintenance shall be by the tenant. The Airport Manager may give notice to repair for deterioration and bill the cost of repair to the tenant if the tenant fails to comply. All improvements shall become property of the Airport at completion of construction or the end of the initial term of the lease, subject to any financing agreement. Tenant may sublet or assign with prior written consent of the Airport Commission.

Financing. The Airport's interest may be subordinated to a financing agreement. Such agreements shall acknowledge the Airport's interests. Such agreements shall be attached to and be a part of any lease.

Duration. The term of the lease shall not exceed twenty (20) years.

Property Insurance. Fire and other perils coverage shall be paid by Tenant in amount equivalent to replacement cost of improvements. In the event of loss, the proceeds shall be divided according to the financing schedule. Other insurance requirements in Section XII shall apply. If the improvements are destroyed by fire or other, Tenant may opt to terminate the lease or restore premises. If the tenant elects to rebuild, ground rent shall continue during the rebuilding period.

A. Access Agreements

Statement of Concept. An access agreement grants an aircraft owner or lessee and its customers direct access to Airport from adjacent property. Access agreements do not permit the establishment of a fixed base operation or other activity providing aviation services to members of the general public. Aircraft belonging to the holder or its officers or employees may be serviced by the owner or his employees. Fuel and aircraft service or supplies are not to be sold to members of the general public. Fuel storage and fueling shall comply with these Regulations. Access to the Airport by any aircraft located off the Airport shall be denied in the absence of a current Access Agreement.

Duration. The term of such agreements may be for one year or for a longer period not to exceed 15 years. Access agreements shall be null, void, and of no further force and effect upon sale or transfer of the holder's property, except intra-company, or upon lease to any other party, or upon cessation of business operations by the holder on such property. Any successor or assignee of title or lease to such property must acquire any access rights to the Airport by agreement *de novo*.

Fee. Holders of access agreements shall pay an access fee. Access fees may be fixed for a maximum of three years and thereafter shall be increased in accordance with the Consumer Price Index.

Responsibility. The holder of an access agreement shall immediately notify the City of any FAA notifications or actions concerning the firm, employees, agents, servants, or pilots, which would in any way affect the use of the Airport, or involve the utilization of the Access Agreement.

Aircraft and Pilot information. Holders shall file with their application and annually thereafter on the anniversary date of said access agreement, a list of all aircraft identification numbers, and a list of pilots and their addresses employed or expected to be employed by the applicant who shall utilize the Airport under the Access Agreement.

A. Flying clubs

Statement of concept. A flying club is a method of sharing the costs of owning and operating one or more aircraft. Financial arrangements solely to share the costs of ownership and operation of an aircraft is not considered to be commercial in nature. Neither is flight instruction by club members for other club members considered to be commercial in nature so long as there is no profit or for-hire motive involved in the operation. In all cases, the Airport Manager will determine if the operation of a flying club or other such organization is commercial. If determined to be commercial, the club shall conform to the requirements for Commercial Operations of these regulations. The following requirements apply to flying clubs desiring to base their aircraft on the Airport and to be exempt from the commercial standards. (A marketing program organized by a Fixed Base Operation called a "club" does not meet this requirement.)

Organization. Each club must be a non-profit South Carolina corporation or partnership. Each member must be a bona fide owner of the aircraft or a stockholder in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual use of operation, maintenance, and replacement of its aircraft. The club will file and keep current with the Airport Manager a copy of the corporate charter or the partnership agreement, and a complete list of the club's membership and investment share held by each member.

Aircraft. The club's aircraft will not be used by other than bona fide members of the flying club nor for rental, hire, charter, or air taxi.

Violations. In the event that the club fails to comply with these conditions, the Airport Manager will notify the club in writing of such violations and necessary corrective action. If the club fails to correct the violations in 15 days, the Airport Manager may take any action authorized elsewhere in these regulations or may deny the club permission to operate on the Airport.

I. Aircraft Operations

A. General

The FAA air traffic rules and regulations governing the operation of aircraft, specifically the current edition of the *Airman's Information Manual* as well as all additions thereto, are made a part of these Airport rules and regulations as fully as if set forth herein. All aeronautical activities at this Airport and aircraft departing from or arriving in the air space above this Airport shall be conducted in conformity with the current pertinent regulations and directives, and/or advisories of the FAA to the extent applicable.

Note that the Airport is within the lateral limits of the Class B airspace associated with Charlotte/Douglas airport (CLT). Pilots shall determine the air traffic control requirements for operating within such area and observe them at all times. Ultralight vehicle operations and parachute jumps in Class B airspace may only be conducted under the terms of an FAA Air Traffic Control authorization. For more information, pilots are referred to Federal Aviation Regulations.

Prior authorization from the Airport Manager is required before air ships, dirigibles, motorless aircraft, aircraft with a total gross weight in excess of 60,000 pounds, or FAA Certificated Air Carriers land or take off.

Rotary wing aircraft shall conform to the pattern for light aircraft and shall not be operated within 200 feet of any unsecured aircraft, either parked or operating.

The Airport Manager may prohibit aircraft landing and taking off at any time and under any circumstances when such landings or takeoffs are, in the Airport Manager's opinion, likely to endanger persons or property, except for emergency landings. Further, the Airport Manager may delay or restrict any flight or other operation at the Airport to any aircraft when any of these regulations are violated in any manner.

No fixed wing or rotary wing aircraft shall be allowed to operate at the Airport unless said aircraft has a current FAA Airworthiness Certificate (unless operated as a public or governmental aircraft) and is operated by a person holding a current proper pilot or student certificate, except aircraft being taxied by a properly certificated mechanic.

No person shall start or run any engine in an aircraft unless a properly licensed person is in the aircraft attending the engine controls. Blocks shall always be placed in front of the wheels before starting the engine or engines unless the aircraft is provided with adequate parking brakes. Aircraft may be started in open hangars or at tiedown positions for the purpose of taxiing to other locations on the Airport. Aircraft shall not be started in enclosed hangars.

Aircraft engines shall be run up for testing or in preparation for flight only at the ends of the runway, in the owner service area, or in other places designated by the Airport manager. At no time shall engines be run up when hangars, shops, airplanes, or any buildings or persons are in the path of the propeller stream and/or jet exhaust. Such activity shall not be unreasonably undertaken between 10:00 p.m. and 6:00 a.m.

No aircraft shall be parked or stored at the Airport except in the areas designated for such use. At the direction of the Airport Manager, the operation, owner, or pilot of any illegally parked aircraft on the Airport shall move the aircraft to a legally designated parking area on the Airport. If the operation refuses to comply with the directions, the Airport Manager may tow the aircraft to such place, at the operation's expense and without liability for damage that may result from such moving.

In the event of an accident, the Airport Manager shall take charge of all activities in accordance with applicable local, state and federal law.

The operator of an aircraft shall ascertain by visual inspection of the area that there will be no danger of collision with any person, other aircraft, or building before taxiing an aircraft. Aircraft shall be taxied at safe and reasonable speeds with due respect for other aircraft, persons, and property. Aircraft not equipped with brakes shall have an attendant at the wing when the aircraft is taxied near buildings or other aircraft.

A. Balloon Operations

No flight or ground demonstrations involving balloons, or training or practice thereof, shall be conducted on or over the Airport without the express written approval of the Airport Manager. Prior to giving such approval, the Airport Manager shall determine whether the operation is subject to the Minimum Standards for Commercial Operations herein and, if applicable, shall obtain compliance therewith. All balloon operations shall be subject to applicable FAA, SCAC, and Airport rules. These regulations are not intended to provide for rally or mass ascent activities. They are intended to provide reasonable regulation of this type of aircraft.

Commercial operations under this subpart are not required to lease facilities on the Airport, but may do so. No property of an operation under this subpart may be stored on the Airport except under a lease.

All operations shall be conducted only under VFR daylight conditions between local sunrise and sunset. Balloonists shall operate from one of the designated areas, shown on the Airport Layout Plan. The specific site shall be chosen to favor flight away from the Airport.

Balloonists shall notify any/all licensed aeronautical advisory radio services at least 30 minutes prior to any launch. If equipped with aeronautical radio, an operation shall comply with radio usage according to the current edition of the Airman's Information Manual.

After lift-off, balloonists shall ascend above the Airport traffic pattern and exit the pattern as rapidly as possible.

A. Aerobatic operations

No flight or ground demonstrations involving unusual or aerobatic maneuvers, or training or practice thereof, shall be conducted on or over the Airport without the express written approval of the Airport Manager. Prior to giving such approval, the Airport Manager shall determine whether the operation is subject to the Minimum Standards for Commercial Operations herein and, if applicable, shall obtain compliance therewith.

A. Ultralight, glider, or lighter than air operations

Such operations shall be conducted following the same rules as other operations.

A. Skydiving and parachuting

No skydiving or parachuting, or training or practice thereof, shall be conducted over the Airport without the express written approval of the Airport Manager. Prior to giving such approval, the Airport Manager shall determine whether the operation is subject to the Minimum Standards for Commercial Operations herein and, if applicable, shall obtain compliance therewith. All such operations shall be subject to applicable FAA, SCDOA, and Airport rules.

These regulations on skydiving and parachuting operations are not intended to provide for rally or mass activities. They are intended to provide reasonable regulation of this type of aeronautical activity.

Operations under this subpart are not required to lease facilities on the Airport, but may do so. No property of an operation under this subpart may be stored on the Airport except under a lease.

All operations shall be conducted only under VFR daylight conditions between local sunrise and sunset. Skydivers and parachutists shall land at one of the designated areas, shown on the Airport Layout Plan. The specific site shall be chosen to avoid conflict with aircraft.

Parachutists or skydivers shall notify any/all licensed aeronautical advisory radio services at least 30 minutes prior to any jump. If equipped with aeronautical

radio, an operation shall comply with radio usage according to the current edition of the Airman's Information Manual.

A. Owner Service Area

Any person, firm or corporation operating aircraft on the Airport may perform any services on its own aircraft with its own regular employees, not contracted workers. Aircraft service and repair for compensation is considered to be a commercial operation regulated under the commercial operation minimum standards of these Regulations. This Part governs such owner servicing and no services covered by this Part may be performed except in compliance herewith.

The services covered are:

- a. Oil change, lubrication
- b. Washing, cleaning
- c. Other services permitted by Federal Aviation Regulations.
- d. Maintenance: Only owners who hold appropriate FAA certificates may provide such services.

The types of services prohibited under this Part are:

- a. All fueling operations governed by another Part of these regulations.
- b. All services not permitted under this Part.

One or more areas for owner servicing of aircraft shall be designated on the Airport Master Plan and by signs on the Airport. All other portions of the Airport are off-limits for owner servicing, except for private hangars leased by the aircraft owner directly from the Airport. Such hangars must meet all requirements of all Codes for aircraft servicing. An aircraft owner may bring a surface vehicle onto the owner service area in connection with owner servicing.

Use of the common owner service area(s) shall be on a first-come basis. Owners using the Owner Service Area shall assume all risk in connection with such use.

I. **Fueling of Aircraft**

This Part supersedes any other regulations regarding fueling. No fuel storage and/or dispensing shall take place at the Airport or on private property subject to an access agreement except in accordance with this Part. Any person failing to comply with these regulations shall be charged under any applicable section of the City Code, including failure to comply with Airport regulations. Repeated violations shall subject the person to cancellation of the privilege of use of the Airport.

Any person desiring to dispense fuel shall first obtain a permit from the Airport Manager. Such permits shall be available to FBO's, holders of Access Agreements, other tenants, and owners of based aircraft. Except for Fixed Base Operations, such permits shall allow servicing only of aircraft owned by the permit holder.

Fueling facilities shall be installed on a leasehold or on property subject to an Access Agreement.

The fueling facilities shall be installed, and all handling practices of combustible materials shall be, in accordance with the appropriate portion of any fire code that may be adopted by the City.

Reasonable fuel flowage fees shall be adopted by the Airport Commission. The basis of such fees shall be the investment in fuel facilities plus a base rate. Fees shall be applied to aviation fuels, including aviation oil and bottled propane (LP gas). Fees shall be payable monthly to the City of Rock Hill. Each holder of a permit shall submit a report by the tenth of each month, together with copies of all supporting invoices and payment of the applicable fee covering the previous calendar month.

No aircraft shall be fueled or drained while the aircraft engine is running or while the aircraft is in a hangar or an enclosed area. During all fuel operations, the aircraft shall be grounded by an approved method.

Smoking or lighting of an open flame is prohibited within 50 feet of any fueling operation. Fueling operations shall be conducted and fuel trucks shall be parked at least fifty feet from any hangar or building.

An aircraft owner, including the holder of Supplemental Type Certificate for auto gas, may fuel his aircraft with approved fuels only at a designated owner service area or on his leasehold, providing all procedures required by these regulations, including payment of a fuel flowage fee, are followed.

I. Ground Operations

Unless authorized by the Airport Manager, no surface vehicle shall be operated on the Airport except on roadways, parking areas, et cetera, that are specifically designated for such vehicles. Such vehicles shall be parked in the manner prescribed by the Airport Manager while on the Airport and as indicated by posted signs.

No surface vehicles shall be permitted on the runways or taxiways without the express permission of the Airport Manager. Vehicles may be operated on the ramp or apron in accordance with prior agreement to accomplish a necessary Airport purpose, service, or inspection.

No surface vehicle shall be driven between the loading gate or fence and an aircraft parked and in the process of loading or unloading, except where an area is designated for such activity by the Airport Manager. Surface vehicles may enter the ramp for loading and unloading of passengers, baggage and cargo following posted advisory signs. Surface vehicles shall not be left unattended on the ramp, including at tie-downs leased by the vehicle operation. Surface vehicles may be parked in a leased hangar space if the aircraft is in use.

No person shall operate any vehicle in a careless or negligent manner or without regard for the safety of others, or in excess of posted speed limits. Surface vehicles shall follow taxi-lanes in traversing the ramp. All surface vehicles shall yield to aircraft at all times.

Every accident involving injury or property damage shall be reported promptly to the Airport Manager.

No person or persons, except pilots, duly authorized personnel, passengers going to or from aircraft, or persons being properly escorted shall be permitted to enter the airside of the Airport, including the landing area proper, taxi space, or aprons. No person or persons so excepted has the privilege of unrestricted use of the Airport. These privileges are confined to the necessary use of these spaces in connection with the flights, inspections, and routine duties.

I. **Concessionaires**

Statement of Concept. Non-aviation services, such as food sales, rental cars, telecommunications, souvenir sales, aircraft cleaning and the like are not subject to the Fixed Base Operation requirements but must obtain a concession agreement or lease with the Airport and pay fees. Such services may be licensed on an exclusive basis.

Leasehold and Improvements. The tenant shall provide for parking and loading of surface vehicles as appropriate. Such areas may be shared with other tenants or users.

Fees. Payment shall be on a non-discriminatory, reasonable basis as determined by the Airport Commission.

I. **Security**

The Airport manager may establish such security procedures as are necessary from time to time. Security procedure information shall be posted or provided by training or orientation session as appropriate.

All Airport users shall observe any security procedures in effect.

All Airport users shall cooperate with security personnel and procedures and shall diligently aid in enforcing such procedures.

I. Enforcement

Any person violating any of the Airport rules and regulations may be charged with a misdemeanor in Municipal Court or, at the discretion of the Airport Manager, may be deprived of the use of the Airport facilities for such period of time as may be necessary to be effective.

If any portion of these regulations shall be invalidated by competent authority, all other parts shall remain in full force and effect.

Where any requirement of these regulations differs from a similar requirement of a lease, access agreement, code or other document, the more stringent requirement shall apply.

The forbearance or neglect of the Owner to insist on the adherence to or performance of these minimum standards, in case of its violation by the Operation, shall not constitute a waiver of any of the minimum standards required hereunder.

I. Insurance Requirements

- A. All insurance provided under these Regulations shall
- a. Be with a company licensed to do business in South Carolina and acceptable to the City.
 - b. Be verified by the insurer furnishing the City a certificate of insurance.
 - c. Provide the City with an unqualified written statement by the insurer or the insured that no insurance will be cancelled, reduced in amount or materially changed prior to giving 10 days notice in writing to the City.
 - d. All insurance documents required shall be mailed to the City of Rock Hill, Attention: Risk Management Division, P. O. Box 11706, Rock Hill SC 29731.

A. AIRCRAFT INSURANCE

- a. Insurance required of owners of aircraft who are direct tenants or permittees of the Airport: \$500,000 combined single limit liability.
- b. Insurance required of Single-service commercial operations: single-limit liability, including products coverage, if applicable, of \$2,000,000.
- c. Insurance required of multiple service commercial operations: single limit liability, including products coverage, of \$3,000,000.
- d. Any hangar-keeper, in addition to other insurance: hangar keeper's liability in the amount of \$1,000,000 per aircraft and \$2,000,000 per occurrence with a maximum deductible of \$1,000 per aircraft or \$1,000 per occurrence. Subtenants of aircraft storage operations (hangar keepers) are not required to furnish evidence of insurance to the City, since only the primary operation is responsible to the City. Any hangar-keeper shall also maintain records of insurance carried by aircraft owners to whom services are provided.
- e. Any holder of a fuel dispensing permit: single limit liability, including products coverage, in the amount of \$2,000,000.
- f. Flying clubs: single limit liability in the amount of \$2,000,000 for each aircraft owned by the club.

A. OTHER INSURANCE

Any operation listed under b, c, and d above will be required to meet the requirements for auto liability insurance and worker's compensation insurance listed following. The following operations engaged in commercial activity at the airport including, but not limited to, coin operated vending machines of any sort, fueling services, concessionaires, auto leasing/rental, catering operations, and related shall maintain:

- a. Worker's Compensation insurance meeting the requirements of S. C. law.
 - b. Auto liability insurance with a combined single-limit of not less than \$500,000.
 - c. General liability insurance including contractual liability cover and products/completed operations cover with combined single-limit not less than \$500,000.
- A. The Airport Commission shall review these limits frequently and shall make such changes as may be reasonable and necessary. The Airport Commission may adjust such limits on the recommendation of the City Risk Manager at any time or to be applicable to any operation. Where any proposed service or use is not contemplated by these Regulations, the Airport Commission shall set reasonable requirements.

I. Other Laws and Regulations

Numerous other laws and regulations apply to the Airport. This section calls some of them to the reader's attention. It is not intended to be a complete list of such requirements.

A. Federal Aviation Regulations (FAR)

Regulations promulgated by the FAA, some of which include:

- Part 61 Certification: Pilots and Flight Instructors
- Part 67 Medical Standards and Certification
- Part 91 General Operating and Flight Rules
- Part 93 Special Air Traffic Rules and Airport Traffic Patterns
- Part 103 Ultralight Vehicles
- Part 105 Parachute Jumping
- Part 135 Air Taxi Operations and Commercial Operations
- Part 137 Agricultural Aircraft Operations
- Part 141 Pilot Schools
- Part 145 Repair Stations
- Part 211 Aeronautical charts and Flight Information

A. National Transportation Safety Board Regulations

Part 830 Rules Pertaining to the Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records

A. South Carolina Code

Title 55 Aeronautics

A. Height and Hazard Controls

The City Council adopted an ordinance regarding height and hazard control on May 13, 1985. It is codified as Section 4-3 of Chapter 4, Airport, of the Code of the City of Rock Hill.

County Council adopted an ordinance regarding height and hazard control. It is codified as Chapter 7 of the Zoning Code.

A. Pollution Prevention Plan

This plan provides guidance in complying with the stormwater permit under the National Pollution Discharge Elimination System program.