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**RULES AND REGULATIONS
GOVERNING AERONAUTICAL, VEHICULAR AND
PEDESTRIAN ACTIVITIES AT THE
GENESEE COUNTY AIRPORT**

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**SECTION 1
AUTHORITY**

- 1.1 Municipal Body - The Genesee County Airport located in the Town of Batavia, is owned and operated by the County of Genesee.
- 1.2 Governing Body - The Genesee County Legislature.
- 1.3 Executive Power - The Chairman of the Genesee County Legislature is responsible for the proper administration of all County affairs and County departments and agencies.
- 1.4 The Airport Advisory Committee - is an advisory body to the Airport Manager on Airport operational matters and to the County Legislature on Airport policy matters. Members are appointed by the Legislature.
- 1.5 The Airport Manager - The daily operations of the Genesee County Airport are under the direction and control of the Airport Manager. He is hired by the Genesee County Highway Superintendent.
- 1.6 The Superintendent of Highways - is the Department Head in charge of overall operations of the Highway Department including the Genesee County Airport. In the absence of the Airport Manager, he will act for the Airport Manager.

**SECTION 2
PURPOSE AND SCOPE OF THESE RULES AND REGULATIONS**

- 2.1 Purpose - Genesee County Airport has adopted the following Rules and Regulations in order to provide for the protection, welfare, and safety of all persons using the Genesee County Airport including their property.
- 2.2 Scope - The following Rules and Regulations will govern the conduct of all persons upon or near the Genesee County Airport engaged in aeronautical, vehicular or pedestrian activities at the Airport, other than such conduct or activity specifically regulated or controlled by federal or state statutes or regulations.
- 2.3 Conflicts -
 - 2.3.a These Rules and Regulations will govern the conduct of all persons and the use of all property situated on airport property or in traffic pattern to the extent permissible by law. The following Rules and Regulations are believed to be in conformity with all applicable federal and state statutes and regulations.

- 2.3.b In the event of any conflict in the effect or operation of any of these Rules and Regulations with any provision of a lease or an agreement with the Genesee County Legislature (County), it will be referred to the Airport Manager and then to the County Attorney.
- 2.4 Amendments - The County has the right to amend, modify, rescind or change any Rules and Regulations pending written notice to the tenants but without prior notice to the public.
- 2.5 Notice to the Public - The complete text of all Rules and Regulations shall be maintained in the Airport Manager's Office and shall be available during business hours for inspection. Public notice of the existence Rules and Regulations shall be posted at various locations around Genesee County Airport.
- 2.6 Distribution - Copies of these Rules and Regulations shall be distributed to the all Fixed Base Operators, Limited Fixed Base Service Operator (LFBO), and all tenants on the Genesee County Airport.

**SECTION 3
DEFINITIONS**

- 3.1 Airport - Shall mean the entire real property owned, leased, or under the control of Genesee County.
- 3.2 Aircraft Landing Area - Shall be all runways, taxiways and safety areas adjacent thereto as defined and identified pursuant to FAA regulations.
- 3.3 Aeronautical Activities - Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safety of such operations. Aeronautical activities include, but are not limited to: air taxi and charter operations, pilot training, aircraft rental, aircraft hangar leasing, sight-seeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sales of aviation petroleum products, repair and maintenance of aircraft, sales of aircraft parts and any other activities which directly relate to the operation of aircraft. In contrast, examples which are not "Aeronautical Activities" include: ground transportation (taxis, car rentals, limousine service, etc.), restaurants, in-flight food catering and auto parking lots.
- 3.4 Aeronautical Service - Any service which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft

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operations commonly conducted on the airport by a person who has a lease or permit from the airport owner to provide such service.

- 3.5 Air Operations Area (AOA) - Shall be all areas of the Airport exclusively reserved for the operation, placement, movement and storage of aircraft and all adjacent areas as defined by the FAA or the Airport Manager.
- 3.6 Airport Control Zone - Shall be all air space above and adjacent to the surface areas of the Genesee County Airport as defined and identified pursuant to FAA regulations.
- 3.7 Airport Administrator - is the Department Head in charge of Highway Department and the Genesee County Airport.
- 3.8 Airport Manager - Shall mean the duly-appointed Manager of the Genesee County Airport.
- 3.9 Airport Advisory Committee - Is an advisory commission comprised of at least six and no more than eleven members, appointed by the Legislature, who serve without compensation. Their function is to advise the County Manager, the Airport Administrator, the Airport Manager and the Genesee County Legislature on airport-related matters.
- 3.10 ALP - Shall means the current Airport Layout Plan for the Genesee County Airport which has been approved by the FAA.
- 3.11 County - Shall mean Genesee County Legislature.
- 3.12 FAA - Shall mean the Federal Aviation Administration and its successors.
- 3.13 FAR - Shall mean the Federal Aviation Regulations as published and amended from time to time.
- 3.14 Fixed-Base Operator or FBO - Shall mean any person or entity that provides the aeronautical service to the public at the Airport as described in Section II B of the Minimum Standards.
- 3.15 Fixed-Base Operator Lease / Limited Fixed Base Operator (LFBO) - Shall mean any (a) lease agreement between the County and the FBO / LFBO leasing property at the Airport, or (b) sub-lease agreement approved by the County between any FBO / LFBO and any Person sub-leasing property at the Airport, in either case, for the purpose of providing Aeronautical Services at the Airport.

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- 3.16 FSDO means Flight Standards District Office.
- 3.17 IFR means Instrument Flight Rules which govern the procedures for conducting instrument flight.
- 3.18 Limited Fixed Base Operator or LFBO means any person or entity who provides only one of the aeronautical services as described in Minimum Standards to the public at the Airport.
- 3.19 Landside - Shall mean all buildings and surfaces used by surface vehicular and pedestrian traffic at the Airport.
- 3.20 “MSL” means an altitude expressed in feet measured from Mean Sea Level.
- 3.21 Minimum Standards - Shall mean the standards which are established by the County, amended from time to time, as the minimum requirements to be met by an FBO / LFBO or proposed FBO / LFBO as a condition for the right to provide aeronautical services to the public at the Airport.
- 3.22 NFPA means National Fire Protection Association.
- 3.23 Normal Business Hours - Shall mean 8:00 a.m. to 5:00 p.m., Monday through Friday, unless modified by the Airport Manager in writing.
- 3.24 NOTAM means a Notice to Airmen published by the FAA. (A method of notifying the flying public of conditions at the Airport that may affect flight.)
- 3.25 NTSB means the National Transportation Safety Board and its successors.
- 3.26 Person - Shall mean individual, firm, partnership, corporation, company, association or other entity.
- 3.27 Shall mean mandatory and not directory.
- 3.28 Special Event - Shall mean an Aeronautical Activity which does not comply with these Rules and Regulations or which, although it may comply with these Rules and Regulations may require an accommodation by other users of the Airport. Special Event includes, but is not limited to, fly-ins, skydiving exhibitions, balloon operations or similar events or activities.
- 3.29 UNICOM means a nongovernmental communication facility which may provide airport information at certain airports. Locations and frequencies are shown on aeronautical

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charts and publications.

- 3.30 VFR means Visual Flight Rules which govern procedures for conducting flight under visual conditions as described in FAR Part 91, General Operating and Flight Rules.

**SECTION 4
GENERAL**

- 4.1 Closed or Restricted Areas - No person shall enter any area of the Airport posted as closed or restricted to the public except:
- 4.1.a Persons assigned to duty therein.
 - 4.1.b Persons authorized by the Airport Manager.
 - 4.1.c Passengers under the appropriate supervision, entering aircraft parking areas for the purpose of embarkation or debarkation from parked aircraft
- 4.2 Solicitation of Funds - No person shall solicit funds for any purpose, or offer any merchandise or services for sale on the Airport without written permission of the Airport Manager.
- 4.3 Signs, Advertisements, Circulation of Printed Matter - No person shall post, distribute or display signs, advertisements, circulars, printed or written material at the Airport without the written approval of the Airport Manager.
- 4.4 Animals and Birds - No person shall enter the airport property with a dog, cat or any other animal except a Seeing Eye or Ear dog unless such animal is confined to a vehicle or shipping crate. Dogs or other animals may be permitted for short periods in front of the terminal building if restrained by a leash, or confined in such a manner as to be under control at all times.
- 4.5 Personal Property -
- 4.5.a No person shall abandon any personal property on the Airport.
 - 4.5.b Any person finding any lost article shall refer the article to the counter or the Airport Manager's Office.
- 4.6 Hunting - NO hunting is allowed on Airport property.
- 4.7 Disorderly or Indecent Conduct - No person shall commit any disorderly, obscene,

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indecent or unlawful act or commit any public nuisance upon the Airport.

- 4.8 Gambling - No person shall conduct gambling in any form or operate gambling devices anywhere upon the Airport.
- 4.9 Trash Disposal - No person shall dispose of trash, garbage, paper, junk, debris or other refuse material except in the dumpster provided for Airport use only. No person shall dispose of any personal trash at the Airport.
- 4.10 Use of Restrooms - Persons using a comfort station or restroom should do so in a clean and sanitary manner. If the comfort station or restroom is found unclean, they should report it to the Airport Manager.
- 4.11 Destruction of Property - No person shall destroy, injure or disturb in any way, any building, sign, equipment, marker or other structure (including runway/taxiway lights), trees, flowers, lawn or other public property on the Airport. Any person so doing, either by accident or intent, shall be liable for the reasonable value of the property damaged or destroyed.
- 4.12 Special Event - No air shows, air meets, fly-ins, aerial demonstrations, aerobatics, or other special activities shall be held at or over the Genesee County Airport without prior written permission of the Airport Manager and concurrence from the County. Permission shall not be granted unless and until the applicant shall have secured insurance protection in an amount specified by the County Attorney, with the Airport and the County of Genesee as additional named insured.
- 4.13 Damage to Persons or Property - The Airport Manager and the County assume no liability for loss, injury or property damage to persons or property using airport facilities by reason of fire; theft; vandalism; acts of god...wind, floods, earthquake, snow, ice, etc...; collision or other acts beyond their control.
- 4.14 Tree Removal - No trees shall be cut, and/or removed from Airport property without written permission of the County Highway Superintendent through the Airport Manager.
- 4.15 Reporting Requirements - In order to promote and maintain safety at the Airport any pilot or FBO / LFBO is encouraged to promptly report to the Airport Manager **any** bodily injury requiring medical attention, or **any** damage to property at the Airport, or **any other** accident, incident, occurrence or unsafe practice relating to any aircraft which any one of the above owns, leases, flies, or any Aeronautical Activity in which any are involved. A form is attached for utilization in those instances, see **Attachment "D."** If the accident or incident report is required under NTSB, Part 830, a copy of that

information may be submitted to the Airport Manager in lieu of the form in **Attachment "D"**.

4.15.a The following are only samples of accidents, incidents, unsafe practices or occurrences that shall be reported promptly to the Airport Manager:

1. Aircraft landing off the runway without prior permission of the Airport Manager.
2. Aircraft breaking runway or taxiway lights.

4.15.b The report shall include the following information:

1. Location, date and time of incident and the identity of each Person and Aircraft involved.
2. Nature of any injuries suffered by any Person as a result of the incident and the name and address of any Person injured.
3. Nature and extent of any property damage occurring as a result of the incident and the name and address of the owner of the damaged property.
4. A narrative explaining circumstances of the incident occurred.

**SECTION 5
MOTOR VEHICLE REGULATIONS**

- 5.1 Permitted Vehicles - Only vehicles necessary to the operation of the Airport shall be allowed to access the AOA.
- 5.2 Vehicle Operator's Permit - Operators of vehicles (FBOs, LFBOs, and tenants) needing access to the AOA may request permission for this purpose. Such permission will be issued by the Airport Manager, upon determination of need, verification of insurance, and at the Manager's sole discretion. Permission may be revoked by the Airport Manager at any time.
- 5.3 Vehicle Beacon - Vehicles requiring permanent permission to operate on the Aircraft Landing Area shall obtain permission from the Airport Manager and said vehicle shall be equipped with a radio and functioning flashing or rotating amber beacon mounted upon the highest part of the vehicle.

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- 5.4 Vehicle Flag - Vehicles requesting temporary permission for daylight operation on aircraft operations area may substitute a 3' square flag consisting of nine (9) square feet of alternative Aviation Orange and White instead of the beacon. This flag is also on all construction equipment operating on the field.
- 5.5 Vehicle Control - No vehicle shall cross the landing area or taxi area without specific approval for each trip from the Airport Manager's Office/Line Service Desks.
- 5.6 Vehicle Speed - No vehicle shall exceed fifteen (15) MPH on any ramp, apron, or other aircraft operating area without the Airport Manager's permission.
- 5.7 Vehicle Parking
 - a. All vehicles shall be parked in accordance with posted signs and pavement markings.
 - b. Vehicles shall not be parked on the AOA unless given permission by the Airport Manager.
- 5.8 Driving Under the Influence - No person shall operate any vehicle or other mechanized equipment on the Airport while under the influence of alcohol, narcotics or other drugs.

**SECTION 6
PEDESTRIAN RULES**

- 6.1 Restrictions on Use of Air Operations Area - No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft or others personally conducted by airmen or airport attendants shall be permitted to enter the air operations area. This does not give any person or persons so authorized the privilege or unrestricted use of this area for pedestrian use. These privileges are confined to the necessary use of the air operations area in connection with flights, inspections or routine duties and may be revoked by the Airport Manager when, at his discretion, such action is necessary for the safety of the public.

**SECTION 7
AIRCRAFT FUELING AND DEFUELING**

- 7.1 Compliance with Safety Rules and Regulations - All fueling shall be performed in accordance with current edition of FAA AC 150/5230-4 and NFPA 407 by trained personnel. All FBOs and LFBOs shall comply with this guidance.

- 7.2 Aircraft Owner Self-Fueling - Any aircraft or ultralight vehicle owner may self-fuel his own aircraft or ultralight vehicle after obtaining a self-fueling permit from the Airport Manager. Procedures for obtaining a self-fueling permit are contained in **Attachment "C"**. Those aircraft or ultralight vehicle owners who have obtained a self-fueling permit will adhere to the following rules governing self-fueling:
- a. All aircraft or ultralight vehicle shall be fueled in the area designated by the County for self-fueling. This area will be maintained by the County who will provide and maintain fire extinguishers and bonding cables.
 - b. Both the approved fueling equipment and the fuel shall be brought to the designated self-fueling area when fueling is to be accomplished. A current self-fueling permit must be available for inspection upon request by the Airport Manager.
 - c. All self-fueling tanks, trucks and equipment shall be removed from the Airport self-fueling area at the end of each day. **NO** tanks, trucks or equipment shall remain on the Airport overnight.
- 7.3 Self-Fueling Area - Individuals or FBO / LFBOs refueling their own Aircraft from their own containers shall conduct such operations on their leased areas or in designated areas (see **Attachment "B"**) using the approved equipment and procedures.

**SECTION 8
AIRCRAFT OPERATIONS**

A. General Description of Operations

- 8.1 General Conduct of Aeronautical Activities - All aeronautical activities at the Genesee County Airport and all aircraft arriving at or departing from the Airport, shall be conducted in conformity with the current provisions of the Federal Aviation Regulations (FAR) and the laws of the State of New York.
- 8.2 Authority to Control Aircraft Operations - The Airport Manager shall, at all times, have the authority to take such action to protect and safeguard all persons and property and to control operations or any other activity on the Airport as may be necessary.
- 8.3 Authority to Suspend or Restrict Aircraft Operations - The Airport Manager, either directly or through an authorized representative, may suspend or restrict any or all aircraft operations without regard to weather conditions, whenever such action is deemed necessary in the interest of safety.

B. Taxiing and Flight Rules

- 8.4 Aircraft Taxi Control - Pilots will taxi their aircraft on the AOA only in a safe manner.
- 8.5 Aircraft Taxi Speeds - Aircraft will be taxied at all times at a safe and reasonable speed and with due regard for other aircraft, persons and property.
- 8.6 Aircraft Taxi Procedure - No aircraft shall taxi in such a manner so as to cause its wing or tail section to overhang any fixed field installation such as fences, buildings, hangars or mobile equipment such as fuel tenders, carts, automobiles or other aircraft.
- 8.7 Takeoff and Landing - Takeoffs and landings shall be made only on designated runways, never from taxiways. Aircraft, not including helicopters and sail planes, shall not take off from or land upon the grass areas of the Airport without the approval in writing of the Airport Manager or in cases of emergency.
- 8.8 UNICOM Procedures - C.T.A.F. (Common Traffic Advisory Frequency) for this Airport is 122.70.
 - 8.8.a Aircraft equipped with radios shall broadcast their intention "in the blind" on the UNICOM prior to taxiing and entering the runway for takeoff.
 - 8.8.b Pilots shall broadcast "in the blind" on UNICOM prior to entering downwind, on base leg and on final approach for landing.
 - 8.8.c In the event of an emergency, whether in flight or on the ground, pilots shall broadcast the nature of the problem on UNICOM in order to alert Airport personnel.

C. Aeronautical Ground Rules

- 8.9 Restrictions on Aircraft Start-up/Run-up - There shall be a qualified personnel or mechanic at the controls of all aircraft whenever the engine is operated. Under no circumstances shall an aircraft engine be started or allowed to run with no one at the controls.
- 8.10 Aircraft Maintenance Run-ups - Maintenance run-ups shall be performed only at the locations and at times approved in writing by the Airport Manager.
- 8.11 Prohibitions on Smoking - Smoking shall be prohibited:
 - 8.11.a All County facilities are smoke-free by local law.

- 8.11.b In any place where smoking is specifically prohibited by signs.
- 8.11.c On all apron areas.
- 8.11.d Within fifty (50) feet of any fuel tender not in motion.
- 8.11.e Within fifty (50) feet of any fueling operation in progress.
- 8.12 Disposition of Aircraft Parts - Aircraft owners shall be responsible for the prompt disposal of any wrecked aircraft or aircraft parts. In the event it is necessary for the County to remove such aircraft or aircraft parts for the good of the Airport, such removal shall be at the owner's expense and without liability for damage which may result in the course of such removal.
- 8.13 Unregistered Aircraft - Parking, Tie-downs or Storage - Unregistered aircraft shall not be parked, tied down or stored in open areas, without permission of Airport Manager.
- 8.14 Unattended Aircraft - No aircraft shall be left unattended on the Airport unless properly secured, hangared, or with special arrangement with the Airport Manager. The owner of an aircraft not so secured shall be responsible for any damage resulting from failure to comply.
- 8.15 Parachute Operations - Persons wishing to use the Airport for a parachute drop area shall obtain the prior written approval of the Airport Manager as required by FAR 105.17. The Airport Manager shall require such safeguards as he deems necessary to protect the Airport, aircraft using the Airport and the general public. These requirements may include, but are not limited to, bonds, insurance policies, additional security personnel, facilities and waivers/authorizations to the FARs issued by the FAA. The County may establish and charge reasonable fees for this activity.
- 8.16 Ultralight Operations - All persons or organized flying clubs using the Airport will conform to appropriate FAR's and the following restrictions:
 - 8.16.a All ultralight vehicles will arrive and depart maintaining an altitude of 500 feet or below until 2 miles from the Airport.
 - 8.16.b All practice air work shall take place at least 2 miles from the Airport. Pilots should be aware of the effects of the noise generated by their low flying aircraft and attempt to remain clear of large population areas.
 - 8.16.c Ultralight vehicles operating to and from the Airport will have operating two way radio communications and will monitor the UNICOM at all times within 2

miles of the Airport. When entering or departing the traffic pattern the pilot shall communicate his position and intentions as outlined in the Airman Information Manual (AIM).

- 8.17 Aerial Advertising - Banner Towing - Any Person wishing to use the Airport to pick up or drop an aerial advertising banner shall obtain the prior written approval of the Airport Manager. The Airport Manager shall require such safeguards as he deems necessary to protect the Airport, aircraft using the Airport and the general public. These requirements may include, but are not limited to, bonds, insurance policies, additional security personnel, facilities and waivers/authorizations to the FARs issued by the FAA. The County may establish and charge reasonable fees for this activity.
- 8.18 Glider/Sail Plane Operations - Any Person wishing to use the Airport to launch and recover gliders or sailplanes, motorized or non-motorized, shall obtain written permission from the Airport Manager in advance of the operations. This will require advance coordination due to the need for additional personnel and equipment on the Airport to launch and recover the gliders and/or sailplanes. The Airport Manager shall require such safeguards as he deems necessary to protect the Airport, aircraft using the Airport and the general public. These requirements may include, but are not limited to, bonds, insurance policies and additional security personnel. The County may establish and charge reasonable fees for this activity.

**SECTION 9
FIRE PREVENTION**

- 9.1 General Conduct - All persons using the Airport shall exercise the utmost care to guard against fire or injury to persons or property.
- 9.2 Compliance with County Fire Code and Fire Prevention Signs - All persons shall comply with the County Fire Code, NYSCRR Part 1150 Section 1160.12 and observe and comply with the "No Smoking," "Fire Lane" and all other fire prevention signs.
- 9.3 Storage of Waste or Debris - No rubbish, paper or other waste or debris shall be permitted to be stored in or near any structure, hangar or vehicle, except in approved containers. Owners or tenants shall provide suitable approved metal receptacles, fitted with air-tight covers, for the storage of oily waste, rags and other flammable materials. Contents of these containers shall be disposed of at reasonable intervals and in a manner as required by any and all regulatory agencies.
- 9.4 Areas for Maintenance of Aircraft - Maintenance of aircraft in designated maintenance hangars shall be limited to inspections and replacement of parts and repairs incident thereto, provided such repairs do not involve appliances using open flames or highly

heated parts other than an electric soldering iron. The use of open flames or highly heated parts is not permitted in aircraft maintenance hangars until all other aircraft and flammable materials have been removed from the hangar and adequate fire extinguishing equipment is readily available.

- 9.5 Cleaning of Aircraft Parts - Cleaning of engine parts or aircraft parts shall be done with non-flammable liquids whenever possible. If volatile, flammable liquids must be used for this purpose, cleaning shall be conducted in the open air with adequate and proper fire extinguishing equipment readily available.
- 9.6 Storage of Flammable Liquids - The storage in aircraft maintenance hangars of gasoline, kerosene, ether or other volatile liquids shall only be done in complete compliance with the requirements and recommendations of the National Board of Fire Underwriters and the National Fire Protection Association.
- 9.7 Removal of Flammable Containers - Empty oil, paint and varnish cans and bottles or other containers shall immediately be removed from the premises and shall not be allowed to remain on floors, shelves, wall stringers or other locations in or near any structure.
- 9.8 Care of Hangar Floors - Floors of all hangars shall be kept free of oil and other flammable residue at all times.

**SECTION 10
FLYING CLUBS**

A. GENERAL

- 10.1 All flying clubs desiring to base their aircraft and operate on the Airport must comply with the applicable provisions of these Rules and Regulations. However, they shall be exempt from regular FBO / LFBO requirements upon satisfactory fulfillment of the conditions contained herein.

B. CLUB ORGANIZATION

- 10.2 The club shall be a non-profit entity (corporation, association or partnership) organized for the purpose of providing its members with aircraft for their personal use and enjoyment only. The ownership of aircraft must be vested in the name of the flying club (or owned ratably by all of its members). The property rights of the members of the club shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The club may not derive greater revenue from the use of its aircraft than the amount necessary for the

operation, maintenance and replacement of its aircraft.

C. FLYING CLUB OPERATIONS

- 10.3 Flying clubs may not offer or conduct charter, air taxi or rental of aircraft operations. They may not conduct aircraft flight instruction, except for regular members, and only members of the flying club may operate the aircraft. No flying club shall permit its aircraft to be utilized for giving flight instruction to any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instructions, except when instruction is given by a FBO / LFBO based on the Airport who provides flight training. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a flying club shall not be restricted from doing maintenance work on aircraft owned by the club, and the club does not become obligated to pay for such maintenance work except that such mechanic and instructors may be compensated by credit against payment of dues or flight time.
- 10.4 All flying clubs and their members are prohibited from leasing or selling any goods or services whatsoever to any person or firm other than a member of such club at the Airport, except that said flying club may sell or exchange its capital equipment.

D. APPLICATION AND PENALTIES

- 10.5 The flying club, with its initial application, shall furnish the Airport Manager a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence, a roster, or list of members, including names of officers and directors, to be revised on a semi-annual basis, evidence of insurance in the form of a certificate of insurance with a limit of One Hundred Thousand Dollars (\$100,000.00) per person for personal injury and property damage and a total limit of One-Half Million Dollars (\$500,000.00), with the County as an additional named insured; number and type of aircraft, evidence that aircraft are properly certificated; evidence that ownership is vested in the club, and operating rules of the club. The books and other records of the club shall be available for review at any reasonable time by Airport Manager or other representatives of the County. The flying club shall make annual certifications to the County that its insurance is in force, and the County may require certificates at other times to confirm that adequate insurance is in force.
- 10.6 The club will file and keep current with the Airport Manager a list of the club's membership and investment share held by each member.
- 10.7 A flying club must abide by and comply with all Federal, State and local laws, ordinances, regulations and the Rules and Regulations.

- 10.8 A flying club which violates any of the forgoing or permits one or more members to do so, will be required to terminate all operations.

**SECTION 11
PERMITS**

A. GENERAL

11.1 No Person may provide an Aeronautical Service at the Airport unless:

11.1.a the Person has a FBO or LFBO Lease with the County or a sub-lease approved by the County relating to the Aeronautical Activity.

11.1.b a Permit has been issued to the Person by the Airport Manager authorizing the Person to provide the Aeronautical Service at the Airport. The requirements of this section do not apply to any FAA designated examiner.

- 11.2 Permits shall be issued by the Airport Manager to any Person who satisfies the conditions for the Aeronautical Activities they wish to provide.

B. FLIGHT INSTRUCTORS

- 11.3 Any Person providing flight instruction under FAR Part 61 as a part-time business and having no more than three students at any one time shall provide the Airport Manager with the following to his satisfaction as a condition to the issuance of a Permit:

11.3.a proof of proper and current instructor's certificate issued by the FAA with appropriate ratings to cover the types of instruction being offered and current medical certificate.

11.3.b proof of aircraft bodily injury and property damage liability insurance in the amount of \$1,000,000 limited to \$100,000 each passenger, naming the County as additional insured and with no deductible amount. Coverage shall apply to bodily injury or death, passenger injuries including mental anguish and property damage.

11.3.c current list of names and addresses of the students receiving flight instruction.

11.3.d an executed Waiver Agreement.

C. AIRCRAFT REPAIR & INSPECTION SERVICES

11.4 Any Person providing aircraft repair and/or inspection services, other than owner-preventive maintenance as defined in FAR Part 43, Appendix A (c) shall provide the Airport Manager with the aircraft registration number and the following to his satisfaction as a condition to the issuance of a Permit:

11.4.a proof of proper and current certificate issued by the FAA with appropriate ratings to cover the types of repairs or inspection work being offered.

11.4.b proof of General Liability Insurance. This insurance must be written on an "occurrence" basis, responding to claims arising out of occurrences which take place during the policy period. The general liability form shall provide limits of at least the following with no deductible:

- \$1,000,000 each occurrence for bodily injury & property damage.
- \$1,000,000 each incident for personal and advertising injury.
- \$1,000,000 product-completed operation aggregate.
- \$2,000,000 general aggregate.

The County is to be included as additional insured.

The contractual liability coverage shall include protection for the Permit Holder from claims arising out of the liability assumed under the indemnification provision of these Rules.

Business automobile liability insurance shall apply to any auto, including all owned, hired and non-owned vehicles, to a combined single limit of at least \$300,000 each accident. Any statutorily required "No-Fault" benefits and uninsured/under insured motorist coverage shall be included.

11.4.c an executed Waiver Agreement.

D. WARRANTY SERVICE TO CUSTOMERS

11.5 Any Person based outside of the boundaries of the Airport and providing warranty service to a customer whose aircraft is located on the Airport shall provide the Airport Manager with the following, to his satisfaction, as a condition to the issuance of a Permit:

11.5.a proof of proper and current certificate issued by the FAA, with appropriate

ratings to cover the types of repairs or inspection work being offered.

11.5.b proof of General Liability Insurance. This insurance must be written on an "occurrence" basis, responding to claims arising out of occurrences which take place during the policy period. The general liability form shall provide limits of at least the following with no deductible:

- \$1,000,000 each occurrence for bodily injury & property damage.
- \$1,000,000 each incident for personal and advertising injury.
- \$1,000,000 product-completed operation aggregate.
- \$2,000,000 general aggregate.

The County is to be included as additional insured.

The contractual liability coverage shall include protection for the Permit Holder from claims arising out of the liability assumed under the indemnification provision of these Rules.

Business automobile liability insurance shall apply to any auto, including all owned, hired and non-owned vehicles, to a combined single limit of at least \$300,000 each accident. Any statutorily required "No-Fault" benefits and uninsured/under insured motorist coverage shall be included.

11.5.c an executed Waiver Agreement.

E. FEES

11.6 The County may establish and charge reasonable fees for issuing these permits.

**SECTION 12
INSURANCE**

A. GENERAL

12.1 Each FBO or LFBO shall maintain the applicable types and amounts of insurance described in this Section.

12.2 The FBO or LFBO shall use only responsible insurance companies of recognized standing which are authorized to do business within the State of New York. The insurance companies shall have a Best's rating of at least "B++" and a financial size of "Class VII",

or better, in the latest edition of Best's Insurance Reports.

- 12.3 Each FBO or LFBO shall, at the request of the County, deliver to the Airport Manager copies of all certificates of insurance for required insurance, any policy amendments and policy renewals, and any additional information related to required insurance. Each policy shall require the insurer to provide to the County at least 30 days prior written notice of termination or cancellation.
- 12.4 Each FBO or LFBO shall submit to the appropriate insurer timely notices and claims of all losses insured under any required insurance policy, pursue such claims diligently and comply with all terms and conditions of required insurance policies. Each FBO or LFBO shall promptly give the Airport Manager copies of all notices and claims of loss and any documentation or correspondence related to such losses. Each FBO or LFBO shall make all policies for required insurance, policy amendments and other related insurance documents available for inspection and photocopying by the Airport Manager or the County upon reasonable notice.
- 12.5 Each FBO or LFBO shall maintain the applicable insurance policies described in this Section under these Rules and Regulations.

B. WORKERS COMPENSATION

- 12.6 Workers Compensation and Employers Liability Insurance is that insurance will pay the lessee's obligation under Workers Compensation Law of New York. Employers liability coverage shall provide limits of at least \$100,000 each accident for bodily injury and \$100,000 each employee for disease. The total policy limit for disease shall be at least \$500,000.

C. GENERAL LIABILITY INSURANCE

- 12.7 General Liability Insurance is insurance which must be written on an "occurrence" basis, responding to claims arising out of any occurrences which may take place during the policy period. The general liability form shall provide limits of at least the following with no deductible:

- \$1,000,000 each occurrence for bodily injury & property damage.
- \$1,000,000 each incident for personal and advertising injury.
- \$1,000,000 product-completed operation aggregate.
- \$2,000,000 general aggregate (balloon).

The contractual liability coverage shall include protection for the FBO or LFBO from claims arising out of the liability assumed under the indemnification provision of these

Rules and Regulations.

The insurance policy shall provide for contingent liability of the County on any claim or loss and the County shall be named as an additional insured under FBO's or LFBO's policy of insurance, as the County's interest may appear. The FBO or LFBO shall instruct the insurer to notify the County in writing by certified mail at least 30 days prior to cancellation or refusal to renew any policy. The FBO or LFBO shall file certificates of all insurance required with the County.

Insurance against fire, windstorm or other casualty, including all standard extended coverage available, upon all of the FBO's or LFBO's personal property, together with such medical payments coverage as the FBO may desire. In connection therewith, the FBO or LFBO holds the County harmless against loss or damage to the FBO's or LFBO's person or property by reason of any casualty other than the negligence or fault of the County.

D. BUSINESS AUTOMOBILE INSURANCE

12.8 Business automobile liability insurance shall apply to any automobile, including all owned, hired and non-owned vehicles, to a combined single limit of at least \$300,000 each accident. Any statutorily required "No-Fault" benefits and uninsured/underinsured motorist coverage shall be included.

E. AIRCRAFT LIABILITY INSURANCE

12.9 Aircraft liability insurance shall provide aircraft liability, including temporary substitute aircraft and non-owned aircraft liability, to a combined single limit of at least \$1,000,000 limited to \$100,000 each passenger per occurrence. Coverage shall apply to bodily injury or death and mental anguish, including passenger injuries and property damage.

F. HANGARKEEPERS LIABILITY INSURANCE

12.10 Hangarkeepers legal liability insurance coverage shall include protection for those lessees operating a hangar storage or aircraft maintenance/repair service to a limit of at least \$1,000,000 each occurrence.

The County is to be included as additional insured.

The contractual liability coverage shall include protection for the FBO from claims arising out of the liability assumed under the indemnification provisions of these Rules and Regulations.

G. COVERAGE BY ANOTHER FBO or LFBO

12.11 Any Person providing an aeronautical service to the public at the Airport under the supervision of, or pursuant to an arrangement with, a FBO or LFBO on the Airport shall not be required to obtain the insurance described above if the insurance policy or policies of the FBO or LFBO cover that Person to the same extent and in the same amount as the applicable insurance policy described above for the FBO or LFBO.

H. INDEMNIFICATION

12.12 Each FBO or LFBO agrees to indemnify and hold the County and each of their officers, officials, representatives, agents, employees, successors or assigns harmless from all claims and liabilities (including, without limitation, legal fees) arising out of the use of the Airport.

**SECTION 13
PENALTIES FOR FAILURE TO COMPLY WITH
RULES AND REGULATIONS OR DIRECTIONS OF AUTHORITY**

13.1 Failure to Comply with Rules and Regulations or Directions of the Authority - All Persons upon Airport property, except those whose presence is specifically authorized and/or mandated by federal or state law, shall be considered as business invitees or guests of the Airport. In the event a violation of these Regulations, such Persons shall be considered trespassers and subject to immediate ejection or removal, at the discretion of the Airport Manager and/or the Airport personnel, from the Airport in any lawful and reasonable manner.

13.2 Failure to Comply with Directions of the Airport Manager or Staff - The County vests power and authority in the Airport Manager and employees of the Airport to enforce these Rules and Regulations and otherwise to perform all acts which may be necessary and proper to insure the protection, safety and security of all persons using the Airport and all property situate on the Airport, be it either County property or property of other Persons. Failure on the part of any person to immediately comply with any reasonable request and direction of the Airport Manager's personnel shall be grounds for the ejection or removal of such Persons from the Airport in any lawful and reasonable manner.

13.3 Civil Remedy or Criminal Prosecution - The County, in its discretion, reserves the right to commence any civil action or suit or file a complaint for criminal prosecution against any person or persons violating any Rule or Regulation which causes injury or damage to person or property or if such violation appears to constitute the commission of a criminal act.

**SECTION 14
RESERVATION OF RIGHTS TO INDIVIDUAL USERS**

- 14.1 Notwithstanding anything to the contrary contained herein, the following rights, privileges and duties are hereby conferred and imposed upon individual users of the Airport facilities, including, but not limited to individual pilots, aircraft owners, tie-down and t-hanger renters.
- 14.2 Each individual user as defined herein shall meet and maintain all requirements, Rules and Regulations for licensing, maintenance and repair of aircraft established by FARs, FAA safety bulletins, FAA advisory circulars, New York Aviation Law, and all other federal and state Rules and Regulations for licensing, maintenance and repair of aircraft.
- 14.3 It shall be the duty of each individual user of the airport to fully inform himself/herself of, and to keep current on, all federal, state aviation Rules and Regulations, and to completely and promptly comply therewith.

**SECTION 15
MISCELLANEOUS**

A. SEVERABILITY

- 15.1 In the event any portion of the foregoing division is declared invalid for any reason, the remainder of the provisions shall not be thereby invalidated but shall remain in full force and effect, all parts being declared severable and independent of all others.

B. EFFECTIVE DATE

- 15.2 These Rules and Regulations shall be effective thirty days following the date of their approval by the County.

Bibliography of Reference Documents

Aeronautical Information Manual

Federal Air Regulations (FAR)

Part 43 Maintenance, Preventive Maintenance, Rebuilding and Alteration.

Part 91 General Operating and Flight Rules

Part 103 Ultralight Vehicles

Part 105 Parachute Jumping

Part 121 Certification and Operations: Domestic, Flag and Supplemental Air Carriers and Commercial Operators of Cargo Aircraft.

Part 135 Air Taxi Operators and Commercial Operators.

Federal Aviation Agency Advisory Circular (AC)

103-6 Ultralight Vehicle Operations, Airports, Air Traffic Control and Weather.

103-7 The Ultralight Vehicle.

105-2C Sport Parachute Jumping.

150/5190-5 Exclusive Rights and Minimum Standards for Commercial Aeronautical Activities

150/5230-4 Aircraft Fuel Storage, Handling and Dispensing On Airports.

Federal Aviation Agency Order (FAAO)

5190.6A Airport Compliance Requirements

National Fire Protection Association (NFPA)

NFPA 407 Aircraft Fuel Servicing

NFPA 409 Aircraft Hangars

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Bibliography of Reference Documents cont.

- NFPA 410 Aircraft Maintenance
- NFPA 415 Aircraft Fueling Ramp Drainage
- NFPA 424 Guide to Airport/Community Emergency Planning.

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APPENDIX A

AIRPORT TRAFFIC PATTERN MAP

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APPENDIX B

SELF-FUELING AND SELF MAINTENANCE AREA

APPENDIX C

PROCEDURE FOR OBTAINING A SELF-FUELING PERMIT

Any Person wishing to supply and dispense fuel into its own aircraft on the Airport must do so using their own employees and their own equipment, and they must obtain a self-fueling permit from the Airport Manager. Applications for self-fueling permits are available at the Airport Manager's office. The procedure for obtaining a self-fueling permit is as follows:

- a. Submit a completed self-fueling application to the Airport Manager with the required approvals shown below in paragraphs b. & c. together with a check for the fee.
- b. Complete the approved self-fueling training course conducted by the Airport Manager and/or Emergency Management Coordinator.
- c. Obtain approval from the Emergency Management Coordinator for equipment to be used in the self-fueling operation.
- d. The Authority reserves the right to require general liability insurance coverage based on type of fueling equipment to be used.
- e. Pay the annual permit fee of \$50.00 and a flowage fee for all gallons over 500 pumped per year at the same rate paid by the FBO.

EXHIBIT D

**ACCIDENT REPORTING FORM
GENESEE COUNTY AIRPORT**

In accordance with the accident reporting provisions of the Rules and Regulations governing the operation of the Genesee County Airport, it is mandatory to report any damage to public property and any injury requiring medical attention. Damage to privately owned property located within the confines of the Airport is to be reported to its owner. The Airport Manager will assist you in contacting the owner.

This form is for local Airport usage and does not replace the reporting requirements of NTSB-830 with regard to aircraft accidents and incidents. A copy of a Federal accident report may be submitted in lieu of this report.

1. Name of person _____

_____ Age _____

Address

Phone (H) _____ (W) _____

Date and time of occurrence _____

2. Nature and extent of injuries

Description of accident/injury _____

Name of doctor or hospital _____

3. Type of property and extent of damage (use reverse for vehicles and aircraft)

Name of owner _____

Address _____

Phone (H) _____ (W) _____

4. Reported to police _____ Report number _____

Name of police department _____

Weather condition(s) _____

5. Vehicle/Aircraft identification (number 1)

Name of owner _____

Address _____

Phone (H) _____ (W) _____

N Number (or TAG & state) _____

Year & Make

Model _____

Serial number

(VIN) _____

6. Vehicle/Aircraft identification (number 2)

Name of owner _____

Address _____

Phone (H) _____ (W) _____

N Number (or TAG & state) _____

Year & Make

Model _____
Serial number _____

(VIN) _____

7. Name of Witness _____

Address _____

Phone (H) _____ (W) _____

8. Name of Witness _____

Address _____

Phone (H) _____ (W) _____

9. Remarks or additional information _____

10. Signature _____ Date _____