

7-3-3: RULES, REGULATIONS AND REQUIREMENTS:

- A. Aeronautical Regulations; Compliance Required: It is the city's policy to require any aviator, or other person, to comply with all of the rules and regulations adopted and promulgated by the federal aviation administration, and the Utah state aeronautics commission in the use of the airport. All said rules and regulations so adopted and promulgated from time to time and the current version thereof are hereby adopted by reference and made a part hereof as fully as if the same and each of them were completely set forth herein. (1995 Code § 10-1-3)
- B. Civil Aircraft; U.S. License Required; Exceptions: It is the city's policy to prohibit any person to pilot any civil aircraft, unless such person is the holder of a currently effective pilot certificate of competency issued by the government of the United States, but this restriction shall not apply to any person operating an aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft. (1995 Code § 10-1-4)
- C. Fuel Flowage Fee: The city, at its own option, may impose an aviation fuel flowage fee for aviation fuel delivered by any fixed base operator located at the airport. (1995 Code § 10-1-5)
- D. Aircraft Tie Down Fee: The city, at its own option, may impose a tie down fee for aircraft secured in public areas. (1995 Code § 10-1-6)
- E. Height Of Flight: It shall be unlawful for any airman, or other person, to fly or otherwise navigate any aircraft over the city limits at a lower altitude than one thousand feet (1,000') above ground level, except in landing or taking off from the airport and on the established landing pattern. (1995 Code § 10-1-7)
- F. Pilots; Commercial Flights: It is the city's policy to prohibit any person to carry any passenger for hire or reward in any aircraft unless such person has been properly licensed as a transport pilot or is a commercial pilot, and no person shall use any aircraft in commercial flights which has not been licensed and inspected in accordance with air commerce regulations of the federal aviation administration. (1995 Code § 10-1-8)

- G. Exceptions For Military: All officers and members of the United States army, the United States air force, the United States navy and officers and members of the national guard, while engaged in service of the United States, and all aircraft owned and operated under the authority of the United States army, United States air force, United States navy and national guard, shall be subject to the provision of this chapter, except as to licensing of aircraft and airmen. (1995 Code § 10-1-9)
- H. Landing Field: It shall be unlawful for any person to set up or maintain within the city limits any landing field for aircraft without written permission first obtained from the city council. (1995 Code § 10-1-10)
- I. Tampering With Aircraft: It is city policy to prohibit any person from interfering or tampering with any aircraft or to put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools without permission of the owner or by specific direction of the airport manager. (1995 Code § 10-1-11)
- J. Tampering With Airport Or Equipment: It is city policy to prohibit any person from interfering or tampering with any airport located within or under the jurisdiction of the city, or any landing field, airway, heliports or the equipment thereof. (1995 Code § 10-1-12)
- K. Accident Reporting: It is city policy to require persons involved in aircraft accidents occurring on the airport to make a full report thereof, including names and addresses, time, place and cause, and any inquiries occasioned thereby to the airport manager as soon after the accident as is possible. When a written report of an accident is required by federal aviation administration regulations, a copy of such report may be submitted to the airport manager in lieu of the report required by this subsection. (1995 Code § 10-1-13)
- L. Removal Of Aircraft: It is city policy for aircraft owners, their pilots or agents, to be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or as directed by the federal aviation administration and the airport manager to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the airport manager shall cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. (1995 Code § 10-1-14)
- M. Refusal Of Clearance: The airport manager may delay or restrict any flight or other operations at the airport for any reason the airport manager believes justifiable to protect

life, limb or property. The airport manager may also prohibit the use in all or in part of the airport for any purpose, by any individual or group, as may be needed to protect public health, safety or welfare. (1995 Code § 10-1-15)

N. Airport Navigational Rules And Regulations:

1. Federal aviation administration regulations, together with Utah state and airport rules and regulations, are the rules for all airport use. The mayor will be the final authority in the interpretation of airport rules.
2. The city and the airport manager assume no responsibility for damages or theft to aircraft or other vehicles operated or parked at the airport. The field is open to other flying public, day and night, weather permitting. It is the city's policy to enforce the following:
 - a. Tie downs are available and mandatory for both permanent and transient aircraft.
 - b. Cars must be kept off the ramps, taxiway and runways, except for official vehicles on duty. Nonofficial vehicles may be driven to an aircraft for passenger/baggage loading and unloading. Drivers will proceed carefully through access gates and observe a speed limit of twenty (20) miles per hour while inside the fenced area. Upon completion of the passenger/baggage transfer, the vehicle will be driven to a designated parking area.
 - c. There shall be no maintenance for profit conducted on the ramp or in aircraft hangars. This is not meant to prohibit aircraft owners from performing routine caretaking functions such as oil changes, minor adjustments, washing, waxing and the like. However, nonemergency repairs to aircraft requiring the expertise of a licensed airframe and/or power plant mechanic shall only be performed on the premises by persons employed by entities licensed to operate on the airport.
3. The airport manager shall inform users of the airport's navigational and flight operations aids, and shall operate and maintain such aids.
4. The airport manager shall be responsible for formulating and informing aviators of the airport's pilot operational procedures. (1995 Code § 10-1-16)

O. Airport Use; Permits And Licenses: It is the city's policy to prohibit any person to use any land within the airport unless a valid contract or agreement has been executed with the city and said land is used in conformance with all laws, regulations and standards herein and elsewhere established for said use. No person shall be granted an exclusive right to conduct any aeronautical activity upon the airport, unless it would be infeasible to allow more than one person to conduct that aeronautical activity. Furthermore, no person shall be permitted to use any land or conduct any aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in

accordance with the standards herein established, and is based upon the issuance of the proper permits or licenses. (1995 Code § 10-1-17)

- P. Application For Use: Applications for lease of ground and/or facilities on the airport, or for permission to carry on any commercial or noncommercial aeronautical activity on the airport, shall be made to the airport manager. The airport manager shall thereafter present the application to the mayor. The application shall be signed and submitted by a party owning an interest in the business, or the individual who will be managing the business, or partner of a partnership or a director or an officer of a corporation.
1. The mayor will not accept or take action on a request for any commercial or noncommercial activity until after the applicant, in writing, submits a proposal which sets forth the scope of operation proposed, including the following:
 - a. The name and address of the applicant.
 - b. The proposed land use, facility and/or activity sought, including layout of buildings, appurtenances and spaces to be occupied.
 - c. An organizational chart showing employees names, duty status and job qualifications.
 - d. Proof of sufficient available operating resources to sustain the operation for reasonable length of time. Operating resources shall not include prospective profits from the operation.
 - e. Names and financial statement of any proposed guarantors.
 - f. Pro forma operating statement for the first year.
 - g. A statement of tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.
 - h. The requested or proposed date for commencement of the activity, and the term of conducting the same.
 - i. The estimated cost of any structure or facility to be furnished, the proposed specifications of the same, and the means or method of financing such.
 - j. The specific types and amounts of insurance proposed in accordance with minimum requirements for the activity.
 - k. Proposed operational hours.
 2. If requested by the mayor, the applicant shall submit the following supportive documents to the mayor, together with such other documents and information as may be required by the mayor, which shall include, but not be limited to, the following:
 - a. A current financial statement.

- b. A written listing of the assets owned or being purchased which will be used in the aeronautical activity.
 - c. A current credit report.
 - d. A written authorization from the FAA and the CAB and all aviation or aeronautical commissions, administrators or departments of all states in which the applicant has engaged in aeronautical activities, to supply the mayor with all information in their files relating to such applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.
 - e. Proof of insurance required by this chapter.
3. At the discretion of the mayor, all other persons then conducting aeronautical activities on the airport who, in the opinion of the mayor, would be directly affected by the granting of the application in question, may also be notified of the filing of such application. (1995 Code § 10-1-18)
- Q. Action On Application By Mayor: The mayor shall consider the application within a reasonable time and shall thereafter either approve the application, approve the application subject to reasonable conditions or deny the application. Upon approval or conditional approval, the city shall enter into a lease agreement with the applicant. Applications may be denied for one or more of the following reasons:
- 1. The applicant for any reason does not meet the qualifications, standards and requirements established by this chapter.
 - 2. The applicant's proposed operations or construction will create a safety hazard on the airport.
 - 3. The granting of the application will require expenditure of city funds, or use of city labor or materials in connection with the proposed operations, to an extent which, or at a time when, the city is unwilling to enter into such arrangements; or the operation will result in financial loss to the city.
 - 4. There is no appropriate, adequate or available space or building on the airport to accommodate the entire activity of the applicant at the time of the application.
 - 5. The proposed operation or airport development or construction does not comply with the concept/layout plan of the airport.
 - 6. The development or use of the area requested by the applicant will result in depriving existing fixed base operators of portions of the areas in which they are operating; or will result in a congestion of aircraft or buildings; or will unduly interfere with the operations of any present fixed base operator on the airport through problems in connection with the aircraft traffic or service, or preventing free access to the fixed base operator's area.

7. Any party applying, or interested in the business, has supplied the city, the mayor, or the airport manager with any false information or has misrepresented any material fact in his application or in supporting documents or has failed to make full disclosure on his application or in supporting documents.
8. Any party applying or interested in the business, has a record of violating the provisions of this chapter, or the rules and regulations of any other airport, federal aviation regulations, or any other rules and regulations applicable to the airport.
9. Any party applying, or interested in the business, has defaulted in the performance of any lease or other agreement with the city.
10. Any party applying, or interested in the business, has a credit report which contains derogatory information and who does not appear to be a person of satisfactory business responsibility and reputation.
11. The applicant does not appear to have or have access to the finances necessary to conduct the proposed operation for a minimum period of six (6) months.
12. Any party applying, or interested in the business, has been convicted of any crime or violation of any ordinance of such nature that it indicates to the mayor that the applicant would not be a desirable operator on the airport.
13. The protection of the health, welfare, safety or morals of the inhabitants of the city require such denial.
14. The applicant is unwilling or unable to post a performance bond equal to six (6) months' rental or a deposit of a cash equivalent, or advance payment of six (6) months' rental. (1995 Code § 10-1-19)