



Rules & Regulations

*Adopted by the Board of Directors at its Regularly Scheduled Board Meeting on
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INTRODUCTION

The following Rules and Regulations, as approved by the Board of Directors, are adopted by the Metropolitan Topeka Airport Authority pursuant to K.S.A. 27-327 et. seq. These Rules and Regulations may be altered, amended, or repealed and additional Rules and Regulations may be adopted by the MTAA. Any alterations or modifications to these Rules and Regulations will be available at the MTAA Administration Office.

SECTION I **DEFINITIONS**

The following definitions are applicable to these Rules and Regulations as adopted by the Philip Billard Airport. These definitions shall apply to these terms whenever used in this document, unless expressly defined differently therein.

Aeronautical Activity or Activities

Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of aircraft, or an aeronautical activity. The following activities, without limitation, which are commonly conducted on airports, are considered within this definition: aircraft charter, pilot training, aircraft rental, sightseeing, aerial photography, aerial spraying and agricultural aviation services, aerial advertising, aerial surveying, air carrier operations (passenger and cargo), aircraft sales and service, sale of aviation fuel and oil, aircraft maintenance, sale of aircraft parts, and any other activities which, in the sole judgment of MTAA, because of their direct relationship to the operation of aircraft on the Airport, can be appropriately regarded as an aeronautical activity.

Aircraft

Means aeronautical devices including, but not limited to, powered aircraft, gliders, helicopters, parachutes, hang gliders, and balloons.

Air Operations Area (AOA)

A portion of the Airport designated and used for landing, taking off, or surface maneuvering of Aircraft. There are two areas of the AOA, the movement area and the non-movement area.

Airport

Philip Billard Airport, owned and operated by the Metropolitan Topeka Airport Authority, in the County of Shawnee, State of Kansas, used in part for the loading, unloading, servicing, landing and taking off of aircraft.

Airport Layout Plan (ALP)

The current FAA-approved drawings depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, Nav aids, apron, airport operations areas, etc.

Airport President

The President of the MTAA, who is appointed by the MTAA Board of Directors, who has the overall administrative authority to direct the operations of the MTAA

Air Terminal

Term for the terminal building at Philip Billard Airport.

ATCT

Air Traffic Control Tower.

ARFF

Aircraft Rescue and Fire Fighting.

Apron

Paved areas of the Airport within the AOA, designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Based Aircraft

Any aircraft utilizing the Airport as a base of operation (other than occasional transient purposes) with an assigned tie down or hangar space on the Airport, or on adjoining property which has direct taxiway access to the Airport.

Board

The Metropolitan Topeka Airport Authority Board of Directors consists of five members. Three members shall be registered voters and Topeka residents who are appointed by the Mayor of Topeka with the approval of the City Council. Two members shall be Shawnee County residents residing outside the Topeka city limits and appointed by the Shawnee County Board of Commissioners.

Building

The main portion of each structure, all projections or extensions therefrom and any additions or changes thereto, and shall include hangars, garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included in this definition.

CFR

Code of Federal Regulations.

Commercial

That which involves or makes possible earnings, income, compensation (including exchange of service), and/or profit, whether or not such objectives are accomplished.

Courtesy Vehicle

Any vehicle used in commercial activity, other than a taxicab, to transport persons, baggage, goods, or any combination thereof, between the Airport and off-Airport businesses such as hotels, motels, or other attractions and the business establishment owning or operating such vehicle, the operation of which is generally performed as a service without direct costs to the passenger.

Equipment

All machinery, supplies, tools, trade fixtures and apparatus necessary for the proper conduct of the activity being performed.

Environmental Laws

Any and all laws, rules, regulations, regulatory agency guidance and policies, ordinances, applicable court decisions, and airport guidance documents, directives, policies (whether enacted by any local, state or federal governmental authority, or by the MTAA) now in effect or hereafter enacted that deal with the regulation or protection of the environment (including the ambient air, ground water, surface water and land, including subsurface land and soil), or with the generation, handling, storage, disposal or use of chemicals or substances that could be detrimental to human health, the workplace, the public welfare, or the environment.

FAA

Federal Aviation Administration.

FCT

Federal Contract Tower.

Fixed Base Operator (FBO)

Means an operator that maintains a facility at the Airport for the purpose of engaging in the retail sale of aviation fuels (AVGAS and Jet Fuel), Aircraft airframe, engine repair, etc. A written agreement (lease) with the MTAA is required for all FBO's.

Fuel Handling

The transporting, delivering, storage, fueling, or draining of fuel or fuel waste products.

Hazardous Materials

Means any hazardous or toxic substance, material or waste, which is or becomes regulated by any local government authority, the State of Kansas or the United States Government. The term "Hazardous Material" includes, without limitation, any material or substance that is: (1) defined as a hazardous substance" under appropriate state law provisions; (2) petroleum; (3) asbestos (4) designated as "hazardous substance" pursuant to Section 311 of the Federal Water Pollution Control Act (33 USC Section 1321); (5) defined as "hazardous waste" pursuant to Section 1004 of the Federal Resource Conservation and Recovery Act (42 USC Section 9601); or (7) defined as a "regulated substance" pursuant to Subchapter IX, Solid Waste Disposal Act (Regulation of Underground Storage Tanks) (42 USC Section 6991).

Hold-short Line (Runway Marking)

Means any line defined on a pavement in proximity to a runway beyond which no person, aircraft or vehicle shall proceed without permission/clearance of an Air Traffic Controller on duty. Such line shall be defined by painted marks in conformity with federal aviation standards for airport markings.

Improvements

All buildings, structures and facilities, including, but not limited to, pavement, fencing, signs and landscaping constructed, installed or placed on, under or above any leased area by or with the concurrence of a lessee. Plans and specifications for all improvements must be approved by the MTAA before said improvements are initiated.

Law Enforcement Officer

Means an individual who meets the State of Kansas and or Federal Government requirements to be a certified Law Enforcement Officer.

Landing

All flights landed at the Airport for revenue and non-revenue purposes, including, but not limited to, commercial, training, private, ferry, military, and charter flights, except that there shall be excluded flights which return to the Airport after take-off due to an emergency.

Large Aircraft

An aircraft in excess of 12,500 pounds Maximum Certificated Takeoff Weight (MTOW).

Lease

A contractual agreement between the MTAA and a person, business, entity, etc., granting the use of a defined ground area on the Airport for a term of years, and establishing conditions for its use.

Master Plan

An assembly of appropriate documents and drawings covering the development of the Airport from a physical, economic, social, and political jurisdictional perspective and adopted by the MTAA Board of Directors, a copy of which is on file and available for inspection in the Airport office, and any amendments, modifications, revisions, or substitutions thereof. The ALP is a part of the Master Plan.

Motor Vehicle or Vehicle

Means any self-propelled vehicle which is required to be registered and licensed with the State of Kansas and operated by a State of Kansas licensed driver, except an aircraft, designed to transport persons, property or equipment.

Motorized Conveyance

Means any motor-propelled equipped mode of transportation other than a motor vehicle.

Movement Area

Runways, runway safety areas, taxiways, taxiway safety area, and other areas of the Airport that aircraft use for taxiing/hover taxiing, air taxiing, takeoff and landing, exclusive of loading ramps and parking areas as shown on the ALP. Movement in the Movement Area is under the control and direction of the Air Traffic Controller.

MTAA

The Metropolitan Topeka Airport Authority, a political subdivision of the State of Kansas created and authorized pursuant to K.S.A. 27-327, et. Seq.

MTAA Police and Fire Department

Refers to the Metropolitan Topeka Airport Authority Police and Fire Department. All Police Officers employed in the Department are commissioned law enforcement officers vested with the authority, right, obligation, and duty incumbent upon a law enforcement officer as prescribed by the laws of the State of Kansas. All Fire Department employees meet and maintain the requirements to be a Part 139 aircraft rescue firefighter.

National Fire Protection Association (NFPA)

All codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.

Non-Commercial

Not for the purpose of securing earnings, income, compensation (including exchange of service), and/or profit.

Non-Movement Area

Means ramps and parking aprons and other portions of the A.O.A. in which control or direction from an Air Traffic Controller is not required.

Operator

Means any person based on the Airport and providing one or more commercial aeronautical services at the Airport.

Perimeter Fence

The line defined by buildings and perimeter fencing enclosing the A.O.A. as required under the Airport Security Program and applicable Federal regulations.

Person

Any individual, firm, sole proprietorship, corporation, company, limited liability entity, association, joint stock association, partnership, co-partnership, trust, estate, political body or other form of entity, and includes any trustees, receiver, assignee, or similar representative thereof.

Police

Refers to the Metropolitan Topeka Airport Authority Police Department that have law enforcement jurisdiction over the Topeka Regional Airport and Philip Billard Airport.

Ramp

Paved areas of the Airport within the AOA designated for the loading or unloading of passengers or cargo, servicing, or parking of aircraft, etc.

Refueling Vehicle

Any vehicle used for fuel handling, including without limitation fuel servicing hydrant vehicle and hydrant carts.

Regulatory Measures

Federal, state, county, local, codes, statutes, ordinances, orders, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation (USDOT), United States Department of Homeland Security, FAA, TSA, NFPA, the Airport Certification Manual, Airport Security Plan, and these Rules; all as may be in existence, hereafter enacted, and amended from time to time.

Release

Any releasing, disposing, discharging, injecting, spilling, leaking, leaching, pumping, dumping, emitting, escaping, emptying, seeping, dispersal, migration, transporting, placing, and actions of similar nature, including without limitation, the moving of any

material through, into or upon any land, soil, surface water, ground water, or air, or otherwise entering into the environment.

Restricted Area

Areas of the Airport posted to prohibit or limit entry or access by the general public. All areas other than public areas.

Runway

A surface officially designated primarily for the acceleration of aircraft for takeoff and deceleration upon landing, as shown in the ALP.

Safety Area

Refers to any graded area adjacent to a runway or taxiway or beyond the end of a runway as defined in the Airport Certification Manual.

Sublease

A lease granted by an Airport lessee to another entity of all, or part, of the property leased from the Authority, where on a sole or joint lease basis.

Taxiway

A defined path, usually paved, over which aircraft can taxi from one part of an airport to another (excluding the runway) as shown on the ALP.

Terminal Area

The passenger terminal proper, aircraft ramps, baggage-handling facilities, vehicular parking spaces, including rental car areas, roadways, water, sanitary sewer, storm sewer, gas, electrical, and other areas and facilities. The primary function of which is to serve the terminal and aircraft operators.

Tie-Down

The area, paved, suitable for parking and mooring of aircraft wherein suitable tie-down points have been located.

Tenant

Any individual, firm, corporation, company or other similar entity having proprietary control over any area of the Airport by virtue of, and subject to, a lease, contract or other formal arrangement with the MTAA.

Topeka Fire Department

The City of Topeka Fire Department (TFD) has jurisdiction for all fire and medical emergencies at the airport.

Topeka Police Department

The City of Topeka Police Department (TPD) has jurisdiction for all law enforcement issues at the airport.

Tower

The Air Traffic Control Towers at Philip Billard Airport, which are operated during times established by the FAA.

Traffic

Pedestrians, vehicles, aircrafts and all other conveyances while moving upon the ground on Airport property.

Transient Aircraft

Any aircraft utilizing the Airport for transient purposes and which is not based at the Airport.

TSA

Transportation Security Administration

Vehicle Service Road or Perimeter Roadway

A designated roadway for vehicles in a non-movement area as shown in the ALP

SECTION II **COMPLIANCE PROGRAM FOR THE MTAA** **RULES AND REGULATIONS**

Any permission granted directly or indirectly, expressly or by implication, to an entity or individual to enter upon or use the Airport is conditioned upon assumption of responsibility to fully and completely comply with these Rules and Regulations as well as other applicable regulatory measures that may be promulgated by any governing body or agency having jurisdiction at the Airport. These Rules and Regulations are subject to enforcement by the MTAA. The MTAA maintains a Police and Fire Department that provides police and fire protection to the general public under the MTAA jurisdiction. (The City of Topeka has primary jurisdiction at Philip Billard Airport.) Neither the existence of these Rules and Regulations nor the enforcement of these Rules and Regulations establish any special relationship between the MTAA and any member of the general public. The MTAA Police and Fire Department does not assume any special obligation to provide police and fire protection to MTAA tenants or to the leased premises. The privilege of using MTAA property and its facilities shall be conditioned on the assumption of full responsibility of risk by the user thereof.

Authority

Pursuant to the Bylaws and subject to the overall supervision of the Board of Directors, the Airport President may remove or evict from the Airport any person who violates any rule prescribed herein, or any applicable statute, rule or regulation of the Federal Government or the State of Kansas, and may deny use of the Airport and its facilities to any such person if it is determined by the Airport President that such denial is in the public interest. The Airport President is granted the authority to designate other MTAA employees the authority to enforce these rules.

Variance or Waiver

The Airport President may vary from the provisions of these Rules and Regulations at any time when circumstances may require, in the interest of the public safety. Any variance shall be in writing and shall not constitute a waiver or modifications of any of the provisions herein for any purpose except as to the particular operator and the particular provision, which is the subject of the variance and only for so long as the circumstances warranting the variance exist.

SECTION III **GENERAL PROVISIONS APPLICABLE TO ALL AREAS OF PHILIP** **BILLARD AIRPORT**

A. Abandoned, Derelict or Lost Property

Property including, without limitation, aircraft, vehicles, equipment, machinery, baggage, or personal property shall not be abandoned on the Airport. Abandoned, derelict, or lost property found in public areas at the Airport shall be reported to the President. Property unclaimed by its proper owner or items for which ownership cannot be established will be handled in accordance with applicable law. Nothing in this section shall be construed to deny the right of operators and other lessees to maintain "lost and found" service for property of their customers and/or employees. Any person finding lost articles shall deliver the articles to the MTAA Police and Fire Department located at Topeka Regional Business Center.

B. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be promptly reported to 911 to request emergency services. Topeka Fire Department and Topeka Police Department have jurisdiction at Philip Billard Airport. The MTAA Police and Fire Department shall also be informed for the same events. The Police and Fire Department is then responsible for making notification to the Airport President.

C. Airport Liability

The MTAA or employees shall not be liable for loss, damage or injury to persons or property arising out of an accident, incident or mishap of any nature whatsoever

and/or from any cause whatsoever and/or from any cause whatsoever to any individual, aircraft, or property occurring on the Airport, or in the use of any of the MTAA facilities.

D. Airport Operations

The airport President, or his designee, may delay, restrict, or prohibit, in whole or in part, any operations at the Airports for any justifiable reason.

E. Alcoholic Beverages

No person shall consume any alcoholic or cereal malt beverage upon any portion of MTAA property except in such places and at such times as authorized by the prior written approval of the President for dispensing and consumption of alcoholic beverages. Permission for such dispensing and consumption must be requested for each and every function at which liquor or cereal malt beverages will be present and must be in compliance with any applicable Local, State, and Federal Laws relating to the consumption of alcoholic or cereal malt beverages.

F. Animals

Domestic pets and animals, except animals required for assistance or law enforcement dogs, are not permitted on MTAA property or in the Airport terminal building, unless being transferred or shipped, and then only if controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate shipping container. Leashes, harnesses and straps shall not exceed six (6) feet. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste.

No person, except those authorized by the Airport President shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal on the Airport. Feeding or otherwise encouraging the congregation of birds or animals on the Airport is prohibited, as established in the Airport Wildlife Hazard and Management Plan.

G. Buildings and Remodeling

No person shall construct, reconstruct or remodel any building or other improvement on the Airport without first obtaining written permission from the Airport President. All such work shall be done in a safe and workmanship manner and in accordance with all applicable building codes, laws and FAA AC 150/5190-4(current edition) - Height limits of objects around Airports. Any changes, alterations, or repairs made without proper approval, and any damage resulting there from shall be paid for by the person responsible and in accordance with the direction of the MTAA.

H. Business

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to promote, solicit, or engage in any business, service, or trade on the Airport Property; except as authorized on

leased premises. Example of written approval includes, but is not limited to a lease, sublease, or written temporary permission.

I. Commercial Activities

Commercial activity of any kind on the Airport requires the express written approval of the MTAA through a specifically authorized lease, sublease, or written temporary permission, and upon such terms and conditions as they may prescribe, and the payment of any required fees. Unless otherwise provided in such document, any permission may not be assigned or transferred and shall be limited solely to the approved activity.

J. Damage to Airport Property

Any and all Airport property, real or personal, and/or facilities destroyed, broken, or damaged by accident or otherwise, shall be paid for by the person responsible for the damage. Aircraft equipped with tail or landing skids or other devices, which will damage pavement shall not be operated on the Airport.

K. Emergency (Confidential) Contact List

MTAA will maintain a Confidential Emergency Contact List for every tenant, sub-tenant, etc. All tenants, sub-tenants, and individuals requested by the Airport President shall provide the following information on a monthly basis, (as requested by an MTAA staff member) name, address, telephone number, and emergency contact telephone number. All FBO's shall maintain a file with current information on all hangar aircraft including make, model, tail number, owners name, address, and telephone number.

L. Fire/Open Flame Operations.

Open flames of any kind are prohibited on MTAA property without first securing written permission from the Airport President or his designee. Smoking and the use of any open-flame device is prohibited on any apron, or within fifty (50) feet of any aircraft, fuel truck, fueling facility, or other flammable storage facility. Any fires (regardless of the size of the fire or whether or not the fire has been extinguished) shall be reported immediately to the MTAA Police and Fire Department. No welding/cutting activities shall be conducted on the Airport without an approved fire extinguisher and a person trained in its proper usage present for the duration of any welding/cutting activities.

M. Fire Equipment

No person shall remove or cause the removal from its holder, container, reel, or bracket etc., any equipment or device used in fire detection, prevention or suppression, except in the case of an emergency or fire. In any event such equipment shall not be removed from any hangar or building for any other use than for which the fire equipment was intended. All fire doors, fire boxes, fire hydrants and all other firefighting equipment shall be kept clear of obstructions at all times.

N. Fireworks

The use of Fireworks is prohibited on all MTAA property. All tenants, sub-tenants, and individuals on Airport property wishing to engage in the selling or distribution of Fireworks shall acquire prior written approval from the Airport President, and be in compliance with all Federal, State, and County regulations.

O. Firearms and Explosives

No persons, except law enforcement officers on official duty, authorized federal agents on official duty, airport employees authorized by the Airport President, USDA employee responsible for Wildlife reduction purposes, members of the Armed Forces of the United States on official duty, and authorized foreign armed forces on official duty, shall carry any firearms or any explosives on Airport property. Unloaded and properly secured firearms may be stored as cargo for travel on Airport property.

P. General Conduct

No person shall use or otherwise conduct himself upon any portion of the MTAA Airport property in any manner contrary to any posted or otherwise visually indicated directions applicable to that area. Overnight camping or lodging on the Airport is prohibited. Use of any facility on, or area of, the Airport for sleeping or other purposes in lieu of a hotel, motel, residence or other public accommodation is prohibited. Spitting on, marking, or defacing the floors, walls, or other surface of the Airport is prohibited.

Q. Hazardous Material Spills

Any person who experiences overflowing or spilling of oil, grease, fuel, alcohol, glycol or any other hazardous material anywhere on the Airport shall immediately call the Airport Police and Fire Department. Persons involved in hazardous material incidents shall take action to prevent/minimize danger to personnel, property and the environment while awaiting arrival of the MTAA Police and Fire Department personnel. At the discretion of MTAA, the entity responsible for the spill may be required to clean and properly dispose of the material/substance which shall be performed in compliance with all applicable federal, state, and local regulations and guidelines. In addition, the entity will be required to provide the MTAA with documentation of proper disposal. Any costs incurred by MTAA in such instances shall be reimbursable to the MTAA by the person responsible for the spill.

R. Painting and Finishing

All persons applying paint, doping processes, or paint stripping shall be performed only in those facilities approved for such activities by the Airport President and in compliance with all State and Federal laws and regulations or as provided in the MTAA leases.

S. Pictures

Except as authorized and expressly permitted by the prior written approval of the Airport President it shall be prohibited for any person to take still or motion pictures on the Airport for commercial purposes; except as authorized on leased premises.

T. Preservation of Property

No person shall destroy, or cause to be destroyed, damage, deface, or disturb, in any way, property of any nature located on the Airport. Any person causing or responsible for such injury, destruction, damage or disturbance to Airport-owned property shall report such damage to the Airport President and shall reimburse the Airport the full amount for the repair of property. No person shall take or use any aircraft, aircraft parts, instruments, tools, controlled, or operated by any person while on the Airport or within its hangars, except with the consent of the owner or operator thereof. No person shall prevent the lawful use and enjoyment of the Airport by others. Any activity which results in littering, environmental pollution or vandalism on the Airport is not permitted and violators are subject to prosecution.

U. Sale of Merchandise

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person to sell or offer for sale any article of merchandise on Airport property; except as authorized on leased premises.

V. Signage

All identification, advertising, directional signage, circulate leaflets, or written material by users or tenants on MTAA property must meet the terms of the lease agreement or have said signage approved by the Airport President. No signage will be allowed that distracts or interferes with aircraft traffic, motor vehicle traffic, or in any way affects the safety of the Airport. MTAA has the right to remove any such sign, placard, picture, advertisement, name or notice in any such manner as the Airport may designate.

W. Solicitation, Picketing, and/or Demonstrations

Except as authorized and expressly permitted by the prior written approval of the Airport President, it shall be prohibited for any person or persons to engage in Solicitation, Picketing, and Demonstrations on MTAA property.

X. Special Events

A Special Event on the Airport requires written coordination, regulation, and authorization by the Airport President prior to the public disclosure or advertisement of the event. Certain events may require an operating agreement or temporary lease with the MTAA.

Y. Speed Limit and Safety

Except for emergency vehicles responding to an emergency, no person shall operate any motor vehicle or motorized conveyance on any drive or road at a speed greater than 25 miles per hour unless otherwise officially posted. All persons operating a motor vehicle or motorized conveyance on MTAA property must abide by all State laws when operating said vehicle. No person shall operate a motor vehicle or motorized conveyance in a careless or reckless manner or at a speed that may endanger person or property in the area.

Z. Storage of Flammable Materials

No person shall keep, store or discard any flammable liquids, gases, lubricating oils, signal flares or other similar materials on MTAA property unless such materials are kept in proper receptacles installed for such purposes or in such areas and such manner as is approved by the MTAA. No person shall store or stock materials or equipment in such a manner as to constitute a fire hazard in any building or hangar.

AA. Trash and Other Waste Containers

No person shall dispose of garbage, paper, refuse or other materials on the Airport except in receptacles provided for that purpose. Tenants, operators and other users of the Airport shall not move or otherwise re-locate Airport placed waste containers. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter or any kind shall not be placed, discharged, or deposited on the Airport, except in the receptacles provided specifically for that purpose. Burning of garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter of any kind on the Airport is prohibited. Trash and other waste containers at the Airport shall only be used for trash generated on Airport Property. Trash and other waste containers shall be kept clean and sanitary at all times. Tenants and operators shall ensure that their trash and waste containers are emptied with sufficient frequency to prevent overflowing. All MTAA tenants and operators shall provide appropriate receptacles with covers for the storage of such trash.

BB. Wildlife Hazard Reduction

The Airport President will designate individuals who are authorized to use FAA approved wildlife hazard reduction techniques including, but not limited to, the discharge of firearms on Airport property. Use of lethal reduction techniques will comply with FAA guidelines, Kansas Department of Wildlife and Parks guidelines and Federal Depredation permits and tag requirements assigned to the airport each year. Copies of the Federal Depredation permits are maintained in the Operations Office at the Topeka Regional Airport. Firearms shall be discharged in a safe manner away from people and property to avoid injury.

SECTION IV

PHILIP BILLARD AIRPORT

1. General Provisions

a. Aircraft

All persons shall taxi, take-off, land upon and fly from the Airport; service, maintain and repair any aircraft at the Airport; or conduct aircraft operation on or from the Airport in a safe manner and in conformity with the rules and regulations contained herein and in compliance with applicable FAA, TSA, Local, State and Federal regulations.

b. Commercial Use

All persons using the Airport for commercial aviation purposes, including but not limited to, agricultural aviation, the carrying for hire of passengers, freight or mail, flight instruction, or other commercial uses shall do so only after receipt of prior written permission from the Airport President subject to the terms and conditions of an agreement with the MTAA, payment of rates and charges and evidence of insurance as prescribed by the MTAA. Commercial aircraft not in compliance with this rule shall not be allowed to operate at the Airport.

c. Authority to Close Airport

Except for the emergency landing of aircraft, the President, or designee, in coordination with the FAA, may prohibit or restrict aircraft flying activities at any time when the President, or designee, deems such activity is likely to endanger persons or property.

d. Access to Hangars

No person, other than MTAA personnel, MTAA Tenants, Sub-Tenants that have a lease or an agreement with MTAA, shall have access to hangars on the Airport without permission from the Airport President.

e. Cleaning Aircraft

No person shall use flammable liquids in cleaning of aircraft, aircraft engines, propellers and appliances or accessories unless such cleaning operations are conducted in open air or in a room specifically designed for that purpose which room shall be properly ventilated, fireproofed and equipped with adequate and readily accessible fire extinguishing equipment. "DANGER - NO SMOKING" signs are to be posted in such areas, capable of being seen at a minimum distance of fifty (50) feet.

f. Doping and Painting

No person shall dope or paint any aircraft except in areas specifically authorized by the MTAA.

g. Rates for Airport Services and Facilities

The MTAA Board of Directors with the direct guidance of the Airport President and in compliance with FAA Order 5190.6B (Airport Compliance Manual) will set rates and charges for services and facilities at the Airport. All such rates shall be in force and effect until otherwise provided.

2. Air Operations Security Area

a. Security and Safety

All aircraft flying into Philip Billard Airport with a gross weight equal to or greater than 12,500 pounds are subject to TSA 1544 requirement for developing and implementing a Security Program. All aircraft under a gross weight of 12,500 pounds operating at Philip Billard Airport are to report any suspicious activity to the MTAA Police and Fire Department. Only MTAA Employees, Tower personnel, NOAA personnel, and Philip Billard tenants whose business requires they have access to the AOA shall enter into or upon an air operations area. This rule shall not apply to contractors and their employees performing authorized work on Airport property.

3. Aircraft Provision on AOA

a. Accidents or Incidents

Accidents resulting in damage to property, injury requiring medical treatment, or interference with normal airport operations shall be promptly reported to 911 to request emergency services. Topeka Fire Department and Topeka Police Department have jurisdiction at Philip Billard Airport. The MTAA Police and Fire Department shall also be informed for the same events. The Police and Fire Department is then responsible for making notification to the Airport President. Aircraft operators involved in an incident or accident on the Airport resulting in an injury to a person, death of a person or damage to property shall complete any necessary reports and forms, and comply with all applicable provisions of National Transportation Safety Board (NTSB) Regulations Part 830. The aircraft operator is responsible for all damages to property, including, but not limited to, damage to a runway, taxiway, apron, signage, navigational aid, light or fixture. An aircraft involved in an accident on the Airport may not be removed from the scene of the accident until authorized by the FAA Regional Operations Office and approved by the Airport President. Once authorization to remove the Aircraft has been issued, the aircraft operator shall be responsible for the safe and prompt removal of disabled aircraft and parts. Subject to the requirements above, disabled aircraft shall be removed within 60 minutes from any runway or taxiway. If immediate arrangements are not made (so that the Airport can return to full operational

status without unreasonable delay), the Airport may have any disabled aircraft removed, at the aircraft operator's sole risk and expense, without liability for damage arising from or out of such removal.

b. Aircraft Operations

- i. Operating an aircraft in a careless, negligent, or reckless manner; in disregard of the rights and safety of others; without due caution and care; or at a speed or in a manner which endangers, or is likely to endanger persons or property is prohibited.
- ii. All persons (with the exception of properly authorized and assigned military personnel) while operating an aircraft at the Airport must have in their possession a current, valid, and applicable FAA airman's license for the aircraft they are flying. All Student Pilots operating an aircraft must be accompanied by an individual who has a current and valid airman's license for the aircraft they are flying.
- iii. No person shall operate, or assist in the operation of, an aircraft at the Airport while under the influence of alcohol or substance which will cause impairment of mental or physical abilities.
- iv. Aircraft operators shall obey all pavement markings, signage, and lighted signals unless instructed otherwise by the Air traffic Controller.
- v. Operating an aircraft constructed, modified, equipped, or loaded as to endanger, or be likely to endanger persons or the property of any person, is prohibited.
- vi. Experimental flights or ground demonstrations shall not be conducted on the Airport without the prior written permission of the Airport President.
- vii. The starting, positioning, or taxiing of any aircraft shall be done in such a manner to minimize the risk of directing any propeller slipstream or engine thrust or rotor wash that may endanger or result in injury to persons or damage to property.
- viii. Aircraft engines shall not be started within, and aircraft shall not be taxied into, out of, or within, any structure on the Airport.
- ix. Aircraft shall only be taxied or towed on runways, taxiways, and aprons.
- x. Aircraft operators shall not taxi an aircraft at the Airport at a speed greater than is reasonable and prudent under the conditions with regard for actual and potential hazards and other aircraft so as not to endanger persons or property.
- xi. Taxiing aircraft shall yield the right-of-way to any emergency vehicle. The runway aircraft weight limitations for the Airport (FAA Gross Weight Evaluation) set forth in the FAA Facility Directory shall not be exceeded without the prior approval of the Airport President.

- xii. Aircraft operators shall not land, take off, taxi, or park an aircraft on any area that has been restricted to a maximum weight bearing capacity of less than the weight of the aircraft. It shall be the aircraft operator's responsibility to bear the expense of repair for any damage to the Airport's runways, taxiways, or aprons caused by excessive aircraft weight.
- xiii. Aircraft flying into or taking off from Philip Billard Airport shall establish radio contact with ATC prior to taxiing, take-off, landing, or entering Billard Airport Airspace and proceed as instructed by ATC. During hours when the Airport Control Tower is not in operation all Aircraft, Motor Vehicles, etc. shall announce their intentions on the Common Traffic Advisory Frequency (118.7).

c. Aircraft Parking and Storage

- i. FBO's are prohibited from providing aircraft storage to the public for the procurement of fuel or other supplies or services from a specific source as a condition of aircraft storage.
- ii. Aircraft shall be parked only in those areas designated for such purpose and shall not be positioned in such a manner so as to block a runway, taxiway, or fire hydrant, or obstruct access to hangars, parked aircraft, or parked vehicles. Aircraft operators shall ensure parked and stored aircraft are properly secured as set forth in FAA AC 20-35(current edition).
- iii. Parked or stored helicopters shall have braking devices or rotor mooring blocks applied to the rotor blades.
- iv. All aircraft loading and unloading at the passenger terminal must be parked at designated gate position.
- v. Upon request of the Airport President, the operator of any aircraft parked or stored at the Airport shall move the aircraft to the location and/or position on the Airport identified by the Airport President. In the event the aircraft operator refuses, is unable or unavailable, the Airport President may move the aircraft to the area at the risk and expense of the aircraft operator without liability for damage that may arise from such movement.

d. Tie-Down Rules and Regulations.

The Metropolitan Topeka Airport Authority will not be responsible for property loss, or damage, due to any condition, or injuries sustained by reason of customers use of tie-downs and Airport facilities. The FBO or owner operator will provide tie-down ropes, chains, cables, rings, blocks, and space; however, it shall be the responsibility of the customer to ensure that the aircraft is properly secured and all unattended aircraft shall be properly secured and tied down to prevent damage to property.

e. Engine Run Ups

Aircraft shall not perform run ups so that engine blast is directed at persons, other aircraft, hangars, or vehicles.

f. Fixed Wing Aircraft

Fixed wing aircraft shall land and take off in areas designed to support landing and taking off, for example on runways only. Landing aircraft will clear the runway as soon as possible when given clearance by the tower.

g. Fueling Operations (Aircraft)

All persons engaged in the fueling of Aircraft on the Airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training. Aircraft fueling while one or more engines are running is required to have an ARFF apparatus present. Fueling of an aircraft in a building is prohibited. No person shall participate in the any aircraft fueling or de-fueling except in compliance with the required training for Aircraft Fueling and NFPA 407.

h. Enplaned and Deplaned Passengers

Passengers either enplaning or deplaning should do so in the appropriate areas on the Airport.

i. Helicopter Operations

All helicopter operations, landing, take-off, and taxiing, shall be conducted on the Airport ramp, taxiway, and runways. Helicopters shall not be parked or operated within one hundred fifty (150) feet of any aircraft.

j. Specialized Aeronautical Events

All Specialized Aeronautical Events conducted on Airport property are prohibited on the Airport unless prior written approval from the Airport President is granted. Examples of Specialized Aeronautical Events are, but not limited to, hot air balloon operations, parachute drops, glider or banner towing, unmanned aircraft, air shows or air events. All event coordinators will need to show the Airport President they will abide by all FAA, TSA, and other Federal Regulations that would apply before receiving written approval from the Airport President.

k. Tail Skid

Aircraft (excluding Helicopters) equipped with tail or landing skids or other devices, which will damage to pavement shall not be operated on the Airport.

4. Motor Vehicle Provisions on AOA

a. Non-Movement Area

- i. All vehicles operating on the AOA shall always yield the right-of-way to an aircraft, emergency vehicles or pedestrians.
- ii. Vehicle operators must have a valid state operating license in order to drive on any portion of the AOA, and all vehicles must have evidence of proper vehicle insurance as required by State Law.
- iii. All vehicles operating on the AOA shall not drive within 100 feet of an aircraft while its engines are running.
- iv. The use of all-terrain vehicles, scooters, motorcycles, and bicycles are prohibited on the AOA. All motor vehicles, except emergency vehicles responding to an emergency, shall not operate on the apron at a speed greater than 20 miles per hour.
- v. Tugs and baggage carts shall be returned to designated areas following unloading.

b. Movement Area

No vehicles except airport vehicles, FAA vehicles, emergency vehicles, National Weather vehicles, or FBO vehicles are permitted within the movement area. Unless escorted, all vehicles in the movement area shall be equipped with a functional two way radio capable of operating on the proper aeronautical frequencies (118.7 or 121.9). A vehicle without a two way radio capable of communicating on said frequencies can enter the movement area only if escorted by a vehicle equipped with a two way radio capable of communicating on the proper frequencies. Vehicle operators must have a valid state operating license in order to drive on the AOA and all vehicles must have evidence of proper vehicle insurance as required by State Law. All vehicle operators driving in the Movement Area shall obey the instructions of the Air Traffic Controller on duty.

c. Parking

Vehicles shall be parked in areas designated for such use. Vehicles shall not stop or park in a manner such as to obstruct driveways, roadways, walkways, fire lanes, runways, taxiways, hangers, parked aircrafts, or other parked vehicles. All vehicles should park in a manner that occupies one parking space. All vehicles are prohibited from parking within 10 feet of a fire hydrant. Aviation fueling trucks containing either 100LL or Jet Fuel shall

not be parked within 50 feet of any building. All aviation fueling trucks shall be parked in the designated area.

d. Vehicle Operations on the Airport

All vehicles operated on the airport must be driven in a responsible manner in regard to the rights and safety of others. Vehicle operators shall obey all posted speed limits. Vehicle operators must provide proper signals and obey all traffic signs and pavement markings. Vehicle operators must obey all Local, State, and Federal traffic laws while operating on airport property. All vehicle operators must have a valid state operating license in order to drive on the Airport, and all vehicles must have evidence of proper vehicle insurance as required by State Law.

e. Fuel Provisions

i. Aircraft Fuel Storage and Dispensing

FBOs and operators shall apply the standards set forth by the FAA Advisor Circular 150/5230-4(current edition) Aircraft Fuel Storage, Handling and Dispensing on Airports and National Fire Protection Agency 407. FBO's and operators will not install a self-serving fuel station or similar facilities without prior written approval by the Airport President.

ii. Fuel Flowage Fees

All FBOs, operators, or individuals selling aviation fuel on Airport Property are required to have a lease with MTAA specifying the allotted amount for a fuel flowage fee. All Fuel Flowage Fees are payable to the MTAA administration office. All FBO's, operators, or individuals selling aviation fuel on the Airport Property are required to pay Fuel Flowage Fees.

iii. Fuel Storage Facilities

All Fuel Storage Facilities existing or planned are required to have a written approval to use such area, or build such facility, by the Airport President. All Fuel Storage Facilities must meet all Local, State, and Federal requirements and regulations. Fuel Storage Facilities must abide by all Part 139 and NFPA 407 requirements.

iv. Motor Vehicle Fueling Operations

All persons engaged in the fueling of Motor Vehicles on the Airport shall use extreme caution and care to prevent the overflow of fuel. In the event of a spill of fuel on the Airport the party responsible for the spill will notify the MTAA Police and Fire Department. The party responsible for the spill will assume all the cost associated for the

cleanup of the spill. No fueling activity will take place unless the appropriate fire extinguishing equipment is present. No individual will commence in a fueling activity without the proper training.

v. **Fueling Equipment and Structures**

All refueling of an aircraft will be done at a minimum distance of 50 feet from any building. All refueling vehicles shall be parked at least 50 feet from a building. All refueling vehicles will be parked in the designated area.

vi. **Fueling Training**

All personnel engaged in fueling operations shall be trained in procedures for fueling aircraft, those procedures are not limited to quality control, safety, fire prevention, use of a fire extinguisher, responding to a fuel spill, handling flammable materials, and actions required when an emergency occurs from a fuel spill or fire. All fueling personnel shall receive proper training upon employment. Records of training shall be maintained of each person engaged in fueling operations. Training records shall be made available for review when requested by the Airport President, or designee.