



MTAA

METROPOLITAN TOPEKA AIRPORT AUTHORITY

TOPEKA REGIONAL
AIRPORT & BUSINESS CENTER

BILLARD AIRPORT

Rules & Regulations

Metropolitan Topeka Airport Authority
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**RULES AND REGULATIONS
FOR THE
METROPOLITAN TOPEKA AIRPORT AUTHORITY**

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 These Rules and Regulations may be altered, amended, or repealed and additional Rules and Regulations may be adopted by the MTAA.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

COMMON DEFINITIONS

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

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

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 there-from 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 MTAA and off-site 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 MTAA 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

Fuel Handling

The transporting, delivering, 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).

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.

Lease

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

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 the a State of Kansas licensed driver, except an aircraft, designed to transport persons, property or equipment.

Motorized Conveyance

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

MTAA

The Metropolitan Topeka Airport Authority, a political subdivision of the State or 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.

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 all MTAA property

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.

Sublease

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

Tenant

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

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 MTAA property is conditioned upon assumption of responsibility to fully and completely comply with these Rules and Regulations and all regulatory measures that may be promulgated by any governing body or agency having jurisdiction on MTAA property. 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. 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 MTAA President may remove or evict from MTAA property any person who violates any rule prescribed herein, or any applicable statute, rule or regulation of the Federal Government of the State of Kansas, and may deny use of the it's facilities to any such person if it is determined by the MTAA President that such denial is in the public interest. The MTAA President is granted the authority to designate other MTAA employees the authority to enforce these rules.

Variance or Waiver

The MTAA 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 THE TOPEKA REGIONAL BUSINESS CENTER

A. Abandoned, Derelict or Lost Property

Property including, without limitation, vehicles, equipment, machinery, baggage, or personal property shall not be abandoned on MTAA property. Abandoned, derelict, or lost property found in public areas at the TRBC 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 the MTAA Police and Fire Department. The Police and Fire Department than is responsible for making notification to the MTAA President.

C. 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.

D. Animals

Domestic pets and animals, except animals required for assistance or law enforcement dogs, are not permitted on MTAA Property or in the Airport passenger 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 MTAA President shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal on MTAA property. Feeding or otherwise encouraging the congregation of birds or animals on MTAA property is prohibited, as established in the Airport Wildlife Hazard and Management Plan.

E. Buildings and Remodeling

No person, other than MTAA, shall construct, reconstruct or remodel any building or other improvement without first obtaining written permission from the MTAA President. All such work shall be done in a safe and workmanship manner and in accordance with all applicable building codes, laws, ordinances 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.

F. Business

Except as authorized and expressly permitted by the prior written approval of the MTAA President, it shall be prohibited for any person to promote, solicit, or engage in any business, service, or trade on MTAA Property; except as authorized on leased premises. Example of written approval includes, but is not limited to a lease, sublease, or written temporary permission.

G. Commercial Activities

Commercial activity of any kind 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.

H. Damage to MTAA Property

Any and all MTAA 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.

I. 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 MTAA 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.

J. Fire/Open Flame Operations.

Open flames of any kind are prohibited on MTAA property without first securing written permission from the MTAA 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 MTAA property without an approved fire extinguisher and a person trained in its proper usage present for the duration of any welding/cutting activities.

K. 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 taken for any hangar or building for any other use than for which the fire equipment was intended for. All fire doors, fire boxes, fire hydrants and all other firefighting equipment shall be kept clear of obstructions at all times.

L. Fireworks

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

M. Firearms and Explosives

No persons, except law enforcement officers on official duty, authorized federal agents on official duty, MTAA employees authorized by the MTAA 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 MTAA property. Unloaded and properly secured firearms may be stored as cargo for travel on MTAA property.

N. General Conduct

No person shall use or otherwise conduct himself upon any portion of the MTAA property in any manner contrary to any posted or otherwise visually indicated directions applicable to that area. Overnight camping or lodging on the MTAA property is prohibited. Except for the MTAA Police and Fire Department station, use of any facility on, or area of, MTAA property 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.

O. Hazardous Material Spills

Any person who experiences overflowing or spilling of oil, grease, fuel, alcohol, glycol or any other hazardous material anywhere on MTAA property shall immediately call the MTAA 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 may be required to provide the MTAA with required 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.

P. 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 MTAA President and in compliance with all State and Federal laws and regulations or as provided in the MTAA leases.

Q. Pictures

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

R. 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 MTAA property. Any person causing or responsible for such injury, destruction, damage or disturbance to MTAA-owned property shall report such damage to the MTAA President and shall reimburse the MTAA the full amount for the repair of property. Any activity which results in littering, environmental pollution or vandalism on the MTAA property is not permitted and violators are subject to arrest.

S. Sale of Merchandise

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

T. 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 MTAA President. No signage will be allowed that distracts or interferes with motor vehicle traffic, or in any way affects the safety of the public. MTAA has the right to remove any such sign, placard, picture, advertisement, name or notice in any such manner as the MTAA may designate.

U. Solicitation, Picketing, and/or Demonstrations

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

V. Special Events

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

W. 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 35 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.

X. 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 the aircraft or building area 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.

Y. Trash and Other Waste Containers

No person shall dispose of garbage, paper, refuse or other materials on MTAA property except in receptacles provided for that purpose. Tenants, operators and other users of MTAA property shall not move or otherwise relocate MTAA placed waste containers. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, or litter or any kind shall not be placed, discharged, or deposited on MTAA property, 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 MTAA property is prohibited. Trash and other waste containers shall only be used for trash generated on MTAA 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.

Z. Wildlife Hazard Reduction

The MTAA 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 MTAA 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 MTAA each year. Copies of the Federal Depredation permits are maintained in the operations office. Firearms should be discharged in a safe manner away from people and property to avoid injury.