

Introduced by: City Manager Wallace  
Date: February 14, 2017  
1<sup>st</sup> Public Hearing: February 28, 2017  
2<sup>nd</sup> Public Hearing: March 28, 2017  
Action: Adopted  
Vote: Unanimous

Yes: \_\_\_\_\_ No: \_\_\_\_\_

Best  
Carrington  
Combs  
Fuller  
DeVries  
Hanson  
LaFrance

CITY OF PALMER, ALASKA

### **Ordinance No. 17-003**

#### **An Ordinance of the Palmer City Council Repealing Ordinance No. 428 and Adopting Palmer Municipal Code Title 7, Airport Regulations**

WHEREAS, the city of Palmer operates the Warren "Bud" Woods Palmer Municipal Airport;  
and

WHEREAS, the city of Palmer Warren "Bud" Woods Palmer Municipal current airport regulations were adopted on May 28, 1991, as Ordinance No. 428, which are outdated and not in keeping with best practices or modern airport operations; and

WHEREAS, the Airport Advisory Commission (AAC) advises the city in matters pertaining to the airport and worked since 2014 on modifying the airport regulations; and

WHEREAS, the AAC approved AAC Resolution No. 16-003, which recommends the City Council accept the changes to Palmer Municipal Code and adopt Title 7 for airport regulations;  
and

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Ordinance No. 428 shall be repealed.

Section 4. Palmer Municipal Code Title 7 is hereby enacted to read as follows:

### **Title 7 AIRPORT REGULATIONS**

#### **Chapters:**

7.10 Authority

- 7.20 Definitions
- 7.30 Airport Superintendent Authority
- 7.40 Aeronautical Activities
- 7.50 Vehicle Operation and Parking
- 7.60 Aircraft Parking
- 7.70 Aircraft Parking Registration
- 7.80 Accidents
- 7.90 Aircraft Operation
- 7.100 General Rules of Conduct
- 7.110 Fuel
- 7.120 Safety & Sanitation
- 7.130 Standard Operating Procedure

## **Chapter 7.10 AUTHORITY**

### **7.10.010 Authority.**

- A. Under the authority granted in Alaska Statutes, Section 02.20.060 Enforcement and Penalties and pursuant to the provisions of PMC 7.10, the following regulations are hereby promulgated governing the conduct of all persons visiting or using the facilities of the Warren "Bud" Woods Palmer Municipal airport and all vehicles, structures, property and aircraft on the airport. The penalty for violation of any airport regulations shall be as prescribed PMC 1.08, unless otherwise provided herein
- B. These regulations also govern the conduct of all persons flying within a three mile radius of the airport unless exceptions are specifically provided in the FAA Regulations, or unless the airport superintendent authorizes exceptions not in conflict with the Federal Regulations.

### **7.10.020 Previous regulations superseded.**

These regulations supersede and void all previous regulations promulgated by the city of Palmer with respect to the Palmer Municipal Airport.

### **7.10.030 Purpose and scope.**

The purpose and scope of these regulations includes providing guidance to airport users, operators, and staff; compliance with Federal Aviation Authority (FAA) rules and regulations; control airport activities; and ensuring the safety of all airport users and operations.

## **Chapter 7.20 DEFINITIONS**

### **7.20.010 Definitions.**

Whenever used in this title pertaining to the regulations of the Palmer Municipal Airport, the following terms shall have the meanings given below, unless the context requires otherwise:

"Abandoned aircraft" means an aircraft having been deserted or cast off by the owner and left without needed protection and care or by lack of payment of parking fee in excess of 90 days.

"Aeronautical Service" means any service that involves, makes possible or is required for the operation of aircraft, or that contributes to or is required for the safe operation of aircraft on the airport, and is operated by a person under a land lease or Commercial Operating Agreement with the city. These services include, but are not limited to, air taxi and charter operations, pilot

training, emergency services personnel housing, aircraft renting, sightseeing, aerial photography, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and rental of aircraft storage.

"Air Carrier" means a person engaged in the transportation of passengers or cargo in air commerce for compensation;

"Aircraft" signifies any contrivance now known, or hereafter designed, invented, or used for navigation or flight in the air, except parachutes and other contrivances used primarily as safety equipment.

"Aircraft accident" has the meaning given in 49 CFR 830.2, as most currently amended.

"Aircraft Operational Area" means any area an aircraft is designated to operate on the airfield (Runway, Taxiway and Apron Area).

"Airport" refers to the Palmer Municipal Airport, including all the runways, taxiways, aprons, and all city-owned real estate located within the boundaries of the airport reserve. This includes the properties in the runway protection zones (RPZ).

"Airport Superintendent" refers to the official to whom the city manager has delegated the authority and responsibility of managing and directing the activities of the airport.

"Airport Superintendent" includes that person's authorized representative.

"City" means the city of Palmer, Alaska.

"City Employee" refers to any person employed by the city and having assigned duties at the airport, including the Airport Superintendent.

"City Manager" refers to the official to whom the Palmer City Council has delegated the responsibility of managing and directing all activities of the city.

"CMGTW" means the certificated maximum gross takeoff weight of an aircraft as approved by the FAA.

"Derelict aircraft" means an aircraft that is in very poor condition and or appearance as a result of disuse and neglect such as; flat tire, missing components or deteriorated surfaces.

"Disabled Aircraft" means an aircraft that is or has become inoperable on the airport for any reason such as; incident, accident, weather event, or under repair and unable to move under its own power by normal means.

"FAA" means the Federal Aviation Administration;

"FBO" means "Fixed Base Operator", an aviation business operating an aeronautical service at the airport from a fixed location on land leased from the city.

"Field Area" is that area within the airport that the airport superintendent designates for, or restricts to, use by aircraft only.

"Fire Department" refers to the city of Palmer Fire & Rescue;

"Fuel Tender" refers to any motor vehicle, trailer, or other mobile contrivance used for the transporting, handling or dispensing of gasoline, kerosene, oil or other fuel or lubricant.

"Hazardous substance" means any substance that is defined under an environmental law as hazardous waste, hazardous substance, hazardous material, toxic, pollutant, contaminant, petroleum, petroleum product, or oil.

"Heavy Aircraft" refers to any aircraft having a CMGTW of 12,501 pounds or more and a minimum wing span over 60'.

"Historical Aircraft" means an aircraft with a notable or noteworthy past and history.

"Incident" has the meaning given in 49 CFR 830.2, as most currently amended.

"Intermediate Aircraft" refers to any aircraft having a CMGTW of 6,001 to 12,500 pounds and a maximum wing span of 60'.

"Light Aircraft" refers to any aircraft having a CMGTW of less than 6,000 pounds and a maximum wing span of 45'.

"Motor Vehicle" refers to any self-propelled contrivance, other than an aircraft, upon or by which a person or property may be transported or drawn along the ground.

"Movement Area" refers to the runways, taxiways and other areas of the airport which are designated by the airport superintendent for the taxiing, takeoff and landing of aircraft, exclusive of loading ramps and parking areas.

"Non-aeronautical Service" means any service that does not involve, make possible or is required for the operation of aircraft, or that does not contribute to or is not required for the safe operation of aircraft on the airport, and is operated by a person under a land lease or business activity permit with the city. These services include, but are not limited to, vehicle rental, pilot housing, and food service activities.

"NOTAM" signifies an abbreviation for "Notice to Airmen" published and distributed to pilots and others concerned with aeronautical operations calling attention to special airport or flying restrictions or conditions.

"Person" refers to any individual, firm, partnership, corporation, company, association, joint stock association or body politic and includes any trustee, receiver or assigned representative thereof, that will be responsible to adhere to any restrictions, limitations or rights covered within these regulations.

"Police Officer" refers to a certified law enforcement officer having jurisdiction within the city of Palmer.

"Police Department" means the city of Palmer Police Department.

"Public Use Area" refers to that space on the airport in which access by members of the general public is not prohibited, including roadways, walkways or designated parking.

"Release" has the meaning given in AS 46.03.826.

"Responsible," when used regarding hazardous substance contamination, means having materially contributed to, assumed under an assignment of lease, or being otherwise liable for contamination by law or contract.

"Wind scattered debris" is any rubbish caught by winds and leaving the direct control of an airport user.

## **Chapter 7.30**

### **AIRPORT SUPERINTENDENT AUTHORITY**

#### **7.30.010 Airport superintendent authority.**

- A. The airport superintendent is authorized by the city to enforce compliance with ordinances and regulations applicable to the Airport.
- B. All persons on the airport shall be governed by the regulations of the airport and by all orders and instructions issued by the airport superintendent under the authority of the regulations.
- C. A person who disputes the enforcement of an airport superintendent order or instruction may appeal to the city manager.
- D. In the event of any contingencies not specifically covered by these regulations, the decision of the airport superintendent shall be final, subject to appeal to the city manager under 7.30.020 of this chapter.
- E. In addition to the airport superintendent, members of the city of Palmer's Police and Fire Departments are authorized, within the scope of their respective jurisdictions, to require compliance with these regulations.

- F. The airport superintendent may remove or eject from the airport any person who violates any requirement of these Airport regulations or any order or instruction issued by the airport superintendent under the authority of these regulations, and may deny use of the airport and its facilities to any such person if the airport superintendent determines that the removal, ejection, or denial is necessary to maintain the safety or security of the airport.

**7.30.020 Appeal of an airport superintendent decision or order.**

- A. A person who is or was adversely affected by a decision or order by the airport superintendent and disputes the facts on which the decision or order was based may appeal to the city manager. To be considered, an appeal must be in writing, describe the facts or issues in dispute, and be received by the city manager within 14 calendar days after the date on which the airport superintendent's decision or order was mailed or given to the person making the appeal.
- B. The city manager's decision in an appeal of an airport superintendent's decision or order shall be in writing and give the reasons for the city manager's approval or denial of the appeal. The decision of the city manager shall be a final decision in all airport appeals.

**Chapter 7.40**  
**AERONAUTICAL ACTIVITIES**

**7.40.010 Aeronautical activities.**

- A. A person who engages in any aeronautical activity on the airport or operates an aircraft departing from or arriving in the airspace above the airport shall comply with FAA Regulations and orders issued pursuant thereto.
- B. Upon observance by the airport superintendent, or city employees, or the owner or flight crew of an aircraft, that any person exhibits an intent to board and/or operate an aircraft while he or she is physically incapacitated or mentally irresponsible by virtue of intoxication or the effects of drugs, or if any person attempts to board or operate an aircraft illegally, they shall endeavor to contact the Palmer Emergency Dispatch Center by dialing 911.
- C. A person who witnesses a violation of these airport regulations shall promptly report the violation to the airport superintendent.
- D. If the airport superintendent, or designee, believes the conditions of the airport or any portion of the airport are unsafe for aircraft operations, the airport superintendent, or designee, shall issue a NOTAM closing the airport or portion of the airport to aircraft operations. When the airport superintendent, or designee, determines that the airport or closed portion of the airport has returned to a condition permitting the safe operation of aircraft, the city manager, or designee, shall issue a NOTAM reopening the airport or portion of the airport to aircraft operations.
- E. A disabled aircraft and any parts thereof on a movement area of the airport shall be promptly removed from the movement area unless applicable law requires, or the airport superintendent or other person having jurisdiction orders, the removal to be delayed pending investigation of an accident. The owner bears financial responsibility for such removal.
- F. No person shall abandon an aircraft anywhere on the airport.
- G. An aircraft that the airport superintendent determines is abandoned or derelict on the airport shall be subject to impound under and removal by the city under PMC 7.60.040 at the sole expense and risk of the owner of the aircraft.
- H. A person may not conduct an aircraft show or other aeronautical demonstration on the airport without the prior written approval of the airport superintendent.

- I. No person shall operate an aircraft on the airport unless that person holds the valid license, certificate, or rating issued and required by the FAA for the operation of the aircraft. Said documents shall be exhibited to the airport superintendent or to a police officer upon demand.

#### **7.40.020 Airport superintendent's authority over aeronautical activity.**

- A. Except in an emergency or upon prior approval of the airport superintendent, aircraft operations on the airport are confined to designated runways, helipads, taxiways, taxi lanes, aprons, airport leases, and aircraft parking areas.
- B. When the airport superintendent determines it is necessary for safe and secure operation of the airport, the airport superintendent may, by control device, sign or written order, regulate, control, and direct the availability of a runway, helipad, taxiway, taxi lane, apron, lease lots, or aircraft parking area on the airport.
- C. The airport superintendent shall limit the use, time, type, weight, dimensions, and number of aircraft allowed to use an aircraft parking area when the airport superintendent determines that the limitation is justified by the design, safety, maintenance, or operation of the parking area or the airport. The airport superintendent may segregate aircraft operations on the airport according to aircraft use, size, type, or weight. The airport superintendent shall give notice of the superintendent's orders, limitations, and aircraft operation segregation decisions under this section by:
  1. posting a sign in the affected areas of the airport;
  2. posting a notice in the FAA Flight Service Station at the airport; or
  3. issuing a NOTAM.
- D. The airport superintendent, or agents, have the authority to secure any aircraft believed to be in jeopardy. If said aircraft is in danger or at risk of damage from high wind or other peril and may cause damage to the aircraft or other aircraft in close proximity.

#### **7.40.030 Airport liability.**

- A. The city assumes no responsibility for loss, injury, or damage to persons or property on the airport, or using airport facilities, for any reason whatsoever.
- B. A person who brings an aircraft or personnel onto, or keeps an aircraft on, the airport does so at the person's own risk, including but not limited to, the security, maintenance, and operation of the aircraft.

### **Chapter 7.50 VEHICLE OPERATION AND PARKING**

#### **7.50.010 Vehicle operation.**

- A. No person shall operate a motor vehicle on the airport in any manner other than in accordance with the airport regulations, rules prescribed by the airport superintendent, and other laws applicable to the operation of motor vehicles on the public way.
- B. No person shall operate any motor vehicle in areas designated for the use of aircraft without the airport superintendent's prior permission.
- C. A person that operates any kind of motorized equipment on the airport must be in possession of a valid operator's license, current and issued in the name of the person, required by law for the type of motorized equipment being operated.
- D. No person shall operate a motor vehicle of any kind on the airport in a reckless manner or in excess of the speed limits prescribed by posted signs. In the absence of a posted sign, the

speed limit shall be fifteen (15) miles per hour in all apron, aircraft parking, and hangar areas, and twenty-five (25) miles per hour in all other portions of the airport.

- E. Except in the case of an emergency, no person shall operate a motor vehicle in the field area contrary to the directions of posted signs.
- F. The driver of any vehicle operated in the field area must at all times comply with the lawful orders, signals, and directives of the airport superintendent or a police officer.
- G. All vehicles authorized to operate on the field area shall display a flashing yellow light visible for at least one mile and all vehicle operators shall maintain two-way voice communications with flight service, either by radio or telephone.
- H. The existence of emergency conditions on the field area will not suspend or cancel any existing regulations. During an emergency in the field area, no motor vehicle shall be moved in any direction unless it is an emergency response vehicle.
- I. All motor vehicles shall be equipped with, and use headlamps, rear lamps, stop signal lamps, and other lights as required by applicable law.
- J. No person on the airport shall:
  - 1. clean motor vehicles, engines, tools, or other equipment; and
  - 2. repair motor vehicles anywhere in the field area.
- K. Any vehicle that has been authorized under this section to be operated in the field area shall not proceed closer than seventy-five (75) feet from the edge of any runway, nor cross any runway, prior to obtaining current traffic situation in the air and on the ground from the FAA Flight Service Station during the hours when the Flight Service Station is active, and by visual avoidance and monitoring of CTAF when within 75 feet of runway or taxiway when Flight Service Station is not open or active.
- L. No vehicle shall be operated on the airport if, in the judgment of the airport superintendent, it is so constructed, equipped, or loaded as to endanger persons or property.

#### **7.50.020 Motor vehicle parking.**

- A. Other than for special events approved in advance by the airport superintendent, no person shall park a motor vehicle in an area designed for moving traffic or in an area where motor vehicle parking is prohibited.
- B. No person shall park a motor vehicle on an area designated for use by aircraft without permission of the airport superintendent, except:
  - 1. the holder of a valid aircraft tie down may park not more than two motor vehicles in the aircraft parking space while the aircraft is on a flight; or
  - 2. during a period of high winds, the owner of a parked aircraft may park a motor vehicle immediately adjacent to the aircraft to provide wind protection for the aircraft for the duration of the high winds and not more than 48 hours after the high winds cease. For the purpose of this subsection (b)(2), "high winds" are defined as winds having gusts above 25 nautical miles per hour.
- C. The airport superintendent may establish public parking areas for motor vehicles on the airport and establish, by signs posted at the parking areas, rules for use, including limits on vehicle size and parking duration.
- D. No person shall park or leave an unattended vehicle on the airport having exposed or uncovered refuse, bagged or not, in the open bed of a vehicle.

#### **7.50.030 Motor vehicle impound.**

The airport may cause any motor vehicle parked in violation of this chapter to be impounded, at the vehicle owner's expense and risk. The costs of impounding, towing and storage of such

vehicles will be charged or assessed by the city against the vehicle, the registered owner of the vehicle, any person who has acquired legal title to the vehicle from or through the registered owner and any person who has violated this chapter.

## **Chapter 7.60 AIRCRAFT PARKING**

### **7.60.010 Long-term aircraft parking.**

- A. No person shall park an aircraft, for the purpose of remaining indefinitely, in any area of the airport other than:
  - 1. on the premises of a land lease where aircraft parking is authorized by the city and where the lessee has given the person permission to park the person's aircraft; or
  - 2. in an area designated by the airport superintendent for the long-term parking of aircraft of the size and type the person desires to park. These areas are defined as "Light Aircraft Parking", "Intermediate Aircraft Parking", "Heavy Aircraft Parking", "Disabled Aircraft Parking", "Historical Aircraft Parking"; subject to:
    - a. payment of the applicable required fee listed; and
    - b. signing an aircraft parking permit issued by the airport superintendent.
- B. Long-term parking of "Abandoned Aircraft" is not permissible and subject to impoundment after 90 days with the right of disposal at the sole discretion of the city after a 90 impoundment period.
- C. Long-term parking of "Derelict Aircraft" is not permissible and must be repaired within 30 days of notice, or must be removed from airport grounds.
- D. Long-term parking of "Disabled Aircraft" must have a viable plan for repair and maintenance, approved by the airport superintendent and at the discretion of the airport superintendent will have up to 12 months in which to remedy the disability or the aircraft will be re-designated as a "Derelict Aircraft" and must be removed from the airport within 30 days, except as outlined in section A.1.
- E. A person using a city-operated long-term parking space shall properly secure their aircraft and shall be responsible for any property damage or bodily injury that results from the person's failure to do so.

### **7.60.020 Transient aircraft parking.**

- A. The operator of a transient aircraft shall park the aircraft only:
  - 1. on the premises of a land lease where aircraft parking is authorized by the city and where the lessee has given the person permission to park the person's aircraft; or
  - 2. in an area on the airport designated by the airport superintendent for the transient parking of the size, type, or weight of the aircraft.
- B. A person parking an aircraft in a city-operated transient aircraft parking area shall pay the required fee.
- C. The airport superintendent shall require a person parking an aircraft in a city-operated transient aircraft parking area to sign a transient parking permit issued by the superintendent.
- D. A person using a city-operated transient parking space shall properly secure their aircraft and shall be responsible for any property damage or bodily injury that results from the person's failure to do so.
- E. If a person who parks an aircraft in a city-operated transient parking area fails to pay transient parking fees prior to departure from the airport, the person's aircraft shall be subject to impound under Section 7.60.040 immediately or upon any future return to the airport.



- F. For the purpose of this section, a "transient aircraft" is an aircraft that is brought to the airport on a temporary basis with the intent to remain at the airport for not more than ten (10) days.

**7.60.030 Aircraft parking on leaseholds.**

No aircraft on the premises of a land lease on the airport shall be parked in a manner that results in a wing, tail, nose, or other portion of the aircraft extending outside the boundaries of the leased premises.

**7.60.040 Aircraft impound.**

- A. An aircraft parked in violation of these regulations may be impounded at the discretion of the airport superintendent by:
1. affixing a seal or tag to the door of the aircraft;
  2. affixing a locking device on the propeller of the aircraft; or
  3. moving the aircraft to an impound location determined by the airport superintendent.
  4. Enchainment of aircraft to a stationary object.
- B. All aspects of the impound process, including any damage to the impounded aircraft and any inconvenience to the aircraft owner, shall be at the sole cost and risk of the aircraft owner.
- C. The airport superintendent shall not release an impounded aircraft to the owner unless the owner redeems the aircraft by paying
1. The impound fee required;
  2. The daily impound storage fee; and
  3. The city's actual cost of towing or otherwise relocating of the aircraft, including legal and administrative costs.
- D. An impounded aircraft that is not redeemed by the owner within 90 days after the date on which the aircraft was impounded shall be considered abandoned and shall be subject to sale by the city at public auction. Notice of any auction shall be published in a newspaper of general circulation in the city at least once during each of three consecutive weeks. The first and last appearances of the published notice shall not be more than thirty days nor less than seven days, respectively, before the time set for the auction.

**Chapter 7.70**  
**AIRCRAFT PARKING REGISTRATION**

**7.70.010 Aircraft registration.**

A person who brings an aircraft to the airport and does not park the aircraft on the premises of a land lease shall, as soon as possible, register the aircraft with the Airport Superintendent or the city of Palmer Finance Department and obtain a parking location assignment.

**7.70.020 Failure to register aircraft.**

- A. The owner or operator of an aircraft who fails to register the aircraft as required shall be subject to having the aircraft impounded in accordance with PMC 7.60.040.
- B. This regulation shall not apply to an aircraft that, immediately after arriving at the airport, is parked on the premises of a land lease with the lessee's permission and remains there until departure from the airport.

## **Chapter 7.80 ACCIDENTS**

### **7.80.010 Aircraft accidents.**

- A. The owner or operator of an aircraft involved in an aircraft accident or incident on the airport shall report the accident or incident to the airport superintendent by calling 911 and the FAA. Other reporting shall be in accordance with the requirements of the National Transportation Safety Board (NTSB) and the Federal Aviation Administration (FAA):
1. immediately, if the aircraft or a condition of the airport poses an imminent safety hazard,
  2. immediately, if the accident or incident involves death or serious injury,
  3. within one hour of the accident or incident, or as soon as possible thereafter, if the accident or incident involves minor bodily injury or damage to any one person's property in excess of \$500; and
  4. if otherwise, within twenty-four hours of the accident or incident or as soon as possible thereafter.
- B. The accident report shall include:
1. the make, model, and registration number of the aircraft involved;
  2. the names and mailing addresses of all persons involved;
  3. a description of the accident or incident;
  4. the name and mailing address of the owner(s) of the aircraft involved; and
  5. such other information as the airport superintendent or federal agencies may require.

### **7.80.020 Motor vehicle accidents.**

The owner or operator of a motor vehicle involved in an accident that occurs on city-owned property on the airport, other than a public street, shall report the accident to the Police Emergency Dispatch Center by calling 911.

### **7.80.030 Bodily injury and property damage.**

- A. Any person who damages, by any means, a fence, gate, gate control, light, fixture, or other city-owned property on the airport shall:
1. report the damage:
    - a. immediately to the airport superintendent and the FAA Flight Service Station, if the damage is likely to adversely impact the safety of aircraft operations on, or the security of, the airport; or
    - b. as soon as possible, but no later than 24 hours after the damage occurred, to the airport superintendent, if the damage will not adversely impact the safety of aircraft operations on, or the security of, the airport;
  2. be fully responsible:
    - a. to pay all costs related to the repair, restoration, or replacement of the damaged property, including the city's legal and administrative costs; and
    - b. for any bodily injury or property damage that occurs as a direct or indirect result of the person's damage to city-owned property.
- B. If a person who is injured on the airport by, or owns property on the airport damaged by, the city, a city employee, or by city-owned property, the injured person or their representative, or the owner of the damaged property, as applicable, shall report the accident to the airport superintendent within:

1. one hour after the injury or damage, or as soon as possible thereafter, if the accident involves bodily injury or death or damage to any one person's property in excess of \$500; and
2. if otherwise, within twenty-four hours of the accident or as soon as possible thereafter.

## **Chapter 7.90 AIRCRAFT OPERATION**

### **7.90.010 Engine Maintenance tests.**

- A. An aircraft engine shall not be warmed up or run in engine test operations in any area of the airport or in any manner that would result in a hazard to other aircraft, persons or property.
- B. Under no circumstances shall a person engage in an aircraft engine test operation, unless:
  1. a competent operator is at the controls of the aircraft;
  2. the test takes place between the hours of 6:00 AM and 10:00 PM, prevailing local time. If engine testing needs to take place after 10:00 PM and before 6:00 AM a permit must be issued 72 hours prior to the effective time of the permit. Permit applications shall be submitted to the chief of police on forms prescribed by the city.
  3. it is a required preflight check on a non-maintenance flight and is required for the safe operation of the aircraft.

### **7.90.020 Certification.**

All aircraft operating on the airport shall be in conformity with the requirements of the FAA.

### **7.90.030 Equipment.**

No aircraft shall be operated on the airport unless it is equipped with main gear wheels, tail or nose wheel, and wheel brakes, or skis when conditions permit, except with the permission of the airport superintendent.

### **7.90.040 Runway and taxiway use.**

- A. The normal maximum CMGTW for aircraft landing on RW 9/27 is 12,500 pounds and unlimited on RW 16/34.
- B. A pilot taxiing an aircraft on the airport shall use the taxiways established for that purpose, subject to such aircraft size, type, or weight restrictions as may be established by the airport superintendent.
- C. Upon landing a fixed wing aircraft, the pilot shall taxi the aircraft ahead down the runway and exit at the first available taxiway.

### **7.90.050 Helicopters.**

A pilot operating a helicopter carrying a sling load to or from the airport shall fly a course away from residential areas, golf course, and areas congested with buildings or parked aircraft.

### **7.90.060 Aircraft repair.**

- A. No person shall commercially maintain, modify, or repair an aircraft, aircraft engine, propeller or other aircraft equipment on the Airport runways, taxiways or parking aprons.
- B. A person may perform the maintenance, modification or repairs described in (A) of this section as outlined below with adequate spill prevention measures and equipment available on site:
  1. on the premises of a land lease that authorizes the operation of an aircraft; or
  2. in an area designated or approved by the Airport Superintendent for that purpose; or

3. as specified in a formal Commercial Operating Agreement as defined in section 7.130.040 for a Non-FBO; or
4. by a mobile mechanic that has a current City of Palmer business license; prior to commencing work they must receive instructions regarding safety, security and environmental protections from the airport superintendent; or
5. is the owner of a non-commercial aircraft on a rented tie down space from the City of Palmer and is performing routine maintenance on that aircraft.

#### **7.90.070 Boundary crossing.**

No person shall taxi or tow an aircraft onto the airport from property outside the airport unless authorized to do so in writing by the airport superintendent and in strict accord with the directions and requirements of the airport superintendent.

#### **7.90.080 Noise Abatement**

In an effort to reduce aircraft noise over adjoining neighborhoods, all pilots utilizing the airport shall endeavor to adhere to the following fly friendly practices. The airport is not encouraging unsafe flying practices, but encouraging a more thoughtful approach to help alleviate aircraft noise.

- A. Utilize the entire length of the runway; do not depart at intersections
- B. Follow the established traffic pattern; do not make an early cross wind turn on departure
- C. Maintain the lowest propeller RPM setting necessary for safe flight; do not over power your aircraft.

### **Chapter 7.100 GENERAL RULES OF CONDUCT**

#### **7.100.010 General rules of conduct.**

- A. All persons (visitor, business owner, employee, agent or guest) at the airport shall comply with:
  1. the airport regulations, PMC and other applicable laws and regulations; and
  2. orders the airport superintendent issues under applicable city, state or federal law and regulations; and
  3. instructions, requirements, and restrictions that the airport superintendent has posted or indicated by sign, signal, or other control device, unless otherwise directed by an authorized person directing aircraft, vehicle, or pedestrian traffic.
- B. No person on the airport shall:
  1. Alter, make additions to, erect any building or sign, place fill material, or make any excavations on the airport without first obtaining the approvals or permits required by these regulations or Palmer Municipal Code.
  2. Abandon any personal property on the airport.
  3. Smoke, light a match, or have any open flame within 50 feet of an aircraft being fueled or defueled.
  4. Interfere with, tamper with, unlawfully remove or injure any part of the airport or any of the equipment thereof.
  5. Knowingly or willfully make any false statement or report to the airport superintendent or a city employee.
  6. Enter any area posted as being closed to the public, except as may be permitted by these regulations.

7. Enter upon the field area except:
  - a. persons assigned to duty therein by the airport superintendent or city manager;
  - b. authorized representatives of the city and FAA;
  - c. persons authorized by the airport superintendent or city manager; and,
  - d. passengers, under appropriate supervision, entering the area for purposes of boarding or leaving an aircraft.
8. Travel on the airport other than on the roads, walks, or places provided for the particular class of traffic the person is using;
9. Hinder or obstruct a vehicle, aircraft, or another person from the lawful use of the airport.
10. Drive, walk, ride a bicycle or travel in any fashion in an "aircraft operational area" without the purpose of meeting a parked aircraft.
11. Walk their dog without the use of a leash or allow their animal to run freely.
12. Interfere or tamper with, any aircraft or put in motion the engine of any aircraft, or use any aircraft, aircraft parts, instruments or tools on the airport without permission of the aircraft owner or by specific direction of the airport superintendent.
- C. Any person who is authorized or needs to be on an "aircraft operational area", shall always yield the right of way to any aircraft and travel on the edge of the "aircraft operational area".
- D. A person may not dump or plow snow anywhere on the airport except
  1. in a location the airport superintendent has designated for that purpose;
  2. in a manner and location approved in writing by the airport superintendent; or
  3. as specifically authorized under a lease or permit issued to the person by the city.
- E. Any person who has been denied the use of the airport by the airport superintendent under PMC 7.30 may come upon or use the airport only while travelling through as a passenger in a taxicab or other vehicle or when enplaning or deplaning as a passenger of an aircraft operating on the airport.

#### **7.100.020 Penalties.**

Any person who violates any airport regulation, or any order or instruction issued thereunder, shall be subject to the penalties provided in PMC 1.08.

#### **7.100.030 Violation of regulations.**

- A. If a person acts in violation of the airport regulations or fails to act as required by the regulations, the airport superintendent may, in addition to the penalties herein, take one or more of the following actions:
  1. order the person to, either immediately or within a specified time,
    - a. stop the violation;
    - b. begin the required act; or
    - c. leave the airport;
  2. provide written notice to the person that describes how the person may correct the violation or omission and the time within which the violation or omission must be corrected;
  3. correct the violation or omission; or
  4. in an emergency or when the airport superintendent finds such assistance necessary for safety, maintenance, or operation of the airport, request enforcement assistance by the Police Department.
- B. If the airport superintendent acts under A.3. of this section to correct a violation or omission by a person, the city may seek reimbursement from the person of all costs, plus interest, that

the city incurs in acting to correct the violation or omission, including but not limited to site assessment costs, clean-up costs, collection costs, legal and administrative costs, applicable fines, and costs resulting from interference with or delay of projects or operations on the airport.

- C. If the FAA fines the city for a violation of a federal statute or regulation or for an occurrence or omission on the airport, the person who caused the violation, occurrence, or omission shall, upon written demand from the city, reimburse the city for the amount of the fine, plus interest and the costs incurred by the city in obtaining the reimbursement.

#### **7.100.040 Explosives at airport.**

- A. A person who brings or possesses an explosive to or on the airport shall comply with the current hazardous materials provisions of 49 CFR Part 175 Carriage by Aircraft.
- B. A person shall give the airport superintendent at least 24 hours advance written notice before bringing explosives onto the airport.
- C. The airport superintendent may, based on considerations of the safety of airport users and the general public,
  - 1. condition, direct, supervise, or prohibit an operation involving an explosive on the airport; and
  - 2. require that an aircraft with an explosive aboard
    - a. be fueled, serviced, and parked in a remote or other designated area of the airport; and
    - b. depart the airport as soon as air traffic and safety considerations allow.
- D. In this section, "explosive" also has the meaning given in AS 11.81.900; "explosive" also includes fireworks as defined in AS 18.72.100.

### **Chapter 7.110 FUEL**

#### **7.110.010 Fueling and Fuel Storage.**

- A. No aircraft shall be fueled or defueled while the engine is running, unless running the engine is allowed for hot fueling of a helicopter under the most current National Fire Protection Association Code 407, "Standard for Aircraft Fuel Servicing", which is adopted in this regulation by reference.
- B. No person shall smoke, light a match, or have any open flame within 50 feet of an aircraft being fueled or defueled.
- C. Persons engaged in the fueling or defueling of aircraft shall prevent the overflow or spilling of petroleum products.
  - 1. In the event of a petroleum products overflow or spill, the person shall immediately take appropriate measures to contain and clean up the petroleum products, prevent the petroleum products from draining into soil, and report the overflow or spill to the airport superintendent.
  - 2. The person shall also promptly report the petroleum products overflow or spill to each regulatory agency that requires a report of that overflow or spill and repair any petroleum products leak and equipment failure or defect that caused or contributed to the overflow or spill.
- D. No person shall start an engine of any aircraft when there is any liquid fuel on the ground under the aircraft.

- E. Fuel hoses, containers, storage tanks, and related equipment shall be maintained in a safe, sound and non-leaking condition.
- F. Fuel trucks with tanks shall be utilized only in a safe and operable condition. Inoperable fuel trucks shall never be used as above ground storage tanks.
- G. No person shall fuel or defuel an aircraft without adequate fire extinguishers or equivalent fire protection equipment immediately available to the fueling location.
- H. All fueling, defueling, and fuel transfer on the airport shall be conducted in accordance with applicable city and state of Alaska fire codes.
- I. All fuel storage tanks, whether above ground storage tanks (ASTs), underground storage tanks (USTs) or mobile storage tanks (MSTs), are subject to Plan review, approval and inspection by the city of Palmer's Department of Community Development and the Department of Fire and Rescue per the most currently adopted Palmer Municipal Code, as well as any other governing body responsible for same (state and federal).

#### **7.110.020 Fueling sources.**

- A. Aircraft fueling shall be conducted only from approved fuel handling systems that conform to city and State of Alaska fire codes, and only by persons authorized by the airport superintendent.
- B. All fueling shall be conducted only using equipment operated in a manner consistent with its designed purpose.

#### **7.110.030 Fuel personnel training.**

Any person who engages in commercial fuel delivery, fueling, defueling or fuel storage on the airport shall ensure that line service personnel and supervisors who handle fuel on the airport are trained in safe fuel handling practices, fire safety, spill prevention and spill response.

#### **7.110.040 Spill Prevention, Control and Countermeasure Plan (SPCC) and Fuel Loading Plan Required.**

- A. Storing bulk fuel. The following requirement is applicable to all vendors or other operations storing bulk fuel at the airport:
  - 1. SPCC Plan: A stamped Spill Prevention, Control and Countermeasure (SPCC) plan must be submitted to the airport superintendent for review.
  - 2. Spill Response Kit: A Spill Response Kit which is in conformity with the SPCC. The kit and its contents must be approved by the Palmer Fire & Rescue Chief or designee.
- B. Delivering, transporting or loading/unloading bulk fuel. The following requirement is applicable to all vendors or other operations delivering, transporting or loading/unloading bulk fuel (including, but not limited to: fuel trucks; aircraft engaged in hauling bulk fuel using the Palmer Municipal Airport):
  - 1. Submit Fuel Loading Plan: Any entity transporting bulk fuel for resale to or from the Palmer Municipal Airport must submit a fueling (fuel loading/unloading) plan to the airport superintendent for review and approval.
- C. Any person who engages in fuel delivery, fueling, defueling or fuel storage on the airport shall maintain spill prevention and response capability readily accessible to the site or on the vehicle where the fuel is handled, stored, transported, or dispensed.
- D. Any person who engages in commercial fuel delivery, fueling, defueling or fuel storage on the airport shall, before operating on the airport,
  - 1. Submit to the airport superintendent a copy the person's spill prevention control and countermeasures plan prepared under 14 CFR 112: or

2. If 14 CFR 112 does not apply to the person's fuel related activities on the airport, submit to the airport superintendent a written fuel spill prevention and response plan that includes:
    - a. The measures the person will take to prevent a spill or release of fuel;
    - b. The steps the person will take, in the event of a spill or release of fuel, to
      - i. stop the spill or release; and
      - ii. contain and prevent spreading or migration of any fuel released;
  3. The person's plan for immediate notification describing any spill or release of fuel to the airport superintendent and to each regulatory agency that requires such a report.
- E. Neither the submission of a plan by a person under this section, nor the receipt of the plan by the airport superintendent shall be construed as approval of the plan by the airport superintendent or the city.

#### **7.110.050 Fueling apparatus electrical bonding.**

Before fueling an aircraft from a tanker truck, fuel tender, or fixed fueling facility, the aircraft and the truck, tender, or fixed facility shall be connected by cable so as to establish a condition of zero electrical potential between them.

#### **7.110.060 Labeling.**

In addition to any labels or signs required by applicable law, a person who engages in fuel delivery, fueling, defueling or fuel storage on the airport shall place on the person's storage tank, tank truck, fuel tender or other fuel container placards consistent with regulations established by the Department of Transportation (DOT).

#### **7.110.070 Fueling facilities.**

- A. Any fuel storage tank (greater than 200 gallons in aggregate), fuel dispensing apparatus or other fuel handling facility placed or used on the airport must conform to applicable environmental law and the city's fire prevention code.
- B. Before constructing or installing a fuel storage tank, fuel dispensing apparatus or other fuel handling facility on the airport, a person must:
  1. obtain a lease for the land from the city; and
  2. obtain a city building permit and the airport superintendent's written approval under PMC 11.10.160.
  3. obtain a plan review submitted to and approved by the state of Alaska fire marshal.

#### **7.110.080 Commercial fueling.**

No person shall engage in fuel delivery, dispensing or storage for commercial purposes on the airport without first obtaining a land lease or fuel dispensing permit and city of Palmer business license from the city authorizing the activity and paying any required fees.

### **Chapter 7.120 Safety and Sanitation**

#### **7.120.010 Storage.**

- A. No person shall keep or store any flammable liquids, gases, signal flares or other similar materials in a hangar or any other building on the airport, unless the materials are kept:
  1. in aircraft in proper receptacles installed in the aircraft; or



2. in rooms or areas specifically approved for such storage by the airport superintendent, or in storage containers that are designed for that purpose and comply with applicable fire codes.
- B. Lessees shall provide suitable metal receptacles with covers for the storage of waste, rags and other rubbish. All waste and used rags or other rubbish shall be removed in accordance with PMC 8.20.

#### **7.120.020 Open flame operations.**

Except as may be specifically authorized by the airport superintendent, no person shall conduct any open flame operations anywhere on the airport unless fire extinguishers of sufficient size and type are close at hand to control any hazard that may arise.

#### **7.120.030 General requirements.**

- A. The holder of a land lease on the airport shall keep the premises leased by them and the apron and ramp areas used in their operations, clean and clear of oil, grease, waste materials and trash.
- B. No person shall keep uncovered trash containers on any part of the airport.
- C. No motor vehicle for hauling trash, dirt, or any other materials shall be operated on the airport unless the vehicle is constructed so as to prevent the contents thereof from dropping, shifting, leaking, or otherwise escaping.
- D. No person shall spill dirt or any other materials from a vehicle on the airport.
- E. Areas used for trash or garbage containers shall be kept clean and sanitary at all times.
- F. No persons shall dispose of garbage, papers, refuse or other material on the airport except in receptacles provided for that purpose, and in accordance with PMC 8.20.
- G. Wind scattered debris. All users of the airport are responsible for preventing debris release and wind scattering of debris. No wind scattered debris shall be allowed at the airport. Any person or company responsible for wind scattered debris shall be subject to fines and/or associated cleanup costs.

#### **7.120.040 Fire extinguishers.**

All tenants or lessees on the airport shall supply and maintain such adequate and readily accessible fire extinguishers as are required by the city fire codes for the particular fire hazards involved.

#### **7.120.050 Hazards.**

No tenant or lessee on the airport shall store or stock material or equipment in such a manner as to constitute a hazard to persons or property.

#### **7.120.060 Hazardous substance release.**

- A. A person who releases a hazardous substance on the airport shall immediately contain and clean up the release, using methods that ensure that contamination does not enter or spread on or in airport land or water or in an airport storm water drainage system.
- B. A person responsible under this chapter for a release shall immediately report the release to the airport superintendent and to each regulatory agency that requires such a report.
- C. Submission of a report to the airport superintendent under this subsection does not satisfy any other applicable requirement for reporting a release of a hazardous substance to any regulatory agency that has jurisdiction.

- D. If a person responsible under this section for a release does not take immediate action to report, contain, and clean up the release, the city may report, contain, or clean up the release as the city determines appropriate under the circumstances.
- E. The city may seek reimbursement for the city's direct costs of assessment, reporting, containment, cleanup, and indirect costs, as applicable, from any person responsible for the release.

## **Chapter 7.130**

### **Standard Operating Procedure**

#### **7.130.010 Statement of Policy**

The city of Palmer, as the owner and operator of the Palmer Municipal Airport, hereby gives notice of the following as a statement of minimum operating procedures for Aeronautical Services, Commercial Operations and Personal Hangars at the airport.

These standards are intended to be the threshold entry requirements for those wishing to provide aeronautical services or other services to the public or have a personal hangar at the airport and to insure that those who have undertaken to provide aeronautical services or other services are not exposed to unfair or irresponsible competition and aeronautical operations. These minimum standards were developed taking into consideration the aviation role of the airport, the future development of the airport, and the city's obligations as an airport improvement sponsor under 14 C.F.R. part 152. The uniform application of these minimum standards relates primarily to the public interest and discourages the offering of substandard services to users of the airport.

#### **7.130.020 Application Information**

Persons interested in operating a business or service on the Palmer Municipal Airport grounds should contact the airport superintendent.

#### **7.130.030 Minimum Standards for (Lessee's) fixed based operators (FBO)**

- A. Approved Lease on file with the city.
- B. Leases shall be for a term determined upon the basis of the applicant's proposed financial investment in permanent improvements on the premises to be leased.
- C. An applicant must demonstrate, to the satisfaction of the city that the applicant has sufficient experience, knowledge, certifications, and licensing to be reasonably capable of lawfully and successfully operating the aeronautical service proposed by the applicant.
- D. An applicant must demonstrate, to the satisfaction of the city, that the applicant has adequate resources to complete the construction of the proposed improvements on the proposed premises and to successfully operate the proposed FBO business.
- E. The applicant shall lease at a minimum, sufficient land to provide adequate space as determined by the city, to accommodate the applicant's proposed building, aircraft parking, customer vehicle parking, and employee parking needs.
- F. As a condition of the lease, the applicant must:
  - 1. Invest \$100,000 in buildings and other permanent improvements on the premises in support of the applicant's proposed FBO business.
  - 2. Comply with all zoning and building code regulations for the city.
  - 3. Operate the proposed FBO business on a continuous basis throughout the term of the lease, uninterrupted by any period of closure over 15 consecutive days or 24

aggregate days within any 12-month period without permission of the airport superintendent, unless the business is by nature seasonal.

4. Have personnel in attendance on the premises during all operating hours who are qualified to perform the service offered by the proposed FBO business.
5. Indemnify and defend the city and maintain insurance coverage, as required under the lease.
6. Make all lease payments timely, when due without undue collection efforts on behalf of the city.

#### **7.130.035 Minimum Standards for (Lessee's) Personal Hangar**

- A. Approved Lease on file with the city.
- B. Leases shall be for a term determined upon the basis of the applicant's proposed financial investment in permanent improvements on the premises to be leased.
- C. An applicant must demonstrate, to the satisfaction of the city, that the applicant has adequate resources to complete the construction of the proposed improvements on the proposed premises.
- D. The applicant shall lease at a minimum, sufficient land to provide adequate space as determined by the city, to accommodate the applicant's proposed building, aircraft parking, and vehicle parking needs.
- E. As a condition of the lease, the applicant must:
  1. Invest \$75,000 in buildings and other permanent improvements on the premises in support of the applicant's proposed hangar.
  2. Comply with all zoning and building code regulations for the city.
  3. Indemnify and defend the city and maintain insurance coverage, as required under the lease.
  4. Make all lease payments timely, when due without undue collection efforts on behalf of the city.

#### **7.130.040 Minimum Standards for (Non-Lessee's) Commercial Businesses and Organizations**

- A. Approved commercial operating agreement to conduct business on airport grounds.
- B. An applicant must demonstrate, to the satisfaction of the city that the applicant has sufficient experience, knowledge, certifications, and licensing to be reasonably capable of lawfully and successfully operating the aeronautical service proposed by the applicant.
- C. The applicant shall rent or sub-lease at a minimum, sufficient land to provide adequate space as determined by the city, to accommodate the applicant's proposed business, aircraft parking, customer vehicle parking, and employee parking needs.
- D. As a condition of operating a business on airport grounds, the applicant must:
  1. Invest sufficient funds in support of the applicant's proposed business.
  2. Indemnify and defend the city and maintain insurance coverage, as required under the operating agreement.
  3. Pay all user airport user fees timely, when due without undue collection efforts on behalf of the city.

#### **7.130.050 Through the Fence Operations**

- A. Agreement for through the fence airport access on file with the city.
- B. Written agreement with the city for access from the applicant's property, and applicant will meet all requirements for on field operations for insurance, safety, personnel and equipment.

- C. Such written agreement shall include provision for payment of an access fee, as applicable, as established for such type activity by the airport.

An access fee ensures that those commercial activities that are using the airport to conduct their business to earn a profit are participating in the cost of maintaining the airport. The written agreement also ensures they are maintaining safe operations and minimum standards while using the airport.

Section 5. Effective Date. Ordinance No. 17-003 shall take effect upon adoption by the city of Palmer City Council.

**Adopted** this 28<sup>th</sup> day of March, 2017.



Edna B. DeVries, Mayor



Norma I. Alley, MMC, City Clerk