

Sec. 18-51. - Commercial activities restricted.

No person or entity, incorporated or otherwise, shall use the airport for the carrying on of any commercial activity unless approved by a written permit from the city council or its duly authorized agent.

(Ord. No. 150, § 1, 1-8-80)

Sec. 18-52. - General rules and regulations.

The following rules and regulations shall pertain and be observed in the use, operation and conduct of the municipal airport:

- (1) *Rule 1. Federal air traffic rules.* The federal air traffic rules promulgated by the Federal Aviation Administration for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part of this division as though fully set forth and incorporated in this division.
- (2) *Rule 2. Safeguard of persons and property.* The airport manager shall at all times have authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property at the airport.
- (3) *Rule 3. Lease of airport property to private individuals, companies or corporations.* The city may lease property within the building area or other portions of the airport for the private construction of hangars, buildings or lean-tos, aprons, taxiways and auto parking lots in accordance with an approved airport layout plan. All leased property and all buildings or structures erected on the leased property will be utilized for aviation related activity. Storage of nonaviation equipment, such as automobiles, boats, or farm equipment, in a private hangar or conducting of nonaviation business in any structures must be incidental to the aviation activity. Outside storage of nonaviation equipment is not authorized and any such nonaviation equipment not capable of movement under its own power will be towed away and held for towing and storage charges at the owners' expense. Property rented for commercial operations shall be on a basis of cents per square foot per year plus a designated percentage of gross receipts from the commercial operation or cents per gallon fuel flowage. Property leased to a private individual, company or corporation on which a hangar, "T" hangar unit or building will be erected for private use or rental to the public for aircraft parking/storage only, will be leased by cents per square foot per year only. Except upon approval of the council, leases will be written for a period of from one to five years with provisions for renewable five-year options, not to exceed 25 years. Leases will in each instance contain suitable escalation clauses for optional renewal. Any private structure or hangar not in use for aviation purposes for a period in excess of three months, or not

available for rent or sublease for aviation purposes, unless so authorized by the city, must be removed after receipt of due notice by the city, or such structures or hangars will be considered abandoned and title will pass to the city.

Leased land from which any building, hangar or structure is removed will be cleaned and put back in its original condition.

Leased property on the airport may be subleased by the lessee only with approval of the city.

- (4) *Rule 4. Unauthorized structures.* No structure may be erected beyond the building restriction line (BRL) or in conflict with the approved airport layout plan and airport height zoning ordinance.
- (5) *Rule 5. Construction standards.* All construction must be authorized and must be of a compatible standard with city ordinances and approved by the city council. All buildings or hangars constructed will withstand winds of 85 miles per hour, with doors open or closed.
- (6) *Rule 6. Unauthorized signs.* No signs or equipment or portable buildings or house trailers may be erected, moved in or installed except as may be specifically authorized by the airport manager pursuant to uniform city standards.
- (7) *Rule 7. Suspicious activities.* All suspicious or unauthorized activities shall be reported immediately to the city police department, county sheriff, airport manager, or department of public safety.
- (8) *Rule 8. Lien for charges.* To enforce the payment of any charge made for lease of airport property, hangar, or building rental, tiedown fee, repairs, improvements, storage or care of any personal property, made or furnished by the city or its agents in connection with the operation of the municipal airport, the city shall have a lien upon such personal property, which shall be enforceable as provided by law.

State Law reference— Liens, Vernon's Ann. Civ. St. art. 46d-5.

- (9) *Rule 9. Lien possessory right.* To enforce the payment of any such charge, the airport manager may retain possession of such personal property until all reasonable, customary and usual compensation shall have been paid in full.
- (10) *Rule 10. Gliders.* A glider is defined as an aircraft in these rules and regulations.
- (11) *Rule 11. Wrecked aircraft.* Every aircraft owner, his pilot and agents shall be responsible for the prompt removal, under the direction of the airport manager, of wrecked aircraft.
- (12) *Rule 12. Repairs to aircraft.* No aircraft shall be repaired on any part of the landing or takeoff areas, and all repairs shall be at the places designated by the airport manager for such purpose.
- (13)

Rule 13. Agricultural operations. Agricultural spraying operations will be conducted in accordance with procedures approved by the airport manager and only from the areas designated on the airport. Reckless flying, careless handling of chemicals, indifference toward policing the area, or intimidation of other aircraft users will not be tolerated. Wash-down of agricultural spraying aircraft and flushing of agricultural aircraft spray tanks will be accomplished only in areas so designated and in accordance with applicable EPA, state natural resource conservation commission, state department of agriculture, and state department of health regulations. Empty chemical containers will be disposed of in accordance with applicable federal and state laws.

- (14) *Rule 14. Damage to airport.* Any person, corporate or individual, and the owner of any aircraft causing damage of any kind to the airport, whether through violation of any of these rules or through any act of negligence, shall be liable therefor in and to the city.
- (15) *Rule 15. Injury to persons or property.* Any person going upon the grounds of the municipal airport, or using it for any purpose, shall do so at his own risk to persons and property, and shall hold the city harmless for and on account of any injury or damage to persons or property suffered thereby. Such person shall be bound by and obey the rules and regulations concerning and pertaining to the airport.

State Law reference— Liability of a municipality, V.T.C.A., Civil Practice and Remedies Code § 101.0215.

- (16) *Rule 16. Licensed pilots.* Only aircraft and airmen licensed by the Federal Aviation Administration shall operate upon or over the municipal airport. Provided, that this limitation shall not apply to students in training under licensed instructors nor to public aircraft of the federal government or of a state, territory or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.
- (17) *Rule 17. Registration.* Every person stationed, employed, receiving instructions or operating upon the municipal airport shall register at the office of the airport, and shall give his name, address, telephone number and the nature of his business or occupation. Identification numbers of all aircraft based at the municipal airport shall be registered at the airport office.
- (18) *Rule 18. Use of another's property.* Unless authorized by the owner in writing, the use of any aircraft, parts, equipment, accessories or tools of another situated on the airport is forbidden.
- (19) *Rule 19. Glass.* No bottles or glass shall be left or broken upon the floor of any building or upon any part of the surface area of the airport.
- (20) *Rule 20. Vehicular traffic.* All vehicular traffic, including motorbikes, shall be confined to the roads, streets, avenues and alleys provided on the grounds for that purpose, and shall not be operated at a speed in excess of 15 miles per hour.

(Ord. No. 150, § 2, 1-8-80)

Sec. 18-53. - Regulations governing ground operations.

The following rules and regulations shall be observed in the conduct of ground operations at the municipal airport:

- (1) *Rule 21. Fueling of aircraft.* All aircraft will be positively grounded when being serviced with fuel. All aircraft shall be fueled at an approved fuel service installation, or by approved mobile equipment.
- (2) *Rule 22. Tiedown of aircraft.* All aircraft not hangared shall be tied down or secured at night and during inclement weather. Each aircraft main gear will also be set with blocks (wheel chocks). The airport manager or his authorized representative may collect a tiedown fee deemed reasonable by the city per night or per each month for each aircraft tied down.
- (3) *Rule 23. Running aircraft engines.* If not equipped with adequate brakes, the engine shall not be started in an aircraft until and unless the wheels have been set with blocks attached to ropes or other suitable means for removing them. No engine shall be started, run or warmed up until and unless the aircraft is in such position that the propeller stream will clear all buildings and groups of people in the observation areas and paths of the aircraft.
- (4) *Rule 24. Damage to runway lights.* Any person damaging any field light or fixture, by operation of an aircraft or otherwise, is liable for such damage and shall immediately report such damage to the airport manager or his representative.
- (5) *Rule 25. Taxiing aircraft.*
 - a. No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area.
 - b. Aircraft will be taxied at a safe and prudent speed, and in such manner as to be at all times under the control of the pilot.
 - c. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.
 - d. Aircraft shall not taxi onto the runway from the ramp and taxiway area if there is an aircraft approaching to land, or on the ground in takeoff position.
 - e. Aircraft will not be operated on the sod or ground areas of the airport except for designated parking and taxiway areas.
 - f. There shall be no taxiing of aircraft by engine power into or out of hangars.
- (6) *Rule 26. Parking aircraft.*
 - a. Aircraft shall not be parked on or within 200 feet of any part of the landing or takeoff area of the airport; and all unhoused aircraft shall be parked in the area designated by the airport manager or authorized representative for that purpose.

- b. Aircraft will not be parked in such a manner as to hinder the normal movement of other traffic unless specifically authorized by the airport manager or authorized representative as an emergency measure.
 - c. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set or that the plane is properly chocked and/or tied down.
- (7) *Rule 27. Loading or unloading aircraft.* Pilots are prohibited from loading or unloading aircraft with the engine running.
- (8) *Rule 28. Aircraft tiedown, security.* The aircraft owner or his agent is responsible for the tiedown or security of his aircraft at all times and particularly during inclement weather.

(Ord. No. 150, § 3, 1-8-80)

Sec. 18-54. - Landing and takeoff rules.

The following rules and regulations shall govern the landing and takeoff and related operation of aircraft at the municipal airport:

- (1) *Rule 29. Authority to suspend operations.* The airport manager or his authorized representative may suspend or restrict any or all operations without regard to weather conditions, whenever such action is deemed necessary in the interest of safety.
- (2) *Rule 30. Use of runways during certain weather conditions.* If the winds are calm or at a 90-degree crosswind to runway 33/15, takeoff and landing will be on runway 15.
- (3) *Rule 31. Clearing street.* No aircraft shall land or take off in such a manner as to clear any public street or highway at an altitude of less than 15 feet, or 17 feet over an interstate highway, nor land or take off on the taxiway or over hangars or other structures, automobile parking areas or groups of spectators.
- (4) *Rule 32. Reporting traffic intentions.* All pilots are encouraged to call unicom 122.8 to determine the active runway and to announce their position and intentions for takeoff and landing. Pilots of radio equipped aircraft should report their traffic intentions on 122.9 if unicom is inoperative.
- (5) *Rule 33. Takeoffs/landings on apron, etc.* No takeoffs or landings shall be made on apron, parking ramp, or sod/ground areas of the airport except by special permission of the airport manager.
- (6) *Rule 34. Takeoffs allowed.* Takeoffs may be made from the intersection of a taxiway and the runway at the pilot's discretion if there is no other takeoff traffic waiting at the approach end of the runway. Touch and go landings may be made at the discretion of the pilot. All aircraft shall "clear" for incoming and takeoff traffic before taxiing into takeoff position.

(7)

Rule 35. Takeoff climbs. On takeoff all aircraft shall climb straight out to a level of 1,300 feet M.S.L., clear of the airport boundary and execute a 90-degree turn in the direction of the traffic pattern for the runway in use. To leave traffic the aircraft shall climb straight out to a level of 1,600 feet M.S.L. before executing a 45-degree climbing turn out of traffic.

- (8) *Rule 36. Traffic altitude.* Traffic pattern elevation is 800 feet A.G.L.
- (9) *Rule 37. Common courtesy.* Aircraft entering the traffic pattern shall exercise caution and practice courtesy so as not to cause aircraft already in the pattern to deviate from their course.
- (10) *Rule 38. Traffic flow.* All aircraft landing at the municipal airport shall fly a standard lefthand or righthand traffic pattern as displayed by the segmented circle at an altitude of 800 feet A.G.L. Pattern entry shall be made at the midpoint of either the upwind or downwind leg; complete turn to final at least one-fourth mile from runway.
- (11) *Rule 39. Altitude and noise of engines.* No aircraft shall be operated over the city and Medina Valley High School complex at an altitude of less than 1,000 feet A.G.L. Aircraft engines shall not be accelerated nor decelerated over those areas in such a manner as to distract, excite or disturb persons on the ground, regardless of altitude.
- (12) *Rule 40. Straight-in approaches.* Straight-in approaches shall not be used unless a radio advisory call has been made from at least five miles out and found that such approach will not interfere with other traffic.
- (13) *Rule 41. Student training and practice flying.* Instructors in flying shall inform students and shall inform themselves of all rules and regulations in effect at the airport. Aircraft shall not be permitted to remain on the landing or takeoff areas for the purpose of instructing students.
- (14) *Rule 42. Special procedures.* The airport manager may, in the interest of safety, designate special traffic procedures for certain operations such as air shows, agricultural operations, etc.

(Ord. No. 150, § 4, 1-8-80; Ord. No. 150A, § 2, 5-13-80; Ord. No. 150B, § 1, 2-11-97)

Sec. 18-55. - Fire regulations.

The following rules and regulations shall be observed in the use and operation of the municipal airport:

- (1) *Rule 43. Exercising due care.* Every person going upon or using the airport or its facilities in any manner shall exercise the greatest care and caution to prevent fire.
- (2) *Rule 44. Fueling restrictions.* Aircraft shall not be fueled while the engine is running or while in a hangar or other enclosed place.
- (3)

Rule 45. Smoking prohibited near aircraft and fuel trucks. Smoking or open flame within 50 feet of any aircraft or fuel truck is prohibited.

- (4) *Rule 46. Storage of gas.* Compressed inflammable gas shall not be kept or stored upon the airport except at such place as may be designated by the airport manager.
- (5) *Rule 47. Use of flammable substances.* No flammable substance shall be used in cleaning motors or other parts of an aircraft inside a hangar or other building. Flammable liquids may be used only for the purpose stated outside of and clear of any building.
- (6) *Rule 48. Smoking restricted in buildings.* No one shall smoke or ignite a match or lighter in any building, except in offices, waiting rooms or buildings where specially permitted by the airport manager.
- (7) *Rule 49. Hangar entrances to be kept clear.* Hangar entrances shall be kept clear at all times.
- (8) *Rule 50. Cleaning floors.* The floors in all buildings shall be kept clean and free from oil. No volatile, flammable substance shall be used for cleaning the floors.
- (9) *Rule 51. Hangars to be kept free of accumulations of litter and weeds.* No grass or weeds more than 12 inches high, boxes, crates, cans, bottles, paper, or litter shall be permitted to accumulate or grow in or about a hangar.

(Ord. No. 150, § 5, 1-8-80)

Cross reference— Fire prevention and protection, ch. 50.

Sec. 18-56. - Knowledge of rules implied.

By publication of this ordinance from which this division derives as required by law, all persons will be deemed to have knowledge of its contents. However, the airport manager is directed to have copies of the ordinance from which this division derives printed and at all times available in his office, and to furnish such copies to owners and operators of aircraft using the airport.

(Ord. No. 150, § 6, 1-8-80)

Sec. 18-57. - Penalty for violation of division.

- (a) *Ejection of violator from airport.* Any person operating or handling an aircraft in violation of any of the rules set out in this division or refusing to comply therewith may, at once, be ejected from the airport, or may for any period of time, not exceeding 15 days, be excluded from the airport by the airport manager, and, upon hearing by the city council, may be deprived of the further use of the airport and its facilities for such period of time as may appear necessary for the protection of life and property. Provided, that where any such penalty has been imposed, there shall be no prosecution under subsection (b) of this section.

(b)

Violation declared misdemeanor. Any violation of this division shall be a misdemeanor, punishable by fine as provided in section 1-4.

(Ord. No. 150, § 8, 1-8-80)

Secs. 18-58—18-70. - Reserved.

DIVISION 4. - AIRPORT SECURITY

Footnotes:

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State Law reference— *Who are peace officers, Vernon's Ann. C.C.P. art. 2.12; watchmen, V.T.C.A., Local Government Code § 341.901.*

Sec. 18-71. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Municipal airport means the Castroville Municipal Airport, that body of land lying fully inside the city limits of the City of Castroville, Texas, described and being situated in Medina County, Texas, which land and acreage is more fully described in a deed to the city by the United States of America, dated July 26, 1949, recorded in volume 147, pages 264—270, Medina County Deed Records, such deed and the legal description in such deed being incorporated in this division for all purposes as if written word for word.

(Ord. No. 140, § 2, 8-8-78)

Cross reference— Definitions generally, § 1-2.

Sec. 18-72. - Purpose and construction of division.

This entire division is and shall be deemed an exercise of the power and authority granted by the state to the city for the purpose of regulating, securing, and policing the municipal airport, and all the provisions of this division shall be construed for the concept of that purpose.

(Ord. No. 140, § 1, 8-8-78)

Sec. 18-73. - Chief of airport security and officers appointed.

In order to provide security for the municipal airport, the city council hereby appoints as chief of airport security the chief of police of the city and his successors, as duly appointed by the city council. All other police officers and their successors, as well as any additional officers hired by the city, are hereby appointed as airport security officers to act under the direction and control of the airport security chief.

(Ord. No. 140, § 3, 8-8-78)

Sec. 18-74. - Enforcement of ordinances.

The airport security chief and security officers are to enforce the ordinances of the city as they are presently in force or as they are amended or adopted by the city, as they shall apply to the municipal airport.

(Ord. No. 140, § 4, 8-8-78)

Sec. 18-75. - Prosecution of violations.

Any violations of city ordinances which occur on the airport premises shall be prosecuted in the city municipal court upon the filing of a complaint alleging a violation of a municipal ordinance or applicable state law.

(Ord. No. 140, § 5, 8-8-78)

Sec. 18-76. - Policy.

Airport security personnel shall be governed by the police policies now in force or as they shall be amended and approved by the city council.

(Ord. No. 140, § 6, 8-8-78)

Sec. 18-77. - Federal and state laws in force.

The enforcement of this division is subject to federal and state laws, rules and regulations presently in force and as they shall be subsequently enacted or amended.

(Ord. No. 140, § 8, 8-8-78)

Secs. 18-78—18-100. - Reserved.