

Airport Rules and Regulations

James H. Connell Field at Independence Municipal Airport

Definitions.

All words and phrases used in this chapter shall have the following meaning unless its context requires otherwise. All definitions contained within the Federal Aviation Act of 1958 (FAA Act) and all amendments thereto are incorporated herein. All definitions shall be interpreted consistently with the Federal Aviation Act and amendments thereto.

"Aircraft" means a device that is used or intended to be used for flight in the air, including helicopters and ultralight vehicles.

"Airport" means all the areas comprising the Independence Municipal Airport, as now existing or as the same may hereafter be expanded and developed and shall include all of its facilities.

"Airport Board" means the duly appointed five-member airport advisory board of the city.

"Airport manager" means the airport manager of Independence Municipal Airport or his/her designee.

"Commercial activity" means the conduct of any aspect of a business or concession on the airport for revenue.

"City" means the city of Independence.

"Council "means the mayor and city council.

"Field area" means that area used for aircraft taxiing, run up, takeoff, landing, tie-downs, loading and unloading of passengers and baggage. Field area shall include all areas used by vehicles or pedestrians to gain access to any of the above and shall include all additional areas designated by the manager as a fieldarea.

"General fixed-base operator" means a person, firm, or corporation subject to the provisions of a lease and nonexclusive license engaging in the following: the sales, service, renting, or leasing of new or used aircraft, parts, aircraft accessories and hardware, custom repair, overhauling, and modification of general aviation aircraft and/or aircraft equipment, including the conduct of charter flight service, aerial photography, and flight schools.

"Operator" means the person, firm, or corporation in possession of an aircraft or vehicle or any person who has rented such for the purpose of operation by him/herself or an agent.

"Owner" means a person who holds the legal title of an aircraft or a vehicle, or in the event the aircraft or vehicle is the subject of a conditional sale or lease thereof within the right of

purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the conditional vendee or lessee or anyone in possession of an aircraft or vehicle on the airport or in the event of a mortgagor of an aircraft or vehicle is entitled to the possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of these rules and regulations.

"Public area" means all other airport areas not field areas, except those areas designated by a tenant or the manager as nonpublic areas. The manager shall have the power to overrule a tenant's designation of an area as a nonpublic area and may designate the area to be public. Indoor public area consists of: Downstairs lobby, downstairs refreshment area, downstairs bathrooms, upstairs pilots lounge, upstairs bathroom, and upstairs kitchen area. For outdoor public areas, please refer to map.

"Park" or "parking" means the standing of an aircraft or vehicle whether occupied or not.

"Pedestrian" means any person afoot.

"Permission" or "permit" means permission granted by the airport manager, airport board, or city unless otherwise specifically provided herein.

"Special fixed-base operator" means a person, firm, or corporation subject to the provisions of a lease and nonexclusive license engaging in some but not all of the activities of a general fixed-base operator.

"TSA" The Transportation Security Administration is an agency of the U.S. Department of Homeland Security that has authority over the security of the traveling public in the United States.

"Vehicle" means a device in, upon or by which a person or property is or may be propelled, moved, or drawn upon a highway excepting a device moved by human power.

"FAA" Federal Aviation Administration: the division of the Department of Transportation that inspects and rates civilian aircraft and pilots, enforces the rules of air safety, and installs and maintains air-navigation and traffic-control facilities.

Operating Policy

As the operator and proprietor of the airport, on behalf of the citizens of the city, it is the intent of the airport board and the city council:

- A. To operate the airport in a business-like manner with as little cost as possible to the taxpayers through the imposition of fair and reasonable rentals, fees and charges.
- B. To provide for both private and commercial aviation at the airport to the extent practicable within physical, economic, and environmental constraints.
- C. To provide for the full range of on-base aeronautical support consistent with the need for the service and the availability of space and physical facilities.
- D. To protect the airport patrons and users from unsafe and inadequate aeronautical service and to maintain and preserve all airport facilities in a safe, secure, and orderly condition.

E. To promote fair competition and not expose those who have lawfully undertaken to provide commodities and services at the airport to irresponsible or unethical business or commercial activity on the airport.

F. To permit and provide adequate facilities for owners of general aviation aircraft to work on and service their own aircraft within the limits as may be imposed by this chapter or airport regulation for purposes of safety, preservation of airport facilities, and protection of the public interest.

G. To promote the utility, educational and recreational aspects of general aviation.

Administration authority--Operation-- City held harmless.

A. In addition to the requirements of the Federal Aviation Administration, the Civil Aeronautics Board, the TSA, the Iowa Department of Transportation Aviation Bureau, the Buchanan County zoning code, the city of Independence zoning code, and the Airport Zoning Code (City Ordinance No. 2017-485), the manager may promulgate such rules and regulations, orders, and instructions as are necessary in the administration of this chapter. The manager may post signs at the airport which state or apply the rules, regulations, orders, or instructions. Each person on the airport shall comply with all rules, regulations and signs posted by the manager pursuant to this chapter. Each member of the staff of the manager, as a representative of the manager, is empowered to require compliance with the provisions of this chapter and all rules and regulations issued by the manager.

B. The airport shall be conducted as a public air facility for the promotion and accommodation of civil aviation and associated activities.

C. The privilege of using the airport and its facilities shall be conditioned on the assumption by the user thereof of full responsibility and risk for such use, and the user thereof releases and agrees to hold the city and its officers and employees harmless, and to indemnify them from any liability or loss resulting from the use. The city reserves the right to deny use of the airport to any person who is judged by the manager to be endangering the public's safety, health, or welfare.

Property Regulations

City not liable,

The city assumes no responsibility or liability for loss, injury or damage to persons or property on the airport or using airport facilities, including but not limited to fire, vandalism, wind, flood, earthquake, or collision damage, nor does it assume any liability by reason of injury to person or property while using the facilities of same.

Damage to airport property--Responsible party to comply with rules for compensation.

Any person causing, or liable for, any damage to airport property, shall be required to pay the city on demand the full cost of repairs to the damaged property. Any person failing to comply with these rules may be refused the use of the airport.

Damage, injurious activities, and abandonment prohibited.

- A. No person shall destroy, injure, deface, or disturb in any way any building, sign, equipment, marker or other structure, tree, shrub, flower, lawn or seeded area on the airport, except as authorized by the manager.
- B. No person shall conduct on or at the airport, activities that are injurious, detrimental, or damaging to the airport property, business of the airport, or persons.
- C. No person shall abandon any personal property at the airport.

Explosives prohibited.

No person shall carry any unauthorized explosives on the airport.

Unauthorized aircraft or vehicles removed.

- A. Aircraft should be stored in hangars, t--hangars, or authorized tie down areas.
- B. Vehicles should be parked in the north parking lot if they will be gone for an extended amount of time, or in hangar/t-hangar in accordance with lease agreement.
- C. Any unauthorized aircraft or vehicle which has been parked in any unauthorized space may be removed or caused to be removed by the airport manager.

Authority to eject.

The airport manager shall have the right to cause to be ejected from the airport premises, any vehicle, or aircraft operator guilty of violation of any provisions of this chapter. Such persons shall have the right to appeal the ejection to the airport board.

Aircraft Operations

Aircraft operations regulations.

- A. No person shall conduct any aircraft operation to, or from or over the airport except in conformity with all Federal Aviation Administration regulations, and the rules and regulations promulgated by the airport board and the airport manager.
- B. No person shall park an aircraft on any runway or taxiway at the airport.
- C. No person shall park or store an aircraft at the airport except in areas designated by the manager.
- D. Preventive maintenance work, as defined in Title 14, Part 43, Appendix A(c), Code of Federal Regulations, may be performed at the airport tie-down areas by the owner or operator of the aircraft. Aircraft owners who possess current mechanic ratings such as A&P and IA may do additional work in the tie-down areas subject to the approval of the manager. All other aircraft maintenance, rebuilding, and alterations shall be performed only in those areas designated by the manager.

E. No person shall take any aircraft from the airfield or hangers or operate such aircraft while under the influence of intoxicating liquor or dangerous drug.

F. All owners and operators who desire to base their aircraft at the airport shall register their aircraft with the manager or his/her representative prior to beginning operations. Any change in ownership of the aircraft shall be reported as soon as possible.

G. If the manager believes the conditions at the airport, or any portion thereof, are unfavorable for aircraft operations, he/she may close the airport, or portions thereof, using applicable Federal Aviation Administration procedures, as appropriate.

H. No aircraft shall be permitted to remain on any part of the landing or takeoff areas for the purpose of repairs.

I. No person shall, without the owner's permission, interfere or tamper with an aircraft parked or stored at the airport.

J. No person shall move an aircraft on the airport in a negligent or reckless manner.

K. No person shall start or taxi any aircraft in a place where the air or exhaust blast is likely to cause injuries to persons or property. If the aircraft cannot be taxied without violating this paragraph, the operator must have it towed to the desirable destination.

L. All air traffic should avoid flight overpopulated or noise sensitive areas whenever possible, consistent with safety.

Accident procedures.

A. Persons involved in aircraft accidents occurring at the airport shall make a full report thereof to the manager or his/her representative as soon as is possible after the accident. The report must include all pertinent information. For the purposes of this section, an aircraft accident shall include any event involving an aircraft and a motor vehicle, other aircraft, person, or stationary object with results in property damage, personal injury or death.

B. Any person damaging property on the airport by means of contact with aircraft shall report the damages to the airport office immediately and shall be fully responsible to the city for the cost of repairs.

C. Every pilot and aircraft owner shall be responsible for the prompt removal of any disabled aircraft or parts hereof, as directed by the manager or his/her representative, subject to accident investigation requirements.

Motor Vehicles

- General regulations.

A. No motor vehicle shall be operated on the airport if it is so constructed, equipped or loaded as to endanger persons or property.

B. Each operator of a motor vehicle involved in any accident on the airport that results in personal injury or property damage, shall make a full report to the manager or his/her representative as soon as possible after the accident.

C. No person shall operate any motor vehicle on the airport in violation of this chapter, or rules and regulations promulgated by the manager or the laws of the state.

D. No person shall operate a motor vehicle on the airport in a negligent or reckless manner.

E. No person shall park or stand a motor vehicle at any place on the airport in violation of any posted sign, or within fifteen feet of a fire hydrant, or in a manner as to block any fire gate or entrance, road, or taxiway.

F. The manager or his/her agent may remove, at the owner's expense, any motor vehicle which is parked on the airport in violation of this chapter. The vehicle shall be subject to a lien for the cost of removal.

Roads and Walks

Unauthorized travel unlawful.

It is unlawful for any person to travel on the airport except on a road, walk or other place provided for the kind of travel the person is doing.

Obstructions unlawful.

It is unlawful for any person to occupy or place an object on a road or walk on the airport in a manner that hinders or obstructs its proper use.

Fire Hazards and Fueling Operations

Unauthorized fuel delivery and dispensing unlawful.

It is unlawful for any person to transport or deliver aviation fuels on the airport or dispense fuels into aircraft unless authorized to conduct such activity, except if a person is providing fuel for his/her own aircraft.

Flammable cleaning fluids unlawful.

It is unlawful for any person to use a flammable or volatile liquid having a flash point of less than ninety-six degrees Fahrenheit to clean an aircraft, aircraft engine, propeller or appliance in an aircraft hangar or similar type building, nor within fifty feet of another aircraft, building or hangar.

Open flame operations unlawful.

It is unlawful for any person to have in his possession an open flame, flame-producing device, or other source of ignition (except cigarette lighters or matches for that purpose) in any hangar or similar type of building, except in locations approved by the manager.

Smoking prohibited.

It is unlawful for any person to smoke in any areas during any times when smoking may be a hazard.

Storage unlawful when fire hazard.

A. It is unlawful for any person to store or stock material or equipment on the airport in a manner that constitutes a fire hazard.

B. It is unlawful for any person to store any combustible materials, flammable liquids, or other hazardous materials in an unsafe manner.

Surface areas to be kept clean.

Each person to whom space on the airport is leased, assigned, or made available for use shall keep the space free and clear of oil, grease, or other foreign materials that could cause a fire hazard or slippery or other unsafe condition.

- Doping unlawful except under certain conditions.

It is unlawful for any person to conduct a doping process on the airport except in a properly designed fire-resistive and ventilated room or building in which all lights, wiring, heating, ventilating equipment, switches, outlets, and fixtures are approved for such use in hazardous areas, and in which all exit facilities are approved and maintained for such use, or except in an open area as designated by the manager. No person shall enter or work in a dope room while doping processes are being conducted unless wearing spark proof shoes.

Fueling

A. It is unlawful for any person to fuel or defuel an aircraft in the airport while:

1. It is in a hangar or enclosed space.

2. Passengers are in the aircraft unless a passenger loading ramp is in place at the cabin door, and a "no smoking" sign is displayed, and the rule enforced.

B. It is unlawful for any person to knowingly start the engine of an aircraft on the airport if there is any gasoline or other volatile flammable liquid on the ground beneath it of sufficient quantity to cause a hazard.

C. It is unlawful for any person to operate a radio transmitter or receiver, or to switch electrical appliances on or off, in an aircraft on the airport while it is being fueled or defueled.

D. During the fueling of an aircraft on the airport, the dispensing apparatus and the aircraft shall both be grounded in accordance with orders and instructions of the manager.

E. Each person engaged in fueling or defueling on the airport shall exercise care to prevent the overflow of fuel and shall have readily accessible and adequate fire extinguishers.

F. During the fueling or defueling of an aircraft on the airport, no person shall, within fifty feet of that aircraft, smoke or use any material that is likely to cause a spark or be a source of ignition.

G. Each hose, funnel or appurtenance used in fueling or defueling an aircraft on the airport shall be maintained in safe, sound, and non-leaking condition and must be properly grounded to prevent ignition of volatile liquids.

H. Hot fueling/loading

1. Hot fueling. loading can be extremely hazardous and is not recommended except when absolutely necessary due to the nature of the operation. Operators who conduct hot fueling/loading should develop standard operating procedures (SOP) for flight and ground crew personnel.

Compliance with Uniform Fire Code required.

All persons shall comply with the provisions of the most recently adopted Uniform Fire Code of the City.

Authority to inspect--Compliance required,

The city fire chief or duly authorized representatives shall inspect as often as necessary all buildings and premises for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread or endanger life or property from fire. All orders, notices or recommendations shall be complied with by all persons without delay.

Trash requirements.

A. It is unlawful for any tenant, lessee, sub lessee, concessionaires, or agent of any of them, doing business on the airport, to keep uncovered trash containers on the sidewalk or road or in a public area of the airport.

B. It is unlawful for any person to operate a vehicle for hauling trash, dirt, or other material on the airport unless it is built to prevent its contents from dropping, sifting, leaking, or otherwise escaping.

C. Trashcans will be provided for each-hangar.

D. Trash from hangars/t-hangars may be properly disposed of in the dumpster by the north gate.

Hazardous storage unlawful.

It is unlawful for any person to store or stack equipment or material in a manner to be a hazard to persons or property.

- Authority to inspect at any time.

The manager or authorized representative shall have the right at all reasonable times to inspect all areas under lease to or occupied by tenants.

- Provisions incorporated into lease.

The provisions of these rules and regulations shall be deemed incorporated into every lease and

sublease and violations of the provisions of these rules and regulations may result in termination of the lease or sublease.

Commercial Operations

Definitions.

For the purpose of this article, a "business or commercial activity" means and includes the following types of activities when done for hire, compensation, or reward:

- A. Retail sales of goods, wares, merchandise, or services.
- B. Pilot training and flight instruction.
- C. Sale, rental, or charter of aircraft.
- D. Air carrier and air taxi operations.
- E. Sale of aviation petroleum products.
- F. Sale or service of aircraft parts, avionics, instruments, or other aircraft equipment.
- G. Repair, maintenance, rebuilding, alteration or exchange of aircraft engines, components, or other parts.
- H. Flying clubs.

Prohibited acts.

It is unlawful for any person to engage in any business or commercial activity on the airport without a lease approved by the council, or a sublease from a duly authorized master lessee which is approved by the council. For the purposes of this article a "person" means an individual or group of individuals, including a company, partnership, corporation, or other association. This prohibition shall also apply to persons who use the airport as a base for conducting their activity but whose office or other place of business is not situated at the airport. This prohibition does not apply to:

- A. Aircraft operations in which the flight originates and terminates elsewhere, and the airport is used as a temporary stopping place for such purposes as landings, refueling, or other aeronautical service, or the embarking or debarking of passengers, except in the case of charter or air taxi airlines.
- B. Company or corporate-owned aircraft where personnel or products are transported free of charge, the trip being merely incidental to the company's principal business and not, in itself, a major enterprise for profit.
- C. Casual or isolated transactions such as sales by the owner, an owner/pilot giving occasional flight instruction, or the like.
- D. No lease or license for the exclusive right to provide an aeronautical service, operation or activity on the airport shall be issued or approved.

- **Appropriate allocation of ground space--Structures to comply with building regulations.**

Leases for aeronautical and commercial activities on the airport shall be issued and approved contingent on the lessor constructing or providing a structure or structures on the leased property appropriate to the type of aeronautical or commercial activity to be conducted. Ground space allocations under lease agreements shall be made in accordance with a master plan and land use plan adopted by the city for development of the airport. All structures erected on the airport shall comply with all building regulations. Structural and architectural design of all structures shall be subject to approval by the city. Termination of a ground lease without other satisfactory arrangements having been made with the city shall automatically revoke the permission to conduct an aeronautical or commercial activity on the airport.

Procedures for acquiring lease.

When a person, corporation, or other entity desires to enter into a lease with the city for land on the airport, the person must contact the manager and make the request known. The city shall negotiate with the interested party to arrive at lease provisions and costs which reflect fair market values and include provisions to increase lease amounts in future years based on appropriate economic factors. Prior to entering any lease for property at the airport, the prospective lessee must present to the city satisfactory evidence that it meets the minimum standards established herein for engaging in business at the airport.

1. A waiting list will be formed based on the order in which the manager is informed of an interest to be put on such a list. When a hangar/t-hangar comes available everyone will be contacted in order until the spot is filled. If someone declines to take advantage of the empty space, but wishes to remain on the list, they will be moved to the bottom of the list.

Fixed-base operator's license issued subject to compliance.

A. A general fixed-base operator's license will be issued subject to the compliance with all conditions hereinafter imposed and upon proper application, to a person or company providing the following services:

- I. Fuel and oil sales.
2. Flight training services.
3. Aircraft charter and taxi services.
4. Aircraft rental and sales.
5. Sale of aircraft parts, accessories, and hardware.
6. Repair, overhauling and modification of aircraft or equipment.

B. A special fixed-base operator's license will be issued subject to the compliance with all conditions hereinafter imposed and upon proper application, to a person or company providing some but not all of the services required of a general fixed-base operator.

C. Aviation fuel will be sold on the airport only by the city or by a duly licensed fixed-base operator. Nothing in this section shall be construed to limit the right of any person to provide fuel for his/her own aircraft. However, such self-service fueling shall meet all applicable city, state, and federal safety regulations.

D. All fixed-base operators shall individually or in cooperation with other entities at the airport, maintain such hours and/or call-out arrangements to adequately service the public demand for such products/services as may be provided.

E. Nothing herein is intended to prevent persons from selling goods or services during a special event on the airport approved by the manager.

- **Insurance coverage required.**

All lessees on the airport property shall obtain and maintain insurance coverage for liability, with the city being named in the policies as an additional insured. Amounts of coverage shall be set at appropriate levels by the city.

- **Rates and charges established by council.**

A schedule of rates and charges for use of the airport and its facilities shall be established by the council, and each person or organization subject to the rates and charges shall promptly pay the amounts due.

Rates and charges.

A. Tie down Fees. Fees in the amount of \$100 a month or in coordination with t-hanger rent unless approve by the airport manager or authorized representative or other approved arrangements will be collected after 30 days of being parked on the ramp or apron. The airport property shall obtain and maintain insurance coverage for liability. Amounts of coverage shall be set at appropriate levels by the city.

B. Parking Fees. Pilot shall pay to city the monthly parking fee set forth in the Agreement Summary for each month, or part thereof, that this Agreement is in effect, computed as set forth in the Airport board, approved by council. The parking fee shall be due and payable, in advance, on or before the first day of each month, except that the first month's parking fee, or prorated portion of the first month's fee.

C. Payments. Payments shall be made to the

City of Independence, Iowa

City Clerk/Treasurer

331 1st Street East

Independence, IA 50644 or a place the city may so designate and are due without demand and without notice from the city and without deduction, credits, or offset. All such fees, charges, and other amounts payable by pilot shall be in lawful money of the United States of America and in the same day funds as of the due date. The parking fee and any other fee required to be paid in advance on or before the first day of each month pursuant to the terms of this license shall be paid on or before the first day of each month without any requirement of notice from the city. Any fees or charges which are payable by pilot in arrears for the preceding month's activity are due and payable on or before the fifteenth day from the date of city's invoice. Pilot hereby acknowledges late payment to the city of any fee, charge, or other sum due hereunder will cause the city to incur costs not contemplated by this license agreement, the exact amount of which will be extremely difficult to ascertain. If any such, fee, charge, or other sum due from pilot is not received by the city on or before the fifteenth day from the due date, then pilot shall pay to the city a late payment fee equal to one and a half (1.5) percent per month of the amount not paid, calculated for each day, from the due date until the date payment is received by the city. Late payments made by pilot to the city will be made in a form as specified by the airport manager. The parties hereby agree such late fee represents a fair and reasonable estimate of the cost the city will incur by reason of pilot's late payment.

Offenses--Violation--Penalty

- Nuisances, littering, vandalism unlawful.

1. For the purposes of this section a nuisance will be described as:

- a. Something or someone that interferes with the use of the airport by being irritating, offensive, harassing, obstructive, or dangerous.

A. It is unlawful to commit any act or to omit to act in such a way as to create a nuisance on the airport.

B. It is unlawful for any person to dispose of garbage, papers, refuse or other material on the airport except in receptacles provided for that purpose.

C. It is unlawful for any person to vandalize any property on the airport.

D. It is unlawful for any person to alter, make additions to, or erect any building or sign or make any excavations on the airport without the permission of the manager, subject to lease provisions.

E. It is unlawful for any person to willfully abandon any personal property on the airport. A person has abandoned personal property when it remains unattended and without written permission of the manager for a period of thirty days or more.

- Unauthorized hunting prohibited.

No person shall hunt, pursue, trap, catch injure or kill any bird or animal on the airport without authorization of the manager.

- Unauthorized solicitation and advertising unlawful.

A. It is unlawful for any person to solicit fares, alms or funds for any purpose on the airport without permission of the manager.

B. It is unlawful for any person to post, distribute or display signs, advertisements, circulars or other printed or written matter in a public area of the airport except in locations designated by the manager.

- **Animals to be restrained.**

It is unlawful for any person to enter the airport with a dog or other domestic animal unless that animal is kept restrained by a leash or is confined to be completely under control.

Unauthorized flying of drones and model aircraft prohibited.

The flying of model aircraft or drones within 5 miles of the airport will be done in compliance with all FAA rules regulating such activities.

Miscellaneous

Council authority to establish additional standards,

The city council reserves the right to establish additional standards for any and all categories of aeronautical related businesses or specialized services operating on the airport property.

- Federal Authority.

All lease agreements and permits shall be subordinate to the provisions of any existing or future agreement between the city and the United States relative to the operation and maintenance of the airport, execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

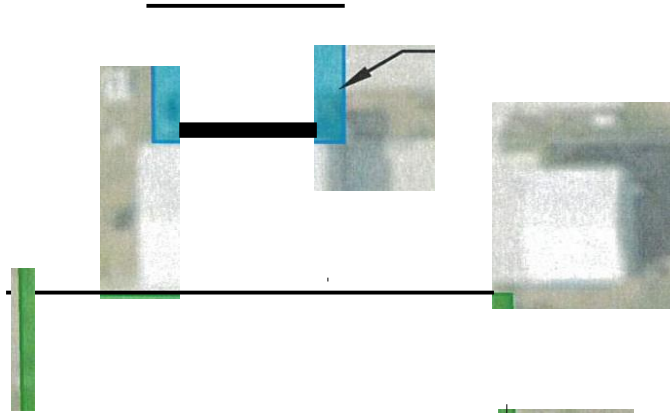
Violation--Penalty.

It is unlawful for any person to violate any of the provisions of this chapter, or any lawful rule or regulations promulgated by the city under the authority of this chapter. Penalties for violations shall be determined under the provisions of this code.

Conflicting regulations.

Where there exists a conflict between any regulation or limitation prescribed in this regulation and any other regulations applicable to the same area, the more stringent limitations or requirements shall govern and prevail.

Public Use



Public Airport Business

