

DRAFT FOR PUBLIC COMMENT-03/27/23

OKALOOSA COUNTY AIRPORTS SYSTEM

RULES AND REGULATIONS

FOR

DESTIN EXECUTIVE AIRPORT

AND BOB SIKES AIRPORT

[DATE] 2023

**Destin Executive Airport
and Bob Sikes Airport
Rules and Regulations
[DATE] 2023**

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SECTION A. – GENERAL

I. Authority

- a. These Rules and Regulations for Destin Executive Airport and Bob Sikes Airport (the “Rules and Regulations”) are adopted under the authority of Section 332.08, Florida Statutes, which grants Okaloosa County (the “County”) the power to regulate the use of the County’s airports. These Rules and Regulations apply to two of the County’s airports: the Destin Executive Airport and the Bob Sikes Airport (collectively, the “Airports,” and each individually referred to as an “Airport”). The Rules and Regulations also are adopted pursuant to County Ordinance No. [XXXX]; the County’s authority as the owner, operator, proprietor, and sponsor of the Airports; and the County’s authority to protect the health, safety, and welfare of all persons within the County. All leases, licenses, permits and other agreements authorizing the use of Airport property and facilities shall require compliance with these Rules and Regulations.
- b. In addition to the Rules and Regulations, all persons on the Airports are subject to all applicable provisions of federal law, the laws of the State of Florida, the County’s Code of Ordinances (the “County Code”), and all other applicable federal, state, and local-government laws, regulations, rules, orders, ordinances, policies, standards, and guidelines.
- c. In the event of an emergency, or to respond to any immediate safety, security, or operational necessity, that is not specifically covered in these Rules and Regulations, the Airports Director shall be authorized to make such orders and decisions as the Airports Director reasonably deems necessary to address such emergency or necessity. Any such order or decision shall cease to be effective upon the earliest of (a) the cessation of the emergency or need for which the Airports Director issued it, (b) superseding action by the Board, or (c) ninety (90) days following the Airports Director’s issuance of such order or decision. Nothing in this provision shall be interpreted to limit the authority of the Board to incorporate any such order or decision into the Rules and Regulations temporarily or permanently.
- d. The privilege of using either Airport and any of its facilities shall be conditioned on the user’s assumption of full responsibility and risk for such use. The County reserves the right to claim immunity from liability in connection with its operation of the Airports to the fullest extent permitted by law and to assert any other defense available, including without limitation immunity or defenses based on its status as a governmental entity.
- e. References and citations in the Rules and Regulations to laws, regulations, rules, ordinances, orders, policies, standards, and guidelines promulgated by the United States, the State of Florida, or public or private bodies include any amendments thereto that may be adopted after the County’s adoption of the Rules and Regulations.
- f. The invalidation of any specific rule or regulation herein shall not affect the validity of the remainder of the Rules and Regulations.

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II. Purpose

- a. In establishing the Rules and Regulations, the County's goals are to promote the safe, secure and orderly use of the Airports.
- b. The County recognizes the jurisdiction of the federal government, delegated to the Federal Aviation Administration (the "FAA"), concerning the licensing and regulation of pilots, Air Carriers and Air Taxi/Charters, aircraft, and the navigable airspace. Nothing herein is intended to assert jurisdiction by the County over matters under the exclusive jurisdiction of the federal government, and the provisions hereof shall be interpreted consistently with this purpose.

III. Application and Waiver

- a. The Rules and Regulations shall apply to all users of, and all persons on, any portion of either Airport. Provisions hereof concerning the safety and security of the Airports shall apply to all persons within the County.
- b. The Rules and Regulations, including amendments thereto, shall apply to all persons having a lease, permit or agreement with the County to the fullest extent permitted under such lease, permit or agreement, even where the application of the Rules and Regulations may impose a new or different obligation than existed at the time of execution of such lease, permit or agreement.
- c. The Airports Director may waive all or any portion of the Rules and Regulations for the benefit of any government or governmental agency performing public or emergency services, including, for example and without limitation, law enforcement, disaster relief, search and rescue, and fire prevention and firefighting, to the extent that the Airports Director reasonably determines such waiver to serve the public interest and promote overall public safety.
- d. The Rules and Regulations are in addition to, and do not supersede, all applicable federal and state laws, regulations, rules, orders, ordinances, policies, standards, and guidelines. To the greatest extent possible, these Rules and Regulations shall be read in harmony with other applicable authorities. In the event of any inconsistency, conflict, or ambiguity among such legal authorities, such authorities shall have the following priority: (i) any federal or state law, regulation, rule, order, ordinance, policy, standard, or guideline; (ii) County Ordinance No. [XXXX]; (iii) other County ordinances; (iv) these Rules and Regulations; (v) other County regulations; and (vi) the Minimum Standards.

IV. Administration

- a. The Board of County Commissioners has the ultimate authority to apply the Rules and Regulations and to issue citations, directives, and interpretive guidance in conformity with the Rules and Regulations.

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- b. The County Attorney and County employees assigned to the Airports are authorized to assist in the application and implementation of the Rules and Regulations, principally through communications with Airport users on the content and proper interpretation of the Rules and Regulations.
- c. Law enforcement officers of the Okaloosa County Sheriff's Office (the "Sheriff's Office") are authorized to cite, detain, remove, and take all other lawful and appropriate actions against individuals for violation of the Rules and Regulations or of the County Code on or with respect to the Airports.
- d. As further described in these Rules and Regulations, the Airport Operations Center (or "AOC") is the appropriate point of contact for reporting emergency or operational issues on the Airports. The AOC is staffed twenty-four (24) hours a day, every day of the year, by at least one employee of the County or by the Sheriff's Office Airport Security Unit, and is typically able to dispatch assistance or contact Airport staff to address on-Airport incidents and resolve other questions and matters. At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166. However, if it is necessary to obtain an immediate response to an emergency, such as any immediate threat to life or safety, Airport users should first call 911.
- e. The Rules and Regulations shall be made available upon request in electronic or hard-copy format.

V. Commercial Activities and Construction on the Airport

- a. All Commercial Activities conducted on the Airport must be approved by the Board of County Commissioners by means of a written agreement and shall be performed in accordance with the Minimum Standards and the Rules and Regulations. The Airports Director may waive this requirement to the extent he or she reasonably deems necessary to address emergency situations at the Airport (*e.g.*, emergency repair or removal of a disabled aircraft).
- b. All Commercial Non-Aeronautical Activities conducted on the Airport must be performed in accordance with the Rules and Regulations.
- c. All written agreements for the provision of Commercial Aeronautical Activities and Commercial Non-Aeronautical Activities shall prohibit sublease, assignment, and subcontracting for the provision of commercial products or services without the written approval of the County.
- d. Any construction or alteration taking place on the Airport shall be performed in compliance with FAA, Florida, County and City of Destin requirements, standards and guidelines, as applicable. No construction requiring a building, earth-moving, or similar permit shall take place on the Airport without written approval by the Airports Director, including

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designation of a construction start date and construction schedule; construction plans approved by the proper government authorities; and proper permits.

- e. Any construction or other commercial or non-commercial activities on the Airport that are determined by the FAA to constitute an obstruction or hazard to air navigation or that would, according to FAA standards, constitute an attractant to wildlife are prohibited.
- f. Any construction or alteration on the Airport shall be designed so as to conform, as applicable, to the Americans with Disabilities Act (42 U.S.C. § 12101 *et seq.*) and the Air Carrier Access Act (49 U.S.C. § 41705) and all applicable implementing regulations and guidelines. No person shall be denied access to the Airport on the basis of handicap or disability. Any person who believes that they were denied access to or within the Airport or discriminated against at the Airport on the basis of a handicap or disability may file a complaint with the Airports Director.

SECTION B. – RATES AND CHARGES

I. Generally

- a. The County reserves the right to impose rates and charges for use of the Airport for the following purposes: to compensate the County for costs to operate, maintain and develop the Airport; to make the Airport as self-sustaining as possible; to compensate the County for the privilege of conducting commercial activities on and deriving revenue from the Airport; and to derive a reasonable rate of return from the use of Airport facilities.
- b. The Board of County Commissioners may impose rates and charges, including, but not limited to: landing fees, apron and ramp fees, fuel flowage fees, rent for County property and facilities, parking fees, access fees, privilege fees, and permit and administrative fees.
- c. The County's imposition of any rates or charges shall not affect a person's obligation to pay any taxes as may be assessed by an authorized taxing jurisdiction, including without limitation possessory interest, sales and fuel taxes.

II. Adoption and Administration

- a. The Board of County Commissioners may adopt and direct publication of a schedule or schedules of rates and charges. Such rates and charges may be adjusted from time to time by publication of a new such schedule. Neither the adoption nor amendment of the schedule of rates and charges shall require an amendment to the Rules and Regulations.
- b. All persons on an Airport will be liable to pay the then-current rates and charges applicable to their use of, and activities on, that Airport, except in the event that a rate or charge is established by a lease, permit, or other agreement with the County, and such lease, permit, or other agreement prohibits adjustment of its specified rates and charges by the means provided herein.

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SECTION C. – PERSONAL CONDUCT

I. Generally

- a. No person shall obstruct, impair, or interfere with the safe, orderly, and efficient use of the Airport by any other person or by any vehicle or aircraft.
- b. No person shall make, possess, use, offer for sale, pass, or deliver any forged or impermissibly altered pass, permit, identification card, sign, or other authorization to use the Airport.
- c. No person may abandon personal property, ground vehicles, or aircraft on the Airport. The Board of County Commissioners shall be entitled to sell, dispose of, or otherwise handle any personal property that is abandoned or lost (as the terms “abandoned property” and “personal property” are now defined under section 705.101(2) and (3) of the Florida Statutes), pursuant to, and by any of the means permitted by, sections 705.182 through 705.184 of the Florida Statutes, as applicable.
- d. Any consumption of alcohol on the Airport shall comply with all applicable laws and regulations.
- e. Smoking is prohibited within the Airport perimeter fence except in designated smoking areas.
- f. Smoking is prohibited in all buildings and vehicles owned by the County, including the hangars and all buildings owned by or leased to an FBO or other provider of Commercial Aeronautical Activities or Commercial Non-Aeronautical Activities on the Airport.

II. Pedestrian Access

- a. Except for federal, state, and local law enforcement officers, and County employees acting within the scope of their lawful authority, no person shall prevent or restrict any other authorized person’s passage to, from, or within the Airport.
- b. No person shall loiter on the Airport or in any building on the Airport for a period of time longer than is reasonably necessary to transact such lawful and appropriate business as the person may have on the Airport, except at the invitation of the building’s tenant.
- c. Any person who, without authority, enters the AOA and is asked to leave but refuses to do so shall, in addition to being subject to other penalties, have committed the offense of trespass.
- d. Pedestrians are permitted in the Movement Area and Safety Areas only if necessary for Airport operations and only if escorted by an authorized Airport staff member.

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- e. If the Airport Traffic Control Tower (the “Tower”) is in operation, pedestrians in the Movement Area and Safety Areas must:
 - 1. Maintain two-way radio communications with the Tower;
 - 2. Be accompanied by an escort who has two-way radio communications with the Tower;
or
 - 3. Comply with signs, signals, and other information provided.
- f. When the Tower is not in operation, pedestrians in the Movement Area or Safety Areas must maintain two-way radio communications with the appropriate Airports staff or comply with signs, signals and other information provided.
- g. Any person working in the Movement Area or Safety Areas must wear high-visibility clothing, including a safety vest with reflective striping or other American National Standards Institute Class II high-visibility garment, throughout the period that such person is present in the Movement Area or Safety Areas.
- h. Some of the gates that provide access to the Airport’s AOA are controlled by the County, while others are controlled by the Airport’s FBO(s) or by one or more other Airport tenants. Pedestrians and others seeking access to the Airport’s AOA should consult the Airport maps attached as Exhibit [X] to these Rules and Regulations to identify which gates are County-controlled.

III. Animals

- a. No person shall enter the AOA with an animal unless the animal is restrained by a leash, harness or container at all times, except that supervised animals used in law enforcement, search and rescue, and wildlife management may be permitted in the AOA without actual physical control.
- b. No person shall hunt, pursue, trap, catch, injure, or kill any animal on the Airport, except for purposes of wildlife management in accordance with the Airport’s wildlife hazard management plan.
- c. No person shall feed or provide an environment that encourages the congregation of birds or other animals at the Airport.

IV. Devices

- a. No person shall discharge any laser on the Airport or onto the Airport unless such person is a law enforcement officer or emergency services personnel acting within the scope of their duties. The intent of this prohibition is to supplement the requirements of 18 U.S.C. Section 39A, other federal law, and FAA regulation, and to provide a mechanism for the

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County to penalize the improper discharge of lasers. This paragraph shall be interpreted consistently with such intent. This paragraph shall not apply to the use of a laser ruler or laser saw by an Airport tenant wholly within his or her leased facility in a manner that poses no risk that such laser beam may exit the facility or make contact with any person or object outside of such facility.

- b. No person shall possess on the Airport any explosive device or hoax explosive device, except that explosives may be used as authorized by a wildlife hazard management plan or as necessary for the manufacture, maintenance, or operation of aircraft. For purposes of the Rules and Regulations, a hoax device shall include any object that would cause a person to reasonably suspect that the object is or contains a destructive, incendiary, or explosive device. This paragraph shall not apply to any certificated aircraft or real or apparent ordnance thereon.
- c. The requirements of this Section C(IV) are subject to the adoption of more-restrictive requirements as may be imposed by the County in a TSA-approved Airport Security Program, in which event those more-restrictive requirements shall apply.

V. Signs and Advertisements

- a. The Airports Department may post signs, including electronic signs, and authorize audio announcements on the Airport to notify Airport users of information that the Airports Department deems relevant to Airport users.
- b. All persons shall observe and obey (i) posted signs governing activities on the Airport and (ii) the direction of law enforcement officers at the Airport.
- c. No person shall install a sign on the Airport grounds or on the exterior of a building or facility on the Airport without prior written approval from the Airports Department and conformance with any signage standards for the Airport that may be imposed by the County.

VI. Solicitation

- a. No person may fundraise or solicit donations on the Airport except as authorized by the Media Control Plan.
- b. No person on the Airport may fundraise or solicit donations or picket, march, demonstrate, or otherwise protest without first obtaining a Permit to Solicit or Distribute Information at Okaloosa County Airports for any such action. The permit shall specify the area of the Airport on which such fundraising, solicitation, picketing, marching, demonstrating, or other manner of protest shall be permitted and the date and time during which such activity shall be permitted. Permits may be requested by contacting the Airports Operations Center. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.)

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- c. Nothing in this Section C(VI) shall permit the Airports Director to deny any right guaranteed under the First Amendment to the United States Constitution or any other applicable law protecting expressive activity.

VII. Damage to Airport

- a. No person shall tamper with, alter, compromise, move or otherwise interfere with any County property on the Airport.
- b. Any person causing damage to any Airport property or who witnesses any person causing damage to any Airport property shall immediately notify a law enforcement officer or the Airports Department through the AOC. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.)
- c. Any person causing damage to any Airport property shall be fully liable to the County for repair of any such damage, in addition to any other penalties prescribed herein or by law.

VIII. Residential Use

- a. No building or facility on the Airport shall be used for residential use. The foregoing prohibition shall not prohibit the temporary occupancy of flight crew quarters, pilot resting facilities, or similar facilities designed and used for temporary occupancy, in accordance with their intended use, and further shall not apply to any parcels on the Airport used for residential purposes at the time of adoption of the Rules and Regulations and approved for such use by the FAA.
- b. No person shall let, rent, or otherwise offer or provide, for residential or any other use, any building or facility on the Airport through Airbnb, Vrbo, or any other rental or similar service.
- c. No person shall operate an aircraft “through the fence” between any location on the Airport and any off-Airport property.

IX. Non-Aeronautical Property Storage

- a. In accordance with the FAA’s *Policy on the Non-Aeronautical Use of Airport Hangars*, the storage of vehicles or property not directly related to the use, operation or maintenance of aircraft (“Non-Aeronautical Personal Property”) is permissible only to the extent that (a) the hangar, T-hangar or similar structure is used primarily for the storage of aeronautical property, (b) the Non-Aeronautical Personal Property is not used primarily or regularly for a non-aeronautical commercial enterprise, (c) the Non-Aeronautical Personal Property does not impede the movement of, or access to, aircraft and other aeronautical items into, out of, or within the hangar, T-hangar, or similar structure, and (d) the Non-Aeronautical Personal Property does not displace any of the aircraft or other aeronautical items from the hangar.

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- b. The Airports Department shall have the right to inspect any hangar, T-hangar, similar structure, or other Airport premises to ensure compliance with this Section C(IX) unless explicitly precluded by a lease, license, contract, or other agreement with the County. The Airports Department shall provide a minimum of forty-eight (48) hours' notice prior to inspection of any leased premises.

SECTION D. – AIRCRAFT OPERATIONS

I. Parking and Ground Movement of Aircraft

- a. Positioning, starting, or taxiing of aircraft shall be done in such a manner so as not to cause jet blast or prop wash that may result in injury to persons or damage to property.
- b. No aircraft shall park in any Safety Area.
- c. The operator of any aircraft involved in an accident on the Airport, regardless of whether it results in personal injury or property damage, must immediately notify the Airports Department through the AOC and make a prompt and complete report concerning such accident, in addition to any and all other notifications and reports that the operator must make to any other federal, state, or local authorities. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.) The operator shall fully cooperate with all FAA, NTSB, and other appropriate officials investigating any aircraft accident or incident.
- d. An aircraft involved in an accident on the Airport shall not be removed from the scene of the accident until so authorized by the Airports Director, who shall receive removal authorization from the FAA Regional Operations Center or the NTSB, as appropriate, and/or the Federal Bureau of Investigation if criminal activity is implicated, except as may be necessary for exigent safety reasons. Once the Airports Director has authorized such removal, the aircraft owner, pilot or authorized insurance company shall have the aircraft removed immediately. If removal is not completed within a reasonable amount of time, subject to section 705.183 of the Florida Statutes, or if the location of the aircraft is impeding the safe and efficient operation of the Airport, the Airports Department may have the aircraft removed at the owner's sole risk and expense.

II. Weight Limits

- a. No aircraft having a maximum gross takeoff weight, as certified by the aircraft manufacturer and including passengers, cargo, fuel, and equipment, in excess of the weight-bearing capacity of the airfield pavements, as identified in the ALP, shall land on, take off from, or taxi on the Airport without prior permission from the Airports Director. Aircraft operators are advised that pavement classification numbers ("PCN") have been defined for all Airport runways but not for all taxiways and aprons. On taxiways, aprons, and any other surfaces for which PCNs are not defined, aircraft operators operate their aircraft at their own risk.

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III. Self-Servicing

- a. All persons have the right to service an aircraft that the person owns or aircraft that the person has under their exclusive use and operational control pursuant to a long-term lease or similar agreement manifesting that the aircraft is within the person's care, custody, and control. The right to self-service includes the right to tie down, adjust, repair, refuel, clean, and otherwise service such an aircraft, subject to payment of all requisite fees and compliance with these Rules and Regulations and with all applicable laws, regulations, rules, ordinances, orders, policies, standards, and guidelines.
- b. Self-servicing may be performed only in accordance with Appendix 1, paragraph 1.1(o) of FAA Advisory Circular 150/5190-6, *Exclusive Rights at Federally Obligated Airports*, or any successor FAA policy, and all applicable provisions of the Rules and Regulations.

SECTION E. – FUELING

I. Generally

- a. All fuel handling and dispensing on the Airport shall be performed in compliance with the following, as each of the same may be amended or superseded:
 1. 40 C.F.R. Part 112, *Oil Pollution Prevention*;
 2. FAA Advisory Circular 150/5230-4C, *Aircraft Fuel Storage, Handling and Dispensing on Airports*;
 3. FAA Advisory Circular 00-34A, *Aircraft Ground Handling and Servicing*;
 4. National Fire Prevention Association ("NFPA") Code No. 407, *Standard for Aircraft Fuel Servicing* ("NFPA 407"), and Code No. 30, *Flammable and Combustible Liquids Code* ("NFPA 30");
 5. NFPA 385, *Standard for Tank Vehicles for Flammable and Combustible Liquids*;
 6. NFPA 10, *Standard for Portable Fire Extinguishers*;
 7. ATA Specification 103, *Standards for Jet Fuel Quality*;
 8. Underwriters Laboratories 2085, *Protected Aboveground Tanks for Flammable and Combustible Liquids*; and
 9. Chapter 10, Article II of the County Code.
- b. Only the County and duly authorized Fixed Base Operators shall be permitted to engage in the sale of aviation fuel and lubricants to the public at the Airport.

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II. Commercial Self-Service Fueling

- a. The County or an authorized Fixed Base Operator shall be permitted to install and maintain a fuel storage and dispensing facility for Commercial Self-Service Fueling at a location or locations designated by the County.

III. Self-Fueling

- a. Any person must obtain a Self-Fueling Permit from the Airports Department prior to conducting Self-Fueling on the Airport.
- b. Any person conducting Self-Fueling may do so only in accordance with the Rules and Regulations and with any further requirements stipulated by any agency having jurisdiction over such Self-Fueling, including but not limited to the FAA, the Florida Department of Transportation's Aviation Office, the Florida State Fire Marshal, the appropriate local fire marshal, and the County's Code Enforcement Division.

SECTION F. – VEHICLE TRAFFIC

I. Ground Vehicles Generally

- a. All operators of ground vehicles on the Airport shall comply fully with the Florida motor vehicle laws, the Rules and Regulations, all applicable markings, signage, and lights, and all instructions issued by the Airports Department, law enforcement officers or the Tower.
- b. Any person operating a motor vehicle within the Movement Area or Safety Areas shall have satisfactorily completed all training, and have obtained and hold current all licenses, required to operate a motor vehicle within such areas.
- c. Abandoned Vehicles are prohibited on the Airport and may be towed at the sole risk and expense of the vehicle owner, subject to the procedures specified in section 705.184 of the Florida Statutes.
- d. All operators of ground vehicles on the Airport are fully liable for any bodily and personal injury they may cause by their operation of such vehicles. In addition, all ground-vehicle operators are liable for any and all fines they may incur pursuant to any applicable law, regulation, rule, ordinance, order, policy, or standard, including but not limited to these Rules and Regulations, by operating their vehicles in an unlawful or prohibited manner.

II. Commercial Ground Transportation

- a. No Commercial Ground Transportation Operator shall locate an office or place of business at the Airport without obtaining an agreement with the Board of County Commissioners and paying all applicable fees.

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- b. Any Commercial Ground Transportation Operator found violating the Rules and Regulations, the Minimum Standards, or any condition of its agreement with the County to provide Commercial Ground Transportation may have its authority to provide Commercial Ground Transportation suspended by the Airports Director.
- c. No Commercial Ground Transportation Operator or its agents shall mislead or attempt to mislead the public through false representations concerning such Commercial Ground Transportation Operator's prices or services or those of any other Commercial Ground Transportation Operator.
- d. No Commercial Ground Transportation Operator may engage in solicitation at any location on the Airport except as may be permitted in its operating agreement.
- e. The Airports Director may by written order or operating instruction establish procedures that the Airports Director determines to be necessary for the regulation of Commercial Ground Transportation, so long as such order, instruction, or procedures are not inconsistent with these Rules and Regulations or the Minimum Standards.

III. Ground Vehicle Parking

- a. No person shall park or leave standing any vehicle, whether occupied or not, on the Airport except within designated approved parking areas or loading areas or except when actively loading or unloading passengers or luggage.
- b. The Airports Department may tow any vehicle, boat, trailer or other apparatus that is illegally parked, disabled, or abandoned; that impedes Airport operations or the orderly flow of traffic; or that creates a potential security threat.
- c. The owner or operator of any vehicle removed by the County or its agent from a location on the Airport under this Section F shall be liable for payment of towing, storage, and any other applicable charges, subject to section 705.184 of the Florida Statutes. Any such vehicle shall be released to the owner or operator thereof only upon proper identification of the person making claim to such vehicle and upon payment of any towing, storage, and other applicable charges. Neither the County nor any of its agents shall be liable for damage to any such vehicle resulting from its removal.

IV. Ground Vehicles in the AOA

- a. Any person operating a motor vehicle within the AOA shall have satisfactorily completed all training to operate a motor vehicle within the AOA, except for (i) drivers of authorized emergency vehicles or (ii) drivers of vehicles who are escorted by Airport or FBO personnel who are duly qualified to operate a motor vehicle within the AOA.
- b. Any vehicle operator who encounters a malfunctioning gate at the Airport, including but not limited to gates providing access to the AOA, shall immediately notify the AOC of

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such malfunction. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.)

- c. All operators of vehicles in the AOA shall ensure that no Foreign Object Debris leaves the vehicle.
- d. Ground vehicles in the AOA shall yield the right-of-way to, in order, aircraft, pedestrians, emergency vehicles and equipment, and any Airport maintenance or operations vehicles and equipment.
- e. No vehicle shall operate in close proximity to an aircraft so as to create a hazard or interfere with the safe operation of the aircraft.
- f. When approaching taxiing aircraft, ground vehicles shall maintain a distance of at least twenty-five (25) feet in front and one hundred (100) feet behind the aircraft, or, if located less than these distances from a taxiing aircraft, shall yield right-of-way immediately.

V. Ground Vehicles in the Movement Area and Safety Areas

- a. Ground vehicles are permitted in the Movement Area and Safety Areas only if necessary for Airport operations.
- b. All vehicles permitted to access the Movement Area or Safety Areas shall be equipped with a functioning aeronautical mobile two-way radio operating on the applicable Common Traffic Advisory Frequency (“CTAF”) or ground-control frequencies. All such vehicles shall be further equipped with an operable yellow to amber hazard light or similar device, 36”-by-36” orange and white checkered flag, and/or other equipment as required by the FAA.
- c. At DTS, vehicle operators shall not cross from the solid-line side of the runway hold-short lines or the solid-line side of the Movement Area lines without first obtaining clearance from the Tower.
- d. Operators of all motor vehicles traversing or operating in the Movement Area or Safety Areas shall maintain two-way radio communication with the Tower whenever the Tower is operating, and on CTAF when the Tower is not operating, unless the motor vehicle is being escorted by an authorized motor vehicle whose operator is maintaining two-way radio communication with the Tower, if the Tower is operating, or on CTAF, if the Tower is not operating.
- e. When the Tower is not in operation, operators of ground vehicles in the Movement Area or Safety Areas shall carry a radio tuned to the Airport’s Universal Communication (“UNICOM”) or CTAF and shall make an announcement on the radio before entering a runway or taxiway. At the time of issuance of these Rules and Regulations, CEW is an uncontrolled airfield, so all ground-vehicle operators at CEW shall announce, via CTAF,

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any intention to access the Safety Areas and shall always yield the right-of-way to any aircraft or emergency vehicle.

- f. All ground vehicles operating in the Movement Area or Safety Areas shall (i) turn on their yellow to amber hazard lights (if installed), emergency flashers, and strobe lights, and (ii) if the Airports Director deems it necessary to maintain safety during construction activity on the Airport, display a 36"-by-36" orange-and-white-checked flag.

SECTION G. – ENFORCEMENT AND PENALTIES

I. Enforcement

- a. The County shall enforce the Rules and Regulations through graduated administrative mechanisms, to include one or more of the following, separately or in combination: The Airports Director may issue verbal and written warnings and written notices of violation. The Board of County Commissioners may issue administrative penalties, suspend or revoke licenses and permits issued by the County, terminate leases and authorize eviction as permitted by the terms of each lease and by law. Any of these mechanisms may be utilized or disregarded, as reasonably determined by the Board, depending on the circumstances.
- b. Separate from, and in addition to, any of the penalties and other enforcement mechanisms provided by this Section G, the Board of County Commissioners may seek an injunction to prevent a violation of the Rules and Regulations.
- c. The Sheriff's Office may detain and remove from the Airport any person presenting a risk to the safety or security of the Airport or to persons or property on the Airport, and further may, in its discretion, issue citations for violations of these Rules and Regulations or of other laws that it is authorized to enforce.

II. Enforcement Process and Penalties

- a. If the Airports Director believes that a person has violated the Rules and Regulations and determines that formal enforcement is appropriate, he or she shall follow the following process:
 - 1. Provide that person with a written warning of violation ("Warning of Violation") that provides at least thirty (30) days to cure the violation. In cases where the violation poses an imminent risk to the safety or security of the Airport or to persons or property on the Airport, the Airports Director may specify a shorter cure period.
 - 2. If that person fails to cure the violation within the time specified in the Warning of Violation, the Airports Director may issue a written notice of violation ("Notice of Violation") that provides at least fifteen (15) days to cure the violation. In cases where

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the violation poses an imminent risk to the safety or security of the Airport or to persons or property on the Airport, the Airports Director may specify a shorter cure period.

3. If that person fails to cure the violation within the time specified in the Notice of Violation, the Airports Director may request that the Board of County Commissioners assess a monetary penalty and/or impose other penalties as authorized by law. The Airports Director shall cause the matter to be placed on the Board's agenda for consideration.
- b. If the Board of County Commissioners finds that a person has violated the Rules and Regulations and failed to cure such violation as requested by the Airports Director pursuant to paragraph G(II)(a) above, the Board may impose a penalty of \$3,000.00 or such lesser amount that it deems appropriate and may impose other penalties, including but not limited to the loss of Airport driving privileges or a requirement to undergo further driving training, as the Board deems appropriate. The Board may impose a monetary penalty of up to \$6,000.00 for any subsequent violation of these Rules and Regulations by the same person.
1. In addition to any other authority they hold under the Rules and Regulations or otherwise, law enforcement officers of the Sheriff's Office may (i) remove from an aircraft any person causing or threatening to cause injury to any person, damage to property, or disturbance of the peace, and (ii) detain and remove from the Airport any person presenting a threat to the safety or security of persons or property on the Airport.
 2. Penalties for violations of the provisions of these Rules and Regulations governing pedestrian access to the Movement Area and Safety Areas (Section C(II)) or the provisions governing ground vehicle access to the Movement Area and Safety Areas (Section F(V)) shall include written warnings, loss of privileges, administrative fines, and training or retraining, all according to a schedule of graduated penalties that the Board of County Commissioners may prescribe and that the County shall then make available during Airport driver training, application for an Airport security badge, or upon request.
- c. Any person violating any provision of the Rules and Regulations shall, upon conviction thereof, be deemed guilty of committing a misdemeanor and be punished by a fine not to exceed \$500.00 or by imprisonment not to exceed sixty (60) days, or by both. Such fine and/or imprisonment shall be at the discretion of the court adjudicating the violation. Nothing in this paragraph shall be interpreted to deprive any person of any of his or her rights to due process, including the right to have any criminal charges adjudicated in a court of law.
- d. Administrative fines and other penalties imposed pursuant to the Rules and Regulations shall be in addition to any fines and penalties imposed by the County or any federal, state, or other local government for violation of any obligation arising from a source other than the Rules and Regulations.

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- e. Violation of the Rules and Regulations may constitute default under a lease, operating agreement, permit, or other agreement with the County, and in such event the County may pursue termination of such lease, permit, or agreement, and eviction of the person, as allowed under the terms of such lease, permit, or agreement.
- f. The County may decline to enter into a lease or other agreement with a person found to have violated the Rules and Regulations.

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SECTION H. – DEFINITIONS

- a. **Abandoned Aircraft** – Any aircraft meeting the definition of “abandoned aircraft” provided by section 705.183(1)(b)(1) of the Florida Statutes, as such definition may be amended from time to time. At the time of the issuance of the Rules and Regulations, the Florida Statutes define “abandoned aircraft” as “an aircraft that has been disposed of on a public-use airport in a wrecked, inoperative, or partially dismantled condition or an aircraft that has remained in an idle state on premises owned or controlled by the operator of a public-use airport for 45 consecutive calendar days.”
- b. **Abandoned Vehicle** – Any vehicle meeting the definition of “abandoned motor vehicle” provided by section 705.184(1)(b)(1) of the Florida Statutes, as such definition may be amended from time to time. At the time of the issuance of the Rules and Regulations, the Florida Statutes define “abandoned motor vehicle” as “any motor vehicle that has been disposed of on a public-use airport in a wrecked, inoperative, or partially dismantled condition or a motor vehicle that has remained in an idle state on the premises of a public-use airport for 45 consecutive calendar days.”
- c. **Aeronautical Activity** – Any operation that involves or facilitates the operation of aircraft. Aeronautical Activities do not include any operation, commercial or otherwise, not directly related to the operation of aircraft, *e.g.* restaurant, hotel, rental car, newsstand, or other concessions.
- d. **Air Carrier** – A Commercial Aeronautical Operator holding an operating certificate under Federal Aviation Regulation Part 121.
- e. **Air Taxi/Charter** – An operator licensed by the Federal Aviation Administration to provide air transportation of persons or property for hire on a charter basis or as an air taxi operator on a scheduled, nonscheduled, or on-demand basis as defined and regulated by the Federal Aviation Administration. This term specifically includes, but is not limited to, operators certificated by the FAA under 14 C.F.R. Part 135 or regulated by 14 C.F.R. Part 380.
- f. **Airport Fuel Farm** – One or more areas of the Airport designated by the County and depicted on the Airport Layout Plan to serve as a consolidated location for aircraft fuel storage facilities.
- g. **Airport Layout Plan or ALP** – The current, FAA-approved drawing depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, navigational aids, etc.
- h. **Airport Operations Area or AOA** – The area of the Airport identified in the Airport Security Program that includes the aircraft movement areas, aircraft parking areas, loading ramps, safety areas, and any adjacent areas that are not separated by adequate security systems, measures or procedures.

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- i. **Airport Security Program or ASP** – The written plan concerning security on the Airport, containing the elements specified by 49 C.F.R. Part 1542 and approved by the Transportation Security Administration.
- j. **Airports** – Collectively, Bob Sikes Airport (“CEW”) and Destin Executive Airport (“DTS”), including all of the areas, buildings, facilities and improvements within the interior boundaries of each such Airport as such Airport now exists or as it may be hereafter extended or enlarged and as depicted on a current Airport Layout Plan approved by the FAA. The term “Airport” in these Rules and Regulations applies equally to both of the Airports individually except where a provision states, or context clearly implies, otherwise.
- k. **Airports Department** – The County department primarily responsible for the administration of the Airports.
- l. **Airports Director** – The Okaloosa County Airports Director and any individual delegated by the Airports Director to exercise any of the Airports Director’s official authority, including the authority to administer and direct the operation of the Airports and to enforce and administer the Rules and Regulations and the Minimum Standards.
- m. **Board of County Commissioners or Board** – The Board of County Commissioners of Okaloosa County, Florida.
- n. **County Code** – The Code of Ordinances of Okaloosa County, Florida, as may be amended from time to time.
- o. **Commercial Activity** – Any Commercial Aeronautical Activity or Commercial Non-Aeronautical Activity.
- p. **Commercial Aeronautical Activity** – Any Aeronautical Activity conducted for commercial purposes.
- q. **Commercial Aeronautical Operator** – An Entity conducting a Commercial Aeronautical Activity on the Airport.
- r. **Commercial Ground Transportation** – Any taxi, limousine, transportation network company (“TNC”), van, contract shuttle, courtesy vehicle, or other vehicle transporting people for commercial purposes to, from, or within the Airport.
- s. **Commercial Ground Transportation Operator** - The person operating Commercial Ground Transportation.
- t. **Commercial Non-Aeronautical Activity** – Any commercial operation not directly related to the operation of aircraft (*e.g.*, restaurant, rental car, or other concessions).

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- u. **Commercial Self-Service Fueling** – Fueling of an aircraft by the pilot using commercial self-service aircraft fuel pumps installed for that purpose.
- v. **County** – Okaloosa County, Florida, including all such county’s agencies, departments (including but not limited to the Airports Department), boards, and other divisions or subsidiaries, and including all such county’s employees, commissioners, authorized representatives, successors, and other agents.
- w. **DOT** – The United States Department of Transportation.
- x. **FAA** – The Federal Aviation Administration.
- y. **Fixed Base Operator or FBO** – A full-service Commercial Aeronautical Operator that provides commercial fueling and all of the specific Commercial Aeronautical Activities required by Section VI of the Minimum Standards.
- z. **Fueler** – A person that is permitted to store, handle and dispense fuel, whether for sale to the public or for purposes of Self-Fueling.
- aa. **Foreign Object Debris or FOD** - Any object, live or not, located in an inappropriate location in the airport environment that has the capacity to injure Airport, County, or operator personnel or damage aircraft.
- bb. **Media Control Plan** – The County’s Media Control Plan, governing media access to the Airports.
- cc. **Minimum Standards** – The qualifications established by the County, as amended from time to time, setting forth the minimum requirements that must be met to conduct a Commercial Aeronautical Activity on the Airport. Different Minimum Standards may apply to each of the Airports.
- dd. **Movement Area** – The runways, taxiways and other areas of the Airport that are used for taxiing, takeoff, and landing of aircraft, exclusive of loading ramps and aircraft parking areas. The Movement Area more specifically includes, (i) at DTS, Runway 14/32, Taxiway A, and ladder taxiways A1 through A6, inclusive; and (ii) at CEW, Runway 17/35 and the Runway Safety Area as that area is defined in the CEW ALP.
- ee. **NTSB** – The National Transportation Safety Board.
- ff. **Permittee** – The owner or exclusive operator of an aircraft authorized to conduct Self-Fueling pursuant to a Self-Fueling permit or agreement.
- gg. **Safety Areas** – The runway and taxiways and the surrounding runway safety areas and taxiway safety areas at the Airport, as identified in the ALP.

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- hh. **Self-Fueling** – The fueling of an aircraft by the owner of the aircraft, or by the owner’s employee.
- ii. **Tower** – The Airport Traffic Control Tower at the Airport.
- jj. **TSA** – The Transportation Security Administration.

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