

OKALOOSA COUNTY AIRPORTS SYSTEM

RULES AND REGULATIONS

FOR

DESTIN EXECUTIVE AIRPORT

AND BOB SIKES AIRPORT

[DATE] 202~~2~~3

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and Bob Sikes Airport
Rules and Regulations**
[DATE] 2022~~3~~

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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 Airports 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. ~~The Airports Director is authorized to interpret and apply the Rules and Regulations as he or she deems appropriate, within his or her reasonable judgment, to serve the best interests of aeronautical and public safety, of the County, and of Airport users generally. Furthermore, in the event of any contingency~~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 rules, orders, and decisions as the Airports Director reasonably deems appropriate to address such contingency. 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,

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the State of Florida, ~~and/or~~ public ~~and/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.

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; ~~other County regulations and ordinances; and/or the Minimum Standards.~~ 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.

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[XXXX]; (iii) other County ordinances; (iv) these Rules and Regulations; (v) other County regulations; and (vi) the Minimum Standards.

IV. Administration

- a. The ~~Airports Director~~Board of County Commissioners has ~~primary responsibility for interpreting and applying~~the ultimate authority to apply the Rules and Regulations and ~~is authorized~~ to issue citations, directives, and interpretive guidance in conformity with the Rules and Regulations. ~~The Rules and Regulations shall be made available upon request in electronic or hard-copy format.~~
- 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 ~~or~~ take all other lawful and appropriate actions against individuals for violation of the Rules and Regulations or of the County Code. ~~The on or with respect to the Airports Director and all other County employees are authorized to contact the Sheriff's Office to request that it perform any such function, and the Sheriff's Office is authorized to respond to such a call as it deems appropriate. Nothing in this paragraph shall be interpreted to limit the authority of the Sheriff's Office in any respect.~~
- d. As further described in these Rules and Regulations, the Airport Operations Center (or "AOC") is the appropriate point of contact for reporting ~~many~~-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 or the County 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 ~~Aeronautical~~ 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).

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- b. ~~All commercial non-aeronautical activities~~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~~Commercial Non-Aeronautical Activities shall prohibit sublease, assignment, and subcontracting for the provisions of commercial products ~~and/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, ~~and~~ 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 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 ~~without prior written permission of the Airports Director~~.
- 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 ~~or~~ 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 ~~in accordance with the appeal procedures under Section J (Enforcement and Penalties) hereof~~.

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 ~~Airports Director~~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.

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- c. The County's imposition of any ~~such~~ 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.

~~The County reserves the right to review or approve the fees charged by persons providing products or services to the public at the Airport. The foregoing reservation does not apply to the fees charged by Air Carriers or Air Taxi/Charters.~~

III.II. Adoption and Administration

- a. The ~~Airports Director~~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 ~~the~~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 ~~does not permit~~prohibits adjustment of ~~the~~its specified rates and charges by the means provided herein.

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 interfere with the safe operation of an aircraft landing at, taking off from, or operating on the Airport.~~
- ~~e.~~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.
- ~~d. No person shall commit any disorderly, obscene, or indecent act on the Airport.~~
- ~~e. No person shall engage in, conduct, aid in, or abet any form of gambling on the Airport.~~
- ~~f.~~c. No person may abandon personal property, ground vehicles, or aircraft on the Airport. ~~The Airports Department shall assume possession of abandoned personal property. The Airports Department may dispose of, or keep and use for any purpose, any such article unclaimed by its owner after ninety (90) days of the Airports Department's receipt or report of such article~~The Board of County Commissioners shall be entitled to sell, dispose of, or

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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.

~~g.d. No person may consume alcoholic beverages on the Airport, except in those areas designated for the~~Any consumption of alcohol ~~by the Airports Director and licensed in accordance on the Airport shall comply~~ with state all applicable laws and ~~local law~~regulations.

~~h.e. Smoking is prohibited within the Airport perimeter fence except in designated smoking areas and in no circumstances within 100 feet of an aircraft undergoing fuel servicing, or within 50 feet of any hangar.~~

~~i.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 Services or commercial non-aeronautical services~~Activities or Commercial Non-Aeronautical Activities on the Airport.

~~No person shall operate a sound amplification system on the Airport without the written permission of the Airports Director.~~

~~No person shall throw, deposit, place, or leave any rubbish of any nature on or within the Airport, except in designated receptacles.~~

IV.II. Pedestrian Access

~~a. No person may travel on the Airport other than on roads, sidewalks, or other marked rights-of-way provided for such purpose.~~

~~b.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.

~~e.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.

~~d.c. Access to the Airport Operations Area (“AOA”) must conform to the requirements of Section H (Security). 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, be considered to be trespassing~~have committed the offense of trespass.

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~~e.d.~~ Pedestrians are permitted in the Movement Area and Safety Areas only if necessary for Airport operations and only if escorted by an authorized ~~person or expressly authorized by the Airports Director~~ Airport staff member.

~~f.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; ~~or~~
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 ~~by the Airports Director to guide movement of pedestrians in the Movement Area and Safety Areas.~~

~~g.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 ~~by the Airports Director~~.

~~h.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.

~~i.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.

V.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 at the Airport’s wildlife hazard management plan ~~or as authorized by the Airports Director~~.
- c. No person shall feed or ~~encourage~~ provide an environment that encourages the congregation of birds or other animals at the Airport.

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VI. Weapons

- ~~— No person other than a duly authorized federal, state, or local law enforcement officer; a federal air marshal; an agent or contractor of the U.S. Department of Agriculture (“USDA”) assigned to manage or remove wildlife at the Airport; a pilot participating in and authorized by the Federal Flight Deck Officer program or any successor program; or another person authorized to do so by the Airports Director for the purpose of supporting Airport operations shall possess a firearm, rifle, spring gun, or air gun on the Airport.~~
- ~~— No person other than persons noted in paragraph (a) above may carry a concealed firearm on the Airport except as permitted by state law.~~
- ~~— No person other than persons specified in paragraph (a) above shall fire or discharge any firearm, rifle, spring gun, or air gun of any description or shoot any tipped arrows on the Airport or onto the Airport. The foregoing restrictions on discharging firearms do not apply to individuals engaged in wildlife management authorized by a wildlife hazard management plan or authorized by the Airports Director.~~

IV. Devices

- a. No person shall discharge any laser on the Airport or onto the Airport unless such person ~~(a) is a law enforcement officer or emergency services personnel acting within the scope of their duties or (b) is otherwise so authorized by the Airports Director.~~ 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 County to penalize the improper discharge of lasers. ~~This provision shall be interpreted consistent with the County’s intent as expressed in the immediate prior sentence~~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 ~~by the Airports Director 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.

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X.V. Signs and Advertisements

- a. The Airports ~~Director~~Department may post signs, including electronic signs, and authorize ~~aural~~audio announcements on the Airport to ~~put users thereof on notice of matters contained herein, of emergency orders promulgated hereunder, and~~notify Airport users of information that the Airports ~~Director reasonably~~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 ~~and County employees assigned to~~at the Airport.
- c. No person shall install a sign on the Airport grounds or on the ~~interior or~~ exterior of a building or facility on the Airport without prior written approval ~~offrom~~from the Airports ~~Director~~Department and conformance with any signage standards for the Airport that may be imposed by the County.

XI. Commercial Photography and Video

- ~~No person shall take still photographs, make audio recordings, or record video at the Airport for commercial purposes without prior written permission from, and in the manner authorized by, the Airports Director, except that members of the news media may cover the news in authorized areas of the Airport.~~
- ~~No person shall take still photographs or record video of access control readers, or any security measures equipment.~~
- ~~No person shall take still photographs, make audio recordings, or record video of a law enforcement officer in such manner as to interfere with the officer's official duties or that may compromise current or future Airport security or law enforcement functions.~~

XV.VI. Solicitation

- a. No person ~~shall~~may ~~fundraise or solicit for the receipt of funds~~donations on the Airport except as authorized by the Media Control Plan.

XV. Assembly and Demonstration

- ~~e.b.~~ No person ~~shall engage in picketing, marching, or demonstrating on the Airport for any reason~~may ~~fundraise or solicit donations or picket, march, demonstrate, or otherwise protest~~ without ~~prior written permission from the Airports Director. Such written permission, if granted, shall be in the form of~~first obtaining a Permit to Solicit or Distribute Information at Okaloosa County Airports. ~~If granted, for any such~~ action. The permit shall specify the area of the Airport on which such fundraising, solicitation, picketing, marching ~~or, demonstrating, or other manner of protest~~ shall be permitted, and the date and time

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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 any other reasonable conditions that Regulations, the Airports Director may deem necessary telephone number for the safety of persons and property or for the efficient operation and security of the Airport. AOC is (850) 651-7166.)

~~d. All authorized picketing, marching and demonstrating shall be conducted (i) in a peaceful and orderly manner; (ii) without physical harm or threat to or harassment or molestation of any person; (iii) without obscenities, violence, breach of the peace, or other unlawful conduct; (iv) without obstructing the use of the Airport by others; (v) without hindrance to or interference with the proper, safe, orderly and efficient access to or from, and operation of, the Airport and activities conducted thereon; and (vi) in strict conformance with any operating procedures governing such activities on the Airport and the direction and conditions prescribed in writing by the Airports Director.~~

~~e.c. Nothing in this Section C(VIII) shall permit the Airports Director to (i) discriminate between requests to engage in picketing, marching, or demonstrating on the basis of the content of such expressive activity or (ii) deny any right guaranteed under the First Amendment to the United States Constitution or any other applicable law protecting expressive activity.~~

XVI.VII. Damage to Airport

- a. No person shall ~~cause damage to any~~ tamper with, alter, compromise, move or otherwise interfere with any County property ~~of~~ the Airport.
- b. ~~Any~~ 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.

~~No person shall remove or alter any property of the Airport without the prior authorization of the Airports Director.~~

XVIII.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, ~~and/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.

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- 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.
- e. ~~No person shall taxi operate an aircraft “through the fence” between any location on the Airport and any off-Airport property used for residential purposes.~~
- ~~d.c. Camping is not permitted on the Airport, except as may be authorized by the Airports Director.~~

XIX.IX. Non-Aeronautical Property Storage

- ~~a. No hangar, T-hangar or similar structure on the Airport used for the storage of or use by aircraft, or any exterior areas surrounding any such structure, shall be used for the storage of vehicles or property not directly related to the use, operation or maintenance of aircraft without the prior written permission of the Airports Director. This prohibition shall include, without limitation, the storage of non airworthy aircraft not undergoing maintenance to restore such aircraft to airworthy condition, automobiles, recreational vehicles, boats, and personal items. At a minimum, an applicant for permission to store such vehicles or property shall demonstrate to the Airports Director’s satisfaction that the area to be used is excess to the person’s reasonable needs for aeronautical use of the structure and will not derogate the safe and efficient use of the structure for aeronautical activities. This paragraph shall not apply to the storage of ground vehicles on a temporary basis while the occupant is traveling in, or performing work on, an aircraft stored in the structure; provided that, in any event, no such vehicle may be parked within the Movement or Safety Areas.~~
- 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.
- b. The Airports ~~Director~~Department shall have the right to inspect any hangar, T-hangar, similar structure, or other Airport premises to ensure compliance with this Section C(~~XIX~~) 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.

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- ~~Any prohibited item shall be removed upon reasonable notice by the Airports Director, and, if not removed as ordered, shall be subject to removal by the County at the responsible party's expense. In the event of such removal, the County shall not be liable for any damage or destruction of the item, including, but not limited to, due to the County's negligence.~~

~~SECTION E.~~ SECTION D. – AIRCRAFT OPERATIONS

I. Generally

- ~~The operation of aircraft on the Airport shall be conducted by licensed pilots in conformity with applicable FAA regulations, including without limitation 14 C.F.R. Parts 91, 121, and 135; all applicable directives and orders of the Tower; TSA regulations; and the Rules and Regulations.~~
- ~~All aircraft operating at the Airport shall display on board the aircraft a valid airworthiness certificate as required and issued by the FAA or appropriate foreign government, and further shall display on the exterior of the aircraft a valid registration number issued by the FAA or appropriate foreign government. All persons operating aircraft on the Airport shall possess an appropriate certificate or license issued by the FAA or appropriate foreign government. Upon request of the FAA, the National Transportation Safety Board (“NTSB”), a federal, state or local law enforcement officer, an employee or agent of the AOC, or the Airports Director, the aircraft operator shall produce an operator's license, an airman certificate, a medical certificate and photo identification.~~
- ~~At the time of promulgation of these Rules and Regulations, CEW does not have a Tower, and the Tower at DTS operates between 6:00 AM and 10:00 PM local time. At DTS, outside of those hours (as such hours may be revised from time to time), (i) aircraft operators wishing to take off from DTS must first obtain departure clearance from the Tower at Eglin Air Force Base, and (ii) all aircraft operators at, arriving at, or departing from DTS shall announce their intentions on the Airport's Common Traffic Advisory Frequency (“CTAF”) and communicate with the Eglin Air Force Base Tower except as air traffic controllers might otherwise direct.~~
- ~~No person may operate aircraft at the Airport in a reckless or negligent manner; in disregard of the rights and safety of others; without due caution and circumspection; or at a speed or in a manner which endangers, or poses a substantial risk of endangering, persons or property. No person shall operate any aircraft constructed, equipped or loaded in such a manner as to endanger, or to pose a substantial risk of endangering, persons or property.~~
- ~~The Airports Director shall temporarily prohibit or limit aircraft operations or access to any part of the Airport, except for those personnel whom the Director considers appropriate, upon determining that continued operations would be unsafe in the conditions present at the time, such conditions to include, without limitation, aircraft incidents and accidents and airfield surface conditions as specified in a letter of agreement between the County and the~~

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~~Tower. The Airports Director may, with FAA approval, limit or prohibit aircraft operations at the Airport in connection with a special event. Under the conditions specified in this paragraph, the Airports Director shall issue a NOTAM, or request that the Tower do so, to close part or all of the Airport or to temporarily terminate or restrict aircraft operations on the Airport.~~

VII.I. Parking and Ground Movement of Aircraft

- ~~a. Aircraft operators shall obey all Airport pavement markings, signage, and lighted signals.~~
- ~~b.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.~~
- ~~c. Aircraft shall not be started or taxied within any structure on the Airport, except as may be required in aircraft manufacturing.~~
- ~~d. Aircraft shall be parked only as directed, and only in those areas designated for such purpose, by an FBO. No aircraft shall not block taxi lanes or obstruct access to hangars or parked aircraft.~~
- ~~e. Aircraft operators shall ensure that aircraft are properly secured when parked.~~
- ~~f. Passengers and cargo shall be enplaned and deplaned only in areas designated by the County.~~
- ~~g. Run-up of jet, turboprop or piston engines shall be performed only in the areas designated for such purpose by the County or the Tower.~~
- ~~h. No aircraft shall be left unattended on the Airport unless it is in a hangar or adequately locked and secured.~~
- ~~i. Fixed wing aircraft taking off or landing at the Airport shall do so only from designated runways and in full compliance with FAA regulations.~~
- ~~j. No helicopter shall be operated within fifty (50) feet of any building, and helicopters shall operate only from areas approved by the Airports Director.~~
- ~~k. Non-airworthy aircraft shall not be permitted within the tie-down or ramp areas, except in connection with aircraft manufacturing, repair, or refurbishment.~~
- ~~l. Abandoned Aircraft are prohibited on the Airport. The Airports Director may remove Abandoned Aircraft at the sole risk and expense of the Abandoned Aircraft's owner.~~

b. No aircraft shall park in any Safety Area.

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~~m.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, ~~state,~~ and ~~County~~ other appropriate officials investigating any aircraft accident or incident.

~~n.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 ~~proper authorization for the Airports Director has authorized~~ such removal ~~has been issued~~, the aircraft owner, pilot or authorized insurance company shall have the aircraft removed ~~as immediately as possible, subject to the direction of the Airports Director, the Tower, and any appropriate federal agency.~~ 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 ~~Director~~ Department may have the aircraft removed at the owner's sole risk and expense.

VIII. Maintenance, Cleaning, and Painting

~~— Aircraft maintenance is permitted only in those areas designated by the County. Aircraft maintenance within hangars shall be limited to the kinds specifically permitted by the building type rating established by the County and in compliance with the Minimum Standards, any applicable lease(s) or permit(s), and all applicable directives of the County, the City of Destin, and the local fire district, as the case may be. The North Okaloosa Fire Department is the local fire district for CEW, while the Destin Fire Control District is the local fire district for DTS.~~

~~— Aircraft cleaning shall be performed only in those areas and in the manner prescribed by the Airports Director and in compliance with the Airport Stormwater Pollution Prevention Plan.~~

~~— Any person intending to wash an aircraft, whether by wet or dry washing, shall first obtain the permission of the Airports Director and comply with any directions that the Airports Director provides. Such directions may, without limitation, concern the manner in which, and where on the Airport, the aircraft may be washed. Typically, dry washing is preferable, but the Airports Director may direct otherwise in any particular instance.~~

~~— Aircraft painting shall be performed only in those areas and in the manner prescribed by the Airports Director. Aircraft painting may occur only in facilities that are designed to~~

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~~accommodate aircraft painting that the Airports Director has authorized to be used for aircraft painting.~~

- ~~• The provision of aircraft maintenance, cleaning, and painting for commercial purposes shall further be subject to the Minimum Standards.~~

XIV.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.

- ~~• Any person constructing pavements on the Airport intended to accommodate aircraft shall build and maintain the pavements to support aircraft at the weights identified in the ALP or such other pavement strength as may be approved for such pavement construction project by the Airports Director. In any event, such pavements shall be designed and constructed to meet or exceed the structural loads of the design aircraft and passes specified by the FAA for the Airport’s Airport Reference Code. At the time of promulgation of these Rules and Regulations, the Airport Reference Code for CEW is C-III, while the Airport Reference Code for DTS is B-II.~~

XVI. Limits on Aeronautical Activities

- ~~• The following types of aircraft, other aerial devices, and aeronautical activities may not be operated to, from or at the Airport without the prior written authorization of the Airports Director:~~

~~0. Air shows.~~

~~0. Ultralight aircraft.~~

~~0. Aircraft towing banners.~~

~~0. Model aircraft and unmanned aerial vehicles or systems.~~

~~0. Kites, tethered or non-tethered balloons, rockets, and similar aerial devices.~~

- ~~• Use of any portion of the Airport as a designated drop zone for parachute jumping or skydiving shall be prohibited without the prior written approval of the Airports Director and the Tower or of the Eglin Radar Approach Control, as applicable, and further shall~~

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~~require a lease or permit authorizing use of the designated portion of the Airport for a drop zone pursuant to the Minimum Standards.~~

- ~~The Airports Director may seek review by the FAA upon receipt of an application to conduct one of the foregoing aeronautical activities or any other aeronautical activity not being conducted at the Airport at the time of application. The authorized aeronautical activity shall be conducted in conformity with any applicable directives of the Airports Director, all applicable requirements contained in FAA regulations, and any other conditions as may be imposed by the Tower, Eglin AFB, or the FAA.~~

XXV.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. Each person self-Self-servicing an aircraft shall have all training and/or certification required by the Rules and Regulations or by FAA regulations. Licensed pilots are permitted to perform preventive maintenance on their own aircraft on the Airport may be performed only in accordance with 14 C.F.R. Part 43.~~
- ~~c. Self fueling is subject to the requirements Appendix 1, paragraph 1.1(o) of Section E(IX) hereof.~~
- ~~d. The County does not recognize aircraft managers, co-ops, or hangar associations to be the owner or lessee of an aircraft, and each such entity therefore is not permitted to self-service. Flying clubs and companies engaged in fractional aircraft ownership operations pursuant to 14 C.F.R. Part 91 that are the owner or lessee of an aircraft are permitted to self-service. Aircraft manufacturers are permitted to self-service aircraft prior to delivery and while the aircraft is under the manufacturer's care, custody, and control.~~
- ~~e. In accordance with FAA Advisory Circular 150/5190-6, Exclusive Rights at Federally Obligated Airports, or any successor FAA policy, self-servicing shall be performed only by the aircraft owner, operator, or lessee, or by employees or others under the direct control of the owner, operator or lessee, using only equipment supplied by the aircraft owner, operator, or lessee. The Airports Director may require proof of employment, such as a copy of the employee's Form W-2 statement.~~
- ~~f.b. No person shall be required to self-service. Airport users may purchase products and services from a duly authorized commercial aeronautical service provider and all applicable provisions of the Rules and Regulations.~~

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~~SECTION F.~~ 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 ~~large at~~ the Airport.

H. Fuel Flowage Fee

- ~~— To compensate the County for the use of the Airport, each Fueler shall pay the County a fuel flowage fee for each gallon of aviation fuel (Avgas or Jet A) that such Fueler has dispensed in the prior month. The fuel flowage fee shall be set in the same manner as other rates and charges pursuant to Section B of these Rules and Regulations.~~
- ~~— Unless a different mechanism is specified in an agreement with the County, each Fueler shall submit to the County, on or before the tenth day of each month, a statement which sets forth the total number of gallons of fuel dispensed during the preceding month.~~
- ~~— Unless a different mechanism is specified in an agreement with the County, each Fueler shall, on or before the tenth day of each month, submit payment of the applicable fuel flowage fee to the County for all fuel dispensed during the prior month.~~

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- ~~— The County may, in its sole and absolute discretion, waive the obligation to pay a fuel flowage fee for an entity, and all similarly situated entities, if a different mechanism to compensate the County for the same category of costs is specified in an agreement with the County.~~
 - ~~— The County may, from time to time, require the Fueler to verify the number of gallons of fuel sold, and to provide sufficient documentation from Fueler's supplier to reliably verify fuel volumes.~~
 - ~~— The County shall have the right to increase the fuel flowage fee from time to time.~~
 - ~~— Each Fueler shall be liable to pay the then-current fuel flowage fee, except in the event that a different fuel flowage fee is established by a lease, permit or other agreement with the County, and such lease, permit, or other agreement does not permit adjustment of the fuel flowage fee by the means provided herein.~~

X. Training

- ~~— Employees of all Fuelers and agents handling aviation fuels at the Airport must be properly trained as required by FAA regulations, currently at 14 C.F.R. § 139.321. Separate fuel safety training programs are required for supervisory training and line service fuel safety training.~~
- ~~— At least one supervisor for each Fueler must have completed an FAA authorized aviation fuel training course in fire safety. The individual must be trained prior to initial performance of duties or enrolled in an authorized aviation fuel training course that will be completed within ninety (90) days of initiating duties, and receive recurrent instruction at least every twenty four (24) consecutive calendar months.~~
- ~~— All line service employees of Fuelers must receive initial on the job training and recurrent line service fuel safety training every twenty four (24) consecutive calendar months. Line service fuel safety training may be provided by a Fueler supervisor who has completed an FAA authorized supervisory fuel safety training course or an authorized fuel safety training program. Training for line service employees may also be completed through the use of an approved line service fuel safety course.~~
- ~~— For each of its employees (including supervisors) who successfully completes a required fuel safety training course, the Fueler must maintain a copy of such employee's certificate of completion for such training for twelve (12) consecutive calendar months after such completion. Such certificates shall comply with applicable FAA requirements.~~
- ~~— Fuelers must provide to the Airports Department a written confirmation once every twelve (12) consecutive calendar months that its employees have timely completed all fuel-related training required by applicable FAA regulations, including those currently at 14 C.F.R. § 139.321(e).~~

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XVI. ~~Fueling Operations~~

- ~~— Fuelers shall observe and comply with all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines concerning the storage, handling, and dispensing of aviation fuel at the Airport, including, without limitation, NFPA 407 and all regulations and orders set forth by the North Okaloosa Fire Department, or its successor agency, with respect to CEW or the Destin Fire Control District, or its successor agency, with respect to DTS. In the event that any of the aforementioned authorities in this paragraph are more stringent than another, the most stringent applicable authority shall apply.~~
- ~~— No aircraft shall be fueled or defueled while one or more of its engines are running, except when accomplished (i) with prior notice to, and acknowledgement by, the AOC, and (ii) under appropriate and safe procedures authorized by the FAA and specified by the “Rapid Refueling” section of NFPA 407 (currently at NFPA 407 section 4.2.14); provided, that this sentence shall not apply to military aircraft being fueled under the supervision of trained military personnel. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651 7166.) If an Aircraft Rescue and Firefighting (“ARFF”) unit is then on duty at the Airport, the individual intending to fuel an aircraft while any of such aircraft’s engines is running shall notify that ARFF unit prior to fueling, and that ARFF unit shall be on stand by during such fueling. For purposes of this paragraph, running the aircraft’s auxiliary power unit in a manner approved by the aircraft manufacturer will not constitute running the aircraft’s engine.~~
- ~~— No aircraft may be fueled or defueled while its engines are being warmed by application of heat.~~
- ~~— Aircraft operating under 14 C.F.R. Parts 121 or 135 may be fueled or defueled while passengers are on board only if such fueling or defueling is conducted in compliance with the procedures set forth following applicable regulations set by NFPA 407: Aircraft Occupancy During Fuel Servicing.~~
- ~~— All fueling operations shall be conducted at least twenty five (25) feet from any hangar or building, and all fueling trucks must be pointed away from fueled aircraft and have a clear route of egress in case of emergency.~~
- ~~— Trained personnel shall be present during the entire fueling operation of an aircraft in accordance with FAA requirements, currently at 14 C.F.R. § 139.321.~~
- ~~— No aircraft shall be fueled or defueled while inside any building, hangar, or enclosed space unless approved in writing by the Airports Director prior to such fueling operations. If approved, and if an ARFF unit is then on duty at the Airport, the aircraft operator shall notify ARFF of such fueling or defueling and ARFF shall be on stand by during such fueling or defueling.~~

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- ~~— No aircraft shall be fueled or defueled if lightning is visible from the Airport.~~
 - ~~— Fueling and defueling operations shall be conducted with adequate fire extinguishers immediately available. All extinguishers shall be inspected and certified as required by law, and all employees of Fuelers shall be properly trained on the use of the Fueler's available fire extinguishers.~~
 - ~~— No person shall start any engine of any aircraft or ground vehicle if there is any flammable or combustible liquid or other volatile fluid on the ground within fifty (50) feet of such aircraft or vehicle. If a ground vehicle engine is running while surrounded by flammable or combustible liquid, the vehicle's operator is advised to allow such engine to remain running, in accordance with NFPA 407 Annex A.4.2.3(4) (5), as shutting it down may cause sparks or ignition sources to develop.~~
 - ~~— The lighting of an open flame, including matches, or any source of ignition is prohibited within one hundred (100) feet of any fueling operation.~~
 - ~~— During fueling or defueling operations, no person shall operate any radio transmitter or receiver in the aircraft being fueled or defueled, switch electrical appliances on or off in such aircraft, or perform any act which may cause a spark within fifty (50) feet of such aircraft.~~
 - ~~— Fuelers shall provide pumps for dispensing aviation fuels from a fixed location or dispensing truck. These pumps shall be equipped with metering devices that meet all safety standards of the aviation fueling industry and the FAA. The metering devices must be inspected, checked, and certified by appropriate state and local agencies with appropriate frequency.~~
 - ~~— All fuel dispensing equipment, hoses, funnels, and apparatuses used in fueling or defueling operations shall be maintained in good condition, equipped with a bonding device to prevent ignition of volatile liquids, and properly bonded or grounded in accordance with FAA and NFPA guidelines, all applicable provisions of NFPA 30 and NFPA 407, and any applicable requirements of the Federal Water Pollution Control Act.~~
 - ~~— All fueling vehicles that are (i) either gasoline powered or use a non-turbo-charged diesel engine and (ii) intended for use on the Airport must be equipped with flame and spark-arresting exhaust systems. The engine exhaust system shall be designed, located and installed so as to minimize the risk of fire, all in compliance with the diesel particulate filter regeneration regulations of the "Exhaust System" section of NFPA 407 (currently at section 6.1.13) or any other, more stringent applicable regulations, policies or standards.~~
 - ~~— All fueling vehicles shall be fitted with the fueling nozzle designed and intended for the fuel dispensed from the vehicle.~~

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- ~~— Fuelers shall provide for the adequate handling and disposal of all trash, waste, petroleum products, and other hazardous materials, including but not limited to used oil, solvents, and other waste, in accordance with federal, state and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines.~~
- ~~— Motor vehicles and other equipment shall be fueled on the Airport only from approved locations and dispensing devices.~~
- ~~— The transfer of fuel from one fueling vehicle to another is prohibited on the Airport, except as may be approved in writing by the Airports Director and upon notification of ARFF.~~
- ~~— No fueling vehicle designed for, or that is employed in, the transportation of fuel shall be operated on an Airport taxiway or runway at any time without express prior permission from the Airports Director to operate that vehicle at that place and at that time.~~
- ~~— Only those fueling vehicles that are assigned to fuel aircraft are permitted to park on the ramp. The number of fueling vehicles permitted to park in designated areas on the ramp shall be determined, and such vehicles may be assigned, by the Airports Director.~~

XXXVIII. — Fuel Storage Facilities

- ~~— The storage of aviation fuel is permitted only in the area(s) of the Airport as may be designated by the County. No other method of fuel storage shall be permitted at the Airport. The County reserves the right to designate one or more Airport Fuel Farm locations and to require that all fuel storage facilities installed after such designation are located within the Airport Fuel Farm.~~
- ~~— All fuel storage tanks installed or constructed on the Airport shall be above ground level, except as may be approved in writing by the Airports Director upon demonstration that an underground fuel storage tank is consistent with all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines and with NFPA guidelines. All aboveground storage tanks (“AST”) shall be accompanied by a secondary containment system, whether in the form of a double walled tank or of a containment area that is sealed, either of which must be able to capture the maximum quantity of fuel that the AST can hold.~~
- ~~— Construction or alteration of fuel storage facilities may be undertaken only if approved in writing by the Airports Director and shall meet all safety standards of the aviation fueling industry and the FAA.~~
- ~~— All fuel storage facilities and fueling vehicles shall be identified by the type of fuel and fuel octane that they store, as applicable, in addition to any other markings or placards required by federal, state or local law or regulation.~~

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- ~~· All fuel storage facilities and fueling vehicles shall be fitted with the nozzle designed and intended for the fuel stored in and dispensed from such fuel storage facility or fueling vehicle.~~
 - ~~· Fueling vehicles shall not be parked or stored less than fifty (50) feet from any aircraft or structure, and further shall not be parked or stored less than ten feet from any other vehicle or equipment, unless alternate arrangements and conditions on parking fueling vehicles are approved in writing by the Airports Director.~~
 - ~~· In the event of extreme low temperatures, fueling vehicles may be stored in heated hangars when not in use if (i) the hangar has a fully functioning fire sprinkler protection system and (ii) approved in writing by the Airports Director. Prior to storing any fueling vehicle in a heated hangar, the vehicle operator must notify the Airports Department, via the AOC, and ARFF, if an ARFF unit operates on the Airport, and provide the AOC and ARFF, if applicable, with the number of vehicles to be stored in each hangar. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.)~~
 - ~~· Fuelers shall inspect and maintain in good working condition all fuel storage facilities, fueling equipment and fueling vehicles.~~
 - ~~· Newly constructed or installed fuel storage facilities shall be subject to inspection by the County prior to use for fuel storage.~~
 - ~~· A Fueler authorized to receive, store, or dispense aviation fuels shall have and follow adequate procedures for sampling and testing of such fuels. All tests and test schedules shall be performed in accordance with applicable regulations and industry standards. Fuelers are solely responsible for ensuring the quality of their fuel.~~
 - ~~· At least fourteen (14) days before initiating use of a fuel storage facility, Fueler shall provide to the County a written copy of a plan addressing proper fueling procedures, training of personnel, quality assurance and quality control procedures, recordkeeping, marking and labeling of fueling equipment and the fuel storage facility, and emergency response procedures for the fuel storage facility, fueling equipment, and fueling operations (“Fueling Plan”). Fueler shall also provide County such Fueling Plan, at least fourteen (14) days in advance, each time it initiates use of an additional fuel storage facility at the Airport.~~
 - ~~· Fueler shall prepare and file with both the County and the U.S. Environmental Protection Agency (“EPA”) a Spill Prevention, Control and Countermeasure Plan (“SPCC Plan”) that meets all applicable regulatory requirements for fuel storage and fueling activities. Fueler shall provide to the Airports Director a copy of its EPA-approved SPCC Plan. Fueler may not store fuel in or dispense fuel from any fuel storage facility unless and until the Airports Director has approved the Fueling Plan and Fueler’s EPA-approved SPCC Plan.~~

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- ~~— Fueler must submit to the Airports Director an updated Fueling Plan and SPCC Plan at least fifteen (15) days prior to any planned change in fueling operations following the Airports Director's approval of Fueler's prior fueling plan and, if applicable, SPCC Plan.~~
- ~~— Fueler shall be responsible for and oversee the safe transfer of all fuel from fuel suppliers to that Fueler's fuel storage facility, including by ensuring that the fueling vehicle driver remains with the vehicle at all times when fuel is being transferred.~~

LIII. Inspections

- ~~— The County and other appropriate governmental agencies may inspect a Fueler's fuel storage facilities, dispensing equipment, and vehicles from time to time to ensure compliance with all applicable safety standards. A record of each such inspection shall be retained by Fueler for at least twenty four (24) months. When such inspection observes a discrepancy in Fueler's compliance with such safety standards, Fueler shall immediately take corrective action to remedy the discrepancy. Fueler's failure to take corrective action to remedy the discrepancy may result in the termination of any or all of Fueler's privileges to operate at the Airport. No more than fourteen (14) days after the County or other governmental inspector identifies the discrepancy to the Fueler, Fueler shall submit to the Airports Director a written report of any corrective actions taken to remedy such discrepancy.~~

LV. Fuel Spills

- ~~— Fuelers shall undertake adequate procedures to prevent and limit fuel spills and shall develop fuel spill contingency plans, including notification and clean up procedures.~~
- ~~— Fuelers shall maintain and have readily available an adequate supply of fuel absorbent materials and other materials to dam, dike or divert a fuel spill. Fuelers shall have, at a minimum, enough such materials to respond to a fuel spill of up to 55 gallons and to prevent fuel flowage into storm drains.~~
- ~~— In the event of a fuel spill, the following safety procedures shall be followed:
 - ~~0. Fueler shall immediately notify the Airport through the AOC. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.) Should Fueler be unable to make contact with someone at the AOC immediately, Fueler shall immediately call 911. Regardless of whether Fueler does reach the AOC, Fueler shall also call 911 immediately if medical assistance is required. The requirements of this paragraph shall apply regardless of the volume of fuel spilled.~~
 - ~~0. Fueler shall take immediate action to begin containment and clean up operations, which shall include the prevention of fuel from entering any storm or silt trench drain.~~~~

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- ~~0. Fuel delivery devices and other vehicles shall not be moved or operated in the vicinity of the spill until containment and clean up operations have been initiated and the devices and vehicles can be moved or operated without causing further fuel spill or presenting further risk to human health or safety or to the environment.~~
- ~~0. Fueler shall promptly post a fireguard, who shall remain on site until relieved by the Airports Director.~~
- ~~0. All contaminated absorbent material shall be placed in DOT approved metal containers and disposed of by Fueler in compliance with all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines.~~
- ~~0. Should a fuel spill occur that is larger than what Fueler can adequately handle, Fueler must immediately obtain the clean up services of a duly licensed hazardous material contractor. The Airports Department will coordinate the remediation operations with Fueler and such contractor and ensure the safe handling of residual fuel after remediation.~~
- ~~0. In the event that a fuel spill exceeds twenty five (25) gallons, cannot conclusively be shown to be less than twenty five (25) gallons, cannot be cleaned up within twenty four (24) hours, or makes its way into a waterway, Fueler shall report the spill to the Florida Department of Environmental Protection. Nothing herein shall excuse Fueler's noncompliance with any other reporting or response requirements under Florida law or regulation.~~
- ~~0. Fueler shall be liable for all costs associated with the control, containment, clean up, and disposal of any fuel spill, as well as for any damages that result from such spill or clean up operations. If Fueler fails to promptly undertake appropriate and adequate remediation activities in response to a spill or discharge, the County may, but is not obligated to, perform such remediation. Any costs incurred by the County associated with assessment and clean up of the spill will be billed to Fueler, payable within thirty (30) days.~~
- ~~0. Copies of all reports submitted to any federal, state, or local agency relating to a fuel spill or the Airport shall be provided to the Airports Director at the time submitted to such agency.~~

LXVIII.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.

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III. No entity, other than the County, shall provide Commercial Self-Service Fueling without also providing attended commercial fueling at

~~b.a. Any person must obtain a Self-Fueling Permit from the Airports Department prior to conducting Self-Fueling on the Airport.~~

~~e. Commercial Self Service Fueling shall be subject to all applicable Any person conducting Self-Fueling may do so only in accordance with the Rules and Regulations and with any further requirements herein for fueling stipulated by any agency having jurisdiction over such Self-Fueling, including but not limited to requirements concerning payment of fuel flowage fees, training, fueling operations, fuel storage, inspection, and fuel spill response, and further shall be subject to all applicable requirements of the Minimum Standards.~~

~~d. Commercial Self Service Fueling shall be subject to the following additional requirements:~~

~~0. The facility shall be constructed on concrete rigid pavement or flexible asphalt surface, and shall include above ground double wall tank(s), a fueling terminal, a metering system, an emergency shut-off, lighting, and protective enclosures using pipe bollards or other suitable protection.~~

~~0. The facility shall include a control device that prevents unauthorized fuel dispensing.~~

~~0. The facility shall be available for use twenty four (24) hours a day, every day of FAA, the year.~~

~~0. The entity responsible for managing Florida Department of Transportation's Aviation Office, the Commercial Self-Service Fueling facility shall provide ladders to service aircraft; at least one properly serviced fire extinguisher, meeting NFPA 10 standards; easily recognizable markings to indicate Florida State Fire Marshal, the type of fuel available; and placards providing emergency telephone numbers, emergency procedures, and instructions on the use of the facility.~~

~~0. The entity responsible for managing the Commercial Self-Service Fueling facility shall inspect the facility daily and have trained personnel during normal hours of operation, to the extent required by the Minimum Standards, available to answer questions, provide other assistance, and respond to fuel spills from the facility.~~

LXVIII. Self-Fueling

~~k. No person shall engage in Self-Fueling unless and until such person has obtained from the County a Self-Fueling permit authorizing such activity. An applicant for a Self-Fueling permit must provide evidence, satisfactory to the County:~~

~~0. Of ownership or lease of every aircraft for which such applicant requests Self-Fueling privileges;~~

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- ~~0. That it is a tenant at the Airport pursuant to a lease or sub-lease;~~
 - ~~0. If the applicant is a sub-lessee, that the lessee has expressly authorized the applicant to Self-Fuel on the leasehold; and~~
 - ~~0. That it has a practicable plan to safely transport and deliver fuel to its aircraft.~~
 - ~~p. Permittee shall procure and deliver to the County, with Permittee's application for a Self-Fueling permit, a current, original certificate of insurance acceptable to the County showing reasonable, appropriate insurance coverage for the duration of the Self-Fueling permit. All insurance policies shall name the County as an additional insured and shall not be subject to cancellation or change except after thirty (30) days' prior written notice of such cancellation or change to the County by the insurance carrier.~~
 - ~~q. The term of a Self-Fueling permit shall be no longer than one year and shall be subject to renewal.~~
 - ~~r. Permittee may only fuel aircraft identified on the Self-Fueling permit. Permittee may not fuel any other aircraft.~~
 - ~~s. Permittee shall ensure that only persons employed by Permittee are involved in dispensing fuel and that all such employees handling fuel are trained in accordance with Section E(III) (Training) above. Before Permittee may commence any Self-Fueling activities, Permittee shall (i) submit to the County evidence, sufficient to comply with Section E(III) above, that each person who will conduct aviation fuel dispensing operations has received training in safety procedures and (ii) provide to the Airports Director documentation verifying all required certifications and required recurrent training.~~
 - ~~t. Permittee shall dispense aviation fuel only where the Permittee's Self-Fueling permit expressly allows.~~
 - ~~u. Permittee shall equip each fueling vehicle with at least one 20-pound, Class B/C fire extinguisher mounted on the outside of such vehicle.~~
 - ~~v. b. Fueling vehicles shall not be permitted to park inside any structure on the Airport unless (i) the Airports Director has previously approved such parking in writing and (ii) ARFF, or the local fire district if no ARFF unit operates on the Airport, has previously been notified of the parking arrangement. Additional conditions on the parking of fueling vehicles may be prescribed in the Self-Fueling permit. marshal, and the County's Code Enforcement Division.~~
 - ~~— Each Permittee shall meet with ARFF personnel, or personnel of the local fire district if no ARFF unit operates on the Airport, to discuss fueling fire safety and associated safety procedures before Permittee may begin dispensing fuel.~~
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- ~~— The Airports Director shall have the right to conduct fire safety inspections upon reasonable notice to Permittee any time during the term of a Self-Fueling permit.~~
- ~~— Permittee may terminate the Self-Fueling permit upon written notice to the County.~~
- ~~— Permittee shall agree to assume full liability in connection with Permittee's fuel storage, handling, and dispensing, and to indemnify, hold harmless and defend the County on terms prescribed by the Self-Fueling permit.~~
- ~~— A Self-Fueling permit is not assignable or transferable. Permittee shall not enter into any agreement to transfer any of Permittee's privileges under the Self-Fueling permit whereby other persons share in the privileges or services authorized by the Self-Fueling permit.~~

~~SECTION L.~~ 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 ~~Director, Airport staff, or Department,~~ law enforcement officers: or the Tower.
- ~~b.~~ b. ~~No~~ 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 ~~vehicle on the Airport in a reckless or careless manner or in a manner that would endanger his or her person or property or the safety of another's person or property.~~
- ~~c.~~ b. ~~No person shall operate any motor vehicle on the Airport faster than the prescribed speed limit. Speed limits for motor vehicle operations on the AOA are posted on vehicle access gates~~ within such areas.
- ~~d.~~ d. ~~No person shall operate a motor vehicle on the Airport while under the influence of alcohol, any illegal drug, or any or drug that impairs, or may impair, the operator's abilities.~~
- ~~e.~~ c. ~~Abandoned Vehicles are prohibited on the Airport and may be removed at the request of the Airports Director~~ towed at the sole risk and expense of the vehicle owner, subject to the procedures specified in section 705.184 of the Florida Statutes.
- ~~f.~~ 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 ~~their~~ 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.

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II. Commercial Ground Transportation

- a. No Commercial Ground Transportation Operator (~~including but not limited to any off-airport rental car operator~~) shall ~~operate any vehicle~~locate an office or ~~provide any Commercial Ground Transportation~~place of business at ~~or from~~ the Airport without obtaining ~~written authorization from~~an agreement with the Board of County Commissioners and paying all applicable fees.
- ~~b. No Commercial Ground Transportation Operator shall operate or cause to be operated any vehicle to provide ground transportation services using the roadways of the Airport unless the operation of such vehicles is currently authorized by the appropriate federal and/or state government agency(ies) that issues appropriate licenses or permits for the Commercial Ground Transportation Operator.~~
- ~~e.b.~~ Any Commercial Ground Transportation Operator found violating the Rules and Regulations, the Minimum Standards, or any ~~Airport permit conditions~~condition of its agreement with the County to provide Commercial Ground Transportation may have its ~~permit~~authority to provide Commercial Ground Transportation suspended ~~or revoked~~ by the Airports Director ~~at his or her sole discretion~~.
- ~~d.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.
- ~~e.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.
- ~~f.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, ~~instructi~~on, 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. All Airport tenant employees must park in their assigned areas.~~
- ~~c. The Airports Director shall cause signs to be placed and maintained that designate all general and reserved loading zones, reserved parking areas, and public parking areas, including, but not limited to, those designated for exclusive use by car rental agencies or other companies operating at or from the Airport. No parking areas shall be designated in~~

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~~areas on or along drives or roadways or in such other areas on the Airport for which the Airports Director deems a parking area incompatible with the safe, efficient and convenient operation of the Airport.~~

~~d.b. The Airports Director may remove or cause to be removed any vehicle~~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. ~~Any vehicle parked without authorization in areas of the public parking lot assigned for exclusive use of car rental agencies or companies and clearly indicated as such by signs may be removed or caused to be removed by order of the Airports Director.~~

~~e.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, ~~and obtained and hold current all licenses, that the Airports Director may require~~ 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. No person shall operate any vehicle in the AOA that is overloaded or carrying more passengers than the number of passengers for which it is designed.~~

~~c. No person shall ride on the running board or stand up in the body of a moving vehicle in the AOA.~~

~~d. No person shall ride with arms or legs protruding from the body of a vehicle in the AOA except when it is designed for such use.~~

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

~~f.c.~~ All operators of vehicles in the AOA shall ensure that no Foreign Object Debris leaves the vehicle.

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- ~~g.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.
- ~~h.c.~~ 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.
- ~~i.~~ ~~Vehicles shall park in tie-down areas only between the tie-down hooks, parallel to aircraft, and in the spaces leased by the vehicle owner.~~
- ~~j.~~ ~~No vehicle may pass between a parked aircraft and an adjacent Airport building, except for authorized County vehicles, emergency equipment, and those vehicles servicing the aircraft.~~
- ~~k.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 ~~and only if registered with and authorized by the Airports Director.~~
- ~~b.~~ ~~Any person operating a motor vehicle within the Movement Area or Safety Areas shall have satisfactorily completed all training, and obtained and hold current all licenses, that the Airports Director may require to operate a motor vehicle within such areas.~~
- ~~c.~~ ~~Ground vehicle operators, except for drivers of authorized emergency vehicles, shall comply with prescribed speed limits when operating in the Movement Area and Safety Areas unless directed otherwise by the Tower.~~
- ~~d.~~ ~~All private vehicles authorized to access the Movement Area or Safety Areas and doing so on a regular basis shall show proof of insurance naming the County as an additional insured.~~
- ~~e.~~ ~~Campers, recreational vehicles, boat trailers, and ground vehicle trailers are prohibited in the Movement Area and Safety Areas unless specifically authorized by the Airports Director.~~
- ~~f.~~ ~~No person may operate a vehicle while in the Movement Area or Safety Areas without a valid state driver's license.~~
- ~~g.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, ~~or on such other~~

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~~frequencies as required by the Airports Director.~~ 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 Airports Director or~~ the FAA.

~~h.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 ~~and having previously completed all training that the Airports Director may require.~~

~~i.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.

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

~~k.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, ~~each~~ display a 36"-by-36" orange-and-white-checkered flag.

~~SECTION M. FIRE PREVENTION AND ENVIRONMENTAL MANAGEMENT~~

~~Fire Prevention~~

~~Causing or sustaining an open flame on the Airport is prohibited unless expressly authorized by the Airports Director.~~

~~Without limitation to Section G(I)(a), open flames, smoking, matches, and lighters are prohibited within fifty (50) feet of any aircraft and within one hundred (100) feet of any fuel storage area, fuel truck, aircraft being fueled or defueled, or fuel spill.~~

~~The use and storage of any flammable or hazardous liquid or material shall comply with all applicable federal, state and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines, and with any Airport Storm Water Management Plan or Storm Water Pollution Prevention Plan.~~

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- ~~— Tenants of all hangars and buildings shall provide suitable fire extinguishers and equipment which shall be kept in good condition as recommended by the state fire marshal's rules and regulations. Such fire extinguishers and equipment are subject to inspection at least every twelve (12) months by personnel approved by the Airports Director or the local fire district in accordance with state and local laws.~~
 - ~~— The placement of any hazardous materials storage container, locker structure or bin on the Airport shall comply with NFPA 1 (Fire Code) and be approved by the Airports Director, as to type, placement, size, and color.~~
 - ~~— All heating equipment and fuel burning appliances installed on the Airport shall conform to the International Building Code and NFPA 1 (Fire Code) and comply with any additional requirements imposed by the fire marshal or equivalent officer with jurisdiction over the Airport.~~
 - ~~— Hangar floors shall be kept free from accumulation of oil, grease, flammable liquids, rags, and other waste materials.~~
 - ~~— All empty oil, paint, and varnish cans, bottles or other containers shall be disposed of in an appropriate and timely manner and shall not remain on the floor, wall stringers, or overhead storage areas of any hangar or other Airport structure.~~
 - ~~— Drip pans shall be placed under engines of stored aircraft and shall be maintained so as to prevent accumulation of liquid in the pans.~~
 - ~~— **Sanitation and Hazardous Waste Management**~~
 - ~~— All persons on the Airport shall be responsible for compliance with all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines concerning the use, handling, treatment, storage, discharge, disposal, or transportation of hazardous materials. These laws, regulations, and other requirements include, without limitation, the federal Resource Conservation and Recovery Act; the federal Comprehensive Environmental Response, Compensation and Liability Act; the federal Toxic Substances Control Act; the hazardous waste regulations of the Florida Administrative Code; and regulations and other requirements of the Florida Department of Environmental Protection and the County's Public Works Department.~~
 - ~~— No person shall use, handle, treat, store, or transport hazardous materials at or on the Airport except as reasonably necessary in the ordinary course of the person's authorized activities on the Airport and only if such hazardous materials are properly labeled and contained, and notice of such use, handling, treatment, storage, or transport, and a copy of the Safety Data Sheet, is provided in advance to the Airports Department for each such hazardous material.~~
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- ~~· No person shall use, handle, treat, store, or transport hazardous materials at or on the Airport at such time or place or in such manner or condition as to create an unreasonable risk of harm to persons, property, or the environment.~~
 - ~~· All persons whose duties and responsibilities involve the handling or storing of hazardous substances and materials must do so in accordance with all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines.~~
 - ~~· No person shall discharge, dispose, or otherwise release any hazardous material, waste, or substance on or from the Airport. In the event of such release, the responsible party shall promptly notify the AOC, or call 911 if the responsible party cannot immediately confer with the AOC, and notify any appropriate federal or state agency. (At the time of promulgation of these Rules and Regulations, the telephone number for the AOC is (850) 651-7166.) Fuel spills shall be addressed as provided in Section E(VII).~~
 - ~~· Persons responsible for any discharge, disposal, or other release of any hazardous material, waste, or substance on the Airport shall be liable for the cost to remediate such release. If the responsible person fails to promptly undertake proper remediation activities in response to such release, the County may, but is not obligated to, perform such remediation. Any costs incurred by the County associated with assessment and clean-up of such release will be billed to the responsible person, payable within thirty (30) days.~~
 - ~~· Hazardous waste generated in connection with the clean-up of a release of hazardous substances shall promptly be removed and disposed appropriately. Absorbent material used in connection with such clean-up shall not be left to sit longer than necessary.~~
 - ~~· All persons shall fully comply with the Airport's Storm Water Pollution Prevention Plan and National Pollutant Discharge Elimination System ("NPDES") Permit.~~
 - ~~· No person may deposit or leave rubbish, junk, debris, old aircraft and vehicles, or unsightly objects on their lease premises or the Airport. If after warning by the Airports Director the area is not cleaned, cleaning will be authorized by the Airports Department and all costs shall be billed to the tenant or person.~~
 - ~~· The storage of waste materials and trash at the Airport is prohibited unless placed in receptacles provided for such purposes.~~
 - ~~· All outdoor trash or garbage containers shall be covered. Such containers shall be located only in those areas approved for such use by the Airports Director.~~
 - ~~· All operators using commercial trash receptacles shall be responsible for the cleanliness of such trash collection site(s).~~
 - ~~· All vehicles used for hauling trash, dirt, or other refuse materials on the Airport shall be constructed so as to prevent their contents from dropping, shifting, leaking, or escaping.~~

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- ~~— No person or entity shall dispose of any fill or building material or any other discarded or waste material on the Airport except as approved in writing by the Airports Director.~~
 - ~~— No person may burn refuse at the Airport.~~
 - ~~— Lubricating oils and hazardous liquids shall be disposed of in compliance with the Airport Storm Water Management Plan and all applicable federal, state, and local laws, regulations, rules, orders, ordinances, policies, standards, and guidelines.~~
 - ~~— No fuels, oils, dopes, paints, solvents, acids, or any other hazardous liquids shall be disposed of or dumped into drains, on ramp areas, in catch basins or ditches, or elsewhere on the Airport.~~
 - ~~— Any solid or liquid material, including but not limited to any aircraft lavatory material, that is spilled on the Airport shall immediately be cleaned up by the person responsible for such spillage, subject to all other applicable provisions of these Rules and Regulations, including but not limited to notification and remediation requirements pertaining to Hazardous Materials and fuel.~~
 - ~~— The County shall have the right at any time to access any portion of the Airport for the purpose of conducting inspections, sampling and other testing to determine the nature and extent of contamination on or under the Airport.~~

~~SECTION RR. SECURITY~~

~~— **Generally**~~

- ~~— All persons on the Airport shall follow all applicable security-related laws, regulations, rules, orders, ordinances, policies, and directives.~~
- ~~— All persons on the Airport shall follow the direction of federal, state and local law enforcement officers.~~

~~— **Air Operations Area (AOA)**~~

- ~~— All persons who seek access to the AOA must obtain authorization from the Airports Department or be escorted by appropriate personnel, subject to the provisions of the Airport Security Program.~~
- ~~— Any person authorized to access the AOA must produce credentials demonstrating their authorization to be in the AOA (e.g., a badge, license, contract, agreement, etc.) immediately upon request when in the AOA.~~
- ~~— It shall be unlawful, and grounds for immediate confiscation, suspension, and possible permanent revocation of a badge or other authorization to access the AOA, for any person to:~~

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- ~~0. Be in the fenced AOA area without an escort or a badge.~~
- ~~0. Permit any other person to use their badge or AOA access credentials.~~
- ~~0. Wear another person's badge or carry another person's AOA access credentials while in or to gain access to the AOA.~~
- ~~0. Alter or manipulate the appearance of a badge or other AOA access credentials.~~
- ~~— If a badge or gate access card is lost or misplaced, the badge holder or cardholder must notify the Airports Department immediately and follow all administrative procedures for reissuance of such badge or card, including paying a reissuance fee set by the Airports Director.~~
- ~~— Only persons with unescorted access authority are permitted to escort others in the AOA. Persons who do not have on their person a valid identification badge may only enter the AOA while under the escort of a person who has a valid badge for the applicable area.~~
- ~~— All persons who have gained authorized access to the AOA shall ensure that the door or gate through which they entered such area has completely secured or locked behind them before leaving the immediate vicinity of the door or gate, to ensure that no person gains unauthorized access through such door or gate.~~
- ~~— All persons authorized to utilize space and facilities at the Airport shall ensure that all gate chains, fences, doors and other public safeguards on their respective property, leasehold or licensed area are used in a manner to protect the public and to prevent unauthorized entry or inadvertent access.~~
- ~~— Each person shall immediately report malfunctioning or unattended access points to 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.)~~
- ~~— **Tampering**~~
 - ~~— No person shall willfully tamper with, alter, compromise, move or otherwise interfere with any security device, sign, closed circuit television camera, security keypad, electromagnetic locking device, or other such implement, or with any perimeter fence gate or gate tracking device, at the Airport.~~
 - ~~— No person may place any object within ten feet of the Airport perimeter fence or at any location that would aid in climbing, or obscuring visibility of, the fence.~~
 - ~~— No person shall willfully activate any Airport security device or security alarm when no emergency condition or threat to security exists.~~

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- ~~— No person shall block or damage Airport doors, gates or card readers or leave Airport doors or gates open in a manner that could permit access to a restricted area by unauthorized persons.~~
- ~~— None of the foregoing provisions of this Section H(III) shall limit (a) the performance of law enforcement operations by duly authorized law enforcement officers or (b) the performance of County business authorized by the Airports Director.~~

SECTION 000. — [RESERVED]

SECTION PPP. 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, ~~revocation of~~ suspend or revoke licenses and permits issued by the County, ~~termination of~~ terminate leases and authorize eviction, ~~referral to the state attorney's or United States attorney's office for criminal prosecution, and removal from the Airport as permitted by the Sheriff's Office.~~ terms of each lease and by law. Any of these mechanisms may be utilized or disregarded, as reasonably determined by the ~~Airports Director~~ Board, depending on the circumstances.
- b. ~~All of the law enforcement powers of the County and state police, as the case may be, derived~~ Separate from whatever source, are hereby extended, and in addition to the Airports as the Airports now exist or may hereafter be expanded, modified, or diminished.
- c. ~~The Airports Director is authorized to investigate potential violations of the Rules and Regulations and to utilize,~~ any of the penalties and other enforcement mechanisms set forth in provided by this Section J(I)(a) above, including but not limited to imposing administrative penalties pursuant to Section J(II) and/or Appendix A below as otherwise allowed by law.
- d. ~~b.~~ County staff assigned to the Airport have the right, at the Airports Director's instruction, to enter and inspect any or all structures on the Airport, including hangars and premises leased to aeronautical and non-aeronautical commercial users, to ensure safety and compliance with the Rules and Regulations. County staff shall provide a minimum of twenty four (24) hours' notice prior to inspection of any leased premises, except when the Airports Director reasonably determines that G, the Board of County Commissioners may seek an exigency exists requiring more immediate inspection injunction to prevent a violation of the Rules and Regulations.

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e.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 ~~and property on the Airport~~ 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 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

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(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.

- ~~a.c.~~ Any person violating any provision of the ~~R~~Rules and ~~regulations herein~~Regulations shall, upon conviction thereof, be deemed guilty of committing a misdemeanor and ~~shall, upon conviction thereof~~, 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.
- ~~b.~~ ~~In addition to, and regardless of, any fine, imprisonment, or other penalty imposed by a court for violation of any of the rules and regulations herein, the Airports Director is authorized to impose the administrative fines and penalties specified in Appendix A for violations of the Rules and Regulations.~~
- ~~e.d.~~ Administrative fines and other penalties imposed ~~hereunder~~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 agency government for violation of any obligation arising from a source other than the Rules and Regulations.
- ~~d.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 ~~that is party thereto~~, as allowed under the terms of such lease, permit, or agreement.
- ~~e.f.~~ The County may decline to enter into a lease or other agreement with a person found to have violated the Rules and Regulations.
- ~~f.~~ ~~The Airports Director may waive the imposition of any penalties prescribed herein upon the successful completion of corrective action, as determined by the Airports Director, by a person who has violated the Rules and Regulations.~~

III. Administrative Review

- ~~—~~ The following determinations are subject to administrative review:
- ~~0.~~ The imposition of an administrative fine or penalty;
 - ~~0.~~ Termination of a lease, permit, or agreement for violation of the Rules and Regulations;
 - ~~0.~~ The suspension or revocation of privileges at any Airport; and

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- ~~1. The decision not to enter into a lease or other agreement with a person found to have violated the Rules and Regulations.~~
- ~~a. Any person may seek reconsideration by the Airports Director of one of the foregoing administrative decisions, provided:
 - ~~1. The request for reconsideration must be submitted in writing within ten (10) days of receipt of notice of the administrative decision and must identify the reason for such request.~~
 - ~~1. The Airports Director shall review the request for reconsideration, make an initial determination to grant or deny such request, and inform the requesting person in writing of such determination.~~
 - ~~1. Any person aggrieved by the Airports Director's initial determination may seek review by the County Administrator, by filing a written appeal within ten (10) days of the Airports Director's initial determination.~~
 - ~~1. The County Administrator may elect to hear a verbal presentation of the appeal, request a written appeal and submission of documentary evidence, or appoint a hearing officer to hear the appeal. The decision of the County Administrator or hearing officer, if one is appointed, shall be final.~~~~

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~~SECTION QQQ.~~ SECTION H. – DEFINITIONS

- a. ~~**Abandoned Aircraft** – Any aircraft left unattended and stationary on the Airport property in an inoperable condition and under such circumstances that evidence an intention by the owner or operator to voluntarily surrender, relinquish or disclaim the aircraft. The length of time that an aircraft has remained at the Airport without being used or moved is one factor to be used by the Airports Director in determining whether the aircraft has been abandoned. An aircraft that has been at one Airport without use for more than one hundred eighty (180) days and without express authorization from the Airports Director to store such aircraft thereon is presumed to be abandoned.~~
- b. ~~**Abandoned Vehicle** – Any vehicle left unattended and stationary on the Airport in excess of seventy two (72) hours and is in a condition that would render the vehicle legally or functionally inoperable, including but not limited to having expired license plates, a missing or flat tire, or a broken window.~~
- 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,

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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.
- 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 ~~or~~ 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.](#)**
- ~~m.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.](#)**

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- ~~h~~.d. **Commercial Aeronautical Activity** – Any Aeronautical Activity conducted for commercial purposes.
- ~~o~~.q. **Commercial Aeronautical Operator** – An Entity conducting a Commercial Aeronautical Activity on the Airport.
- ~~p~~.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.
- ~~q~~.s. **Commercial Ground Transportation Operator** - The person operating Commercial Ground Transportation.
- ~~r~~.t. **Commercial Non-Aeronautical Activity** – Any commercial operation not directly related to the operation of aircraft (e.g., restaurant, rental car, or other concessions).
- ~~s~~.u. **Commercial Self-Service Fueling** – Fueling of an aircraft by the pilot using commercial self-service aircraft fuel pumps installed for that purpose.
- ~~t~~.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, ~~contractors,~~ and other agents.
- ~~u~~.w. **DOT** – The United States Department of Transportation.
- ~~v~~.x. **FAA** – The Federal Aviation Administration.
- ~~w~~.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.
- ~~x~~.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.
- ~~y~~.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 ~~and/or~~ damage aircraft.
- ~~z~~. **Maintenance** – ~~Aircraft inspection, overhaul, repair, preservation and replacement of parts, including but not limited to preventative maintenance, as described in Part 43 of the Federal Aviation Regulations.~~
- bb. **Media Control Plan** – The County’s Media Control Plan, governing media access to the Airports.

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- aa.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.
- bb.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.ee. **NTSB** – The National Transportation Safety Board.
- dd.ff. **Permittee** – The owner or exclusive operator of an aircraft authorized to conduct Self-Fueling pursuant to a Self-Fueling permit or agreement.
- ee.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.
- ff.hh. **Self-Fueling** – The fueling of an aircraft by the owner of the aircraft, or by the owner’s employee, ~~using the owner’s vehicles, equipment and resources.~~
- gg. **Service Animal** ~~— An animal meeting the definition of “service animal” provided by DOT regulation, currently at 14 C.F.R. § 382.3, as such regulation may be amended or superseded.~~
- hh.ii. **Tower** – The Airport Traffic Control Tower at the Airport.
- ii.jj. **TSA** – The Transportation Security Administration.

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~~Appendix A: Administrative Fines and Penalties~~

- ~~I. Unless an alternate penalty is prescribed herein, any violation of the Rules and Regulations shall be subject to the following administrative fines. To qualify as a second, third, or additional offense for purposes of this Appendix A, such violation need not be of the same provision of the Rules and Regulations as any prior violation.~~
- ~~a. First offense: \$100 per violation.~~
 - ~~b. Second offense: \$500 per violation.~~
 - ~~c. Third and any additional offenses: \$1,000 per violation.~~
- ~~II. The Airports Director may impose alternate administrative fines and penalties for violations of the Rules and Regulations, as follows:~~
- ~~a. Non payment of rates and charges in accordance with the published schedule(s) of rates and charges or with the terms of a lease, permit or other agreement with the County may result in termination of such lease, permit or other agreement; eviction from any leased premises; the suspension or revocation of the right or privilege to conduct an aeronautical activity at either Airport; and/or the impoundment or lien on aircraft and property, as may be authorized pursuant to federal and Florida law.~~
 - ~~b. 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.~~
 - ~~c. In addition to any other penalties prescribed by the Rules and Regulations or that may be imposed by FAA for the same conduct, the Airports Director is authorized to restrict access to the Airport by any person who has been found to have violated the provisions of these Rules and Regulations governing the safe operation of aircraft on the Airport (Section D) and who, in the reasonable judgment of the Airports Director, presents a danger to the safety of persons or property.~~
 - ~~d. Penalties for violations of the provisions hereof governing pedestrian access to the Movement Area and Safety Areas (Section C(H)) or the provisions governing ground vehicle access to the Movement Area and Safety Areas (Section F(V)) shall include written warning, loss of privileges, administrative fines, and training or retraining, according to a schedule of graduated penalties prescribed by the Airports Director and made available during training, application for a security badge, and upon request.~~

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- ~~e. In addition to any other penalties prescribed in the Rules and Regulations, the Airports Director may revoke the privilege of operating a fuel storage facility or fuel storage equipment in the event any of the following occurs:~~
- ~~1. Fueler is in arrears in the payment of the whole or any part of the amounts agreed upon for a period of thirty (30) days after the time the payment becomes due.~~
 - ~~2. Fueler defaults in the performance of any of the fueling related conditions required in Fueler's lease, Self-Fueling permit, or agreement, and the default continues for a period of thirty (30) days after the receipt of written notice from the Airports Director of the default.~~
 - ~~3. Fueler violates any safety procedure, law, regulation, or requirement enumerated in the Rules and Regulations or in Fueler's lease, Self-Fueling permit, or agreement.~~
 - ~~4. Fueler causes or allows a lapse in any form of required insurance.~~
 - ~~5. Fueler fails to make timely and accurate reporting records.~~
- ~~f. In addition to any other penalties prescribed in the Rules and Regulations, the Airports Director may revoke a Self-Fueling permit upon ten days' written notice to the Permittee for any of the following reasons:~~
- ~~1. Non-compliance with any of the Rules and Regulations, Minimum Standards, or provisions of the County Code.~~
 - ~~2. Failure to maintain all required insurance.~~
 - ~~3. Failure to pay any part of the fuel flowage fees due after such payments become due and payable to the County.~~
 - ~~4. Failure to repair any damage to the fuel storage facility within the time specified by the County.~~
 - ~~5. Fueling an aircraft that is not listed on the Self-Fueling permit.~~
 - ~~6. Permitting aircraft fueling by individuals who are not employees of Permittee.~~
 - ~~7. Discontinuation of fueling operations by Permittee for a period of one hundred eighty (180) days.~~

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~~8. Failure to report a fuel spill within the time and manner required by federal, state or local law, regulation, rule, order, or policy, including these Rules and Regulations.~~

~~9. Any violation of federal or state environmental law or regulation concerning fuel storage or dispensing.~~

~~Permittee shall have the opportunity to appeal the revocation of a Self Fueling permit in accordance with Section J hereof. Upon revocation, Permittee may not reapply for a Self-Fueling permit for a period of twelve months. Revocation after a second violation shall permanently bar Permittee from reapplying for a Self-Fueling permit.~~

~~g. In addition to any other penalties prescribed in the Rules and Regulations, the Airports Director may cause vehicles in violation of the provisions hereof governing the operation of ground vehicles (Section F) to be ticketed or towed. In addition, the Airports Director may deny Airport access to any ground vehicle if the owner or operator of the vehicle operates the vehicle in a reckless or negligent manner.~~

~~Penalties for violations of the provisions hereof governing security within the Air Operations Area shall include written warning, suspension or revocation of a badge, loss of privileges, and retraining and re-testing, according to a schedule of graduated penalties prescribed by the Airports Director and made available during training, application for a badge, and upon request.~~