

ORDINANCE NO. 07-051

AN ORDINANCE AMENDING CHAPTER 1-2.3 (AIRPORTS AND AIRCRAFT) OF THE CODE OF ORDINANCES OF ST. LUCIE COUNTY, FLORIDA, BY AMENDING SECTION 1-2.3-1 (DEFINITIONS) TO INCLUDE ADDITIONAL DEFINITIONS; DELETING ARTICLE II (REGULATION OF VEHICULAR TRAFFIC AND PARKING) AND CREATING ARTICLE II (PRIMARY GUIDING DOCUMENTS); CREATING ARTICLE III (RULES AND REGULATIONS); AND CREATING ARTICLE IV (GENERAL AVIATION MINIMUM STANDARDS) TO REGULATE THE OPERATIONS AT THE ST. LUCIE COUNTY INTERNATIONAL AIRPORT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING SEVERABILITY AND APPLICABILITY; PROVIDING FILING WITH THE DEPARTMENT OF STATE; PROVIDING AN EFFECTIVE DATE; PROVIDING ADOPTION; AND PROVIDING CODIFICATION.

WHEREAS, St. Lucie County owns and operates the St. Lucie County International Airport (the "Airport"); and,

WHEREAS, Chapter 1-2.3 (Airport and Aircraft) of the St. Lucie County Code of Ordinances and Compiled Laws provides for the regulation of operations at the Airport; and,

WHEREAS, on this 4th day of December, 2007, at a duly advertised public hearing, the Board determined that it is necessary and in the public interest to amend Chapter 1-2.3 by amending Chapter 1-2.3 to adopt rules and regulations governing the operation of aircraft and motor vehicles at the Airport in order to provide for a safer and more efficient airport for users of the Airport.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

PART A. AMENDMENT OF SECTION 1-2.3-1 (DEFINITIONS) OF CHAPTER 1-2.3 (AIRPORTS AND AIRCRAFT) OF THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY.

Section 1-2.3-1 (Definitions) of Chapter 1-2.3 of the St. Lucie County Code of Ordinances and Compiled Laws is hereby amended to read as follows:

Section 1-2.3-1. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter the most reasonable application. Words not specifically defined below which relate to aeronautical practices, processes, and equipment shall be construed according to their general usage in the aviation industry:

Abandon means to forsake, desert, give up and surrender one's claim or right.

Abandoned, as applied to Property, other than Aircraft or Vehicles, left at the Airport, means that it has been left on the Airport for 48 hours without the owner moving or claiming it.

AC means Advisory Circular issued by the FAA to help explain the intent of a federal regulation, to provide guidance and information to the aviation public in a designated subject area, or to show an acceptable method for complying with a related federal regulation.

Accident means a collision or other contact between any part of an Aircraft, Vehicle, person, stationary object and/or other thing which results in Property damage, personal injury, or death; or an entry into or emergence from a moving Aircraft or Vehicle by a person which results in personal injury or death to such person or some other person or which results in Property damage.

Aeronautical Activity (or "Aeronautical Activities" or "Activity" or "Activities") means any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft or another Aeronautical Activity, or which contributes to or is required for the safety of such operations. The following Activities, without limitation, which are commonly conducted on airports, are considered Aeronautical Activities within this definition: Aircraft charter, pilot training, Aircraft rental, sightseeing, aerial photography, aerial spraying and agricultural aviation services, aerial advertising, aerial surveying, air carrier operations (passenger and cargo), Aircraft sales and service, sale of aviation fuel and oil, Aircraft Maintenance, sale of Aircraft parts, and any other Activities which, because of their direct relationship to the operation of Aircraft or the Airport, can appropriately be regarded as an Aeronautical Activity. For the purposes of the Primary Guiding Documents, all products and services described herein are deemed to be "Aeronautical Activities".

Agency means any federal, state, or local governmental entity, unit, agency, organization, or authority.

Agreement means a written contract, executed by both parties, and enforceable by law between the County and an entity granting a concession, transferring rights or interest in land and/or Improvements, and/or otherwise authorizing and/or prohibiting the conduct of certain Activities. Such Agreement will recite the terms and conditions under which the Activity will be conducted at the Airport including, but not limited to, term of the Agreement; rents, fees, and charges to be paid by the entity; and the rights and obligations of the respective parties.

Aircraft means any contrivance now known or hereafter invented, which is used or designed for navigation of or flight in air or space, except a parachute or other contrivance designed for such navigation but used primarily as a safety device equipment. This includes, but is not limited to, airplanes, airships, balloons, dirigibles, rockets, helicopters, gliders, gyrocopters, ground-effect machines, sailplanes, amphibians, and seaplanes.

Aircraft Design Group means a grouping of Aircraft based upon wingspan. The groups are as follows:

Group I: Up to but not including 49 feet.

Group II: 49 feet up to but not including 79 feet

Group III: 79 feet up to but not including 118 feet

Aircraft Line Maintenance means Aircraft Maintenance typically required to return an Aircraft to service within a short period of time. Examples include, but are not limited to: replenishing lubricants, fluids, nitrogen, and oxygen; servicing of landing gear tires and struts; lubricating aircraft components; and, avionics/instrument removal and/or replacement.

Aircraft Maintenance means the repair, maintenance, alteration, calibration, adjustment, preservation, or inspection of Aircraft airframe, power plant, propeller, and accessories (including the replacement of parts) as described in 14 CFR Part 43.

Aircraft Operator means a person who uses, causes to be used, or authorizes to be used an Aircraft, with or without the right of legal control (as owner, lessee, or otherwise), for the purpose of air navigation including the piloting of Aircraft, or on any part of the surface of the Airport.

Airframe and Power plant Mechanic (or "A & P Mechanic") means a person who holds an Aircraft mechanic certificate with both the airframe and power plant ratings. This certification is issued by the FAA under the provisions of 14 CFR Part 65.

~~_____ Airport means any airport owned and operated by the county port and airport authority, as now existing or as the same may hereafter be developed the St. Lucie County International Airport and all land, improvements, and appurtenances within the legal boundaries of the Airport as it now exists on the Airport Layout Plan (or Exhibit A of the most recent FAA grant and sponsor assurances) and as it may hereinafter be extended, enlarged, or modified.~~

~~_____ Airport Assurances means those contractual obligations that are described by law in 49 U.S.C. § 47107 and are undertaken by a public airport sponsor as a condition of receipt of federal airport development grants or federal surplus property.~~

~~_____ Airport Director means the individual charged with the duty to manage, supervise, control, and protect the Airport or such other employee of the Airport as the Airport Director may from time to time designate to carry out the duties of the Airport Director.~~

~~_____ Airport Identification Badge ("Badge") means a badge or similar device allowing access to certain parts of the Airport.~~

~~_____ Airport Layout Plan, (or "ALP") means the currently approved drawing depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, Taxiways, buildings, roadways, utilities, nav aids, etc.~~

~~_____ Airport Operations Area (or "AOA") means the geographic location that includes Aircraft Movement Areas, Aircraft parking areas (Aprons), loading ramps, safety areas and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures.~~

~~_____ Air Traffic Control (or "ATC") means a service operated by appropriate authority to promote the safe, orderly, and expeditious flow of Aircraft in the air and movement on the ground.~~

~~_____ Applicant means an entity desiring to use land and/or Improvements at the Airport to engage in Aeronautical Activities and who shall apply in writing and in the manner or form prescribed herein for authorization to engage in such Activities at the Airport.~~

~~_____ Apron means those paved areas of the Airport within the AOA designated for the loading or unloading of passengers, servicing, or parking of Aircraft.~~

Association means an entity legally formed and recognized under the laws of the State of Florida having an existence separate and apart from its members or shareholders (i.e., Limited Liability Company, Corporation, Partnership, Limited Partnership, etc.).

Avgas means aviation gasoline.

Based Aircraft means any Aircraft utilizing the airport as a base of operation (other than occasional transient purposes) and is registered at the airport with an assigned tie-down or hangar space on the Airport or adjoining property which has direct Taxiway access to the Airport.

Board or BOCC means the board of county commissioners of the St. Lucie County.

Certificates of Insurance means a certificate provided by and executed by an Operator's insurance company evidencing the insurance coverages and limits of the Operator.

CFR means the Code of Federal Regulations, as may be amended from time to time.

Commercial means an Activity with the intent to generate and/or secure earnings, income, compensation (including exchange or barter of goods and services), and/or profit, whether or not such objectives are accomplished.

Compensation means any form of reimbursement for goods or services such as, but not limited to, monetary, barter, favors, gratuity.

Contiguous Land, means land that is sharing an edge or boundary or is separated by no more than a Taxilane or Taxiway.

~~Control tower means an air traffic control tower located at the airport.~~

County means St. Lucie County, a political subdivision of the State of Florida.

Curbside means the curb and those lanes designated by the director for loading and unloading adjacent to the terminal building area at the airport.

Current means all rents, fees, and other charges (required to be paid under any and all Agreements) are paid.

Department of Transportation (or "DOT") means the Cabinet department of the United States government concerned with transport. It is administered by the United States Secretary of Transportation.

Derelict means deserted (abandoned) by an owner and/or in dilapidated condition. This does not include Aircraft under the care, custody, and control of a Commercial Aeronautical Operator for the purpose of refurbishment or repair.

Development Guidelines means the parameters governing the design, construction, and/or modification of Operator or Lessee facilities at the Airport, as may be adopted or amended from time to time.

~~Director means the port and airport director appointed by the authority, or his duly authorized representative.~~

Emergency Vehicle means a vehicle of the police or fire department, ambulance or any Vehicle conveying an Airport official or Airport employee in response to an official emergency call.

Employee(s) means any individual employed by an entity where by said entity collects and pays all associated taxes on behalf of Employee (i.e., social security and medicare). The determination of status between "employee" and "contractor" shall be made according to then current IRS standards.

~~Equipment means portable units or vehicles, other than those commonly classified as motor vehicles, which exist at an airport or are utilized in conjunction with the operation of aircraft or an airport facility all property and machinery, together with the necessary supplies, tools, and apparatus necessary for the proper conduct of the Activity being performed.~~

Exclusive Right means a power, privilege, or other right excluding or preventing another from enjoying or exercising a like power, privilege, or right. An exclusive right may be conferred either by express Agreement, by imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties, but excluding others from enjoying or exercising a similar right or rights, would be an exclusive right. An exclusive right to conduct an Aeronautical Activity, which is forbidden by federal regulation, is distinguished from an exclusive right to occupy real estate, which is permitted by federal regulation under certain conditions.

Federal Aviation Administration (or "FAA") means the Agency within the Department of Transportation of the United States government that has the responsibility of promoting safety in the air, by both regulation and education.

Fire District means the St. Lucie County Fire District and its fire fighting personnel who are responsible for fire fighting at the Airport.

Fixed Base Operator (or "FBO") means a Commercial Operator engaged in the sale and/or subleasing of products, services, and facilities to Aircraft Operators including, at a minimum, the following Activities at the Airport:

- A. Sale of aviation Fuels and lubricants (Jet Fuel, Avgas, and Aircraft lubricants)
- B. Passenger, crew, and Aircraft ground services, support, and amenities
- C. Aircraft Maintenance
- D. Tiedown, hangar, and Aircraft Parking

Flight Training means any use of an Aircraft to increase or maintain pilot or crewmember proficiency rather than the use of an Aircraft as transportation between two different Airports or other destinations. Flight Training shall also include any portion of a flight between two Airports or other destinations dedicated to increase or maintain pilot or crewmember proficiency.

Fuel means any substance (solid, liquid, or gaseous) used to operate any engine in Aircraft, Vehicles, or equipment.

Fuel Handling means the transporting, delivering, fueling, or draining of Fuel or Fuel waste products.

General Aviation means all aviation with exception of air carriers (including cargo) and government. General Aviation Aircraft are utilized for Commercial and non-commercial purposes including business, corporate, recreational/pleasure, charter/air taxi, industrial/special purpose, and instructional.

General Provisions means provisions common to all Primary Guiding Documents.

Hazardous Materials (or Hazardous Waste) means a substance or combination of substances which because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, disposed of or otherwise managed.

Improvements means all buildings, structures, additions, and facilities including pavement, concrete, fencing, and landscaping constructed, installed, or placed on, under, or above any land on the Airport.

Jet Fuel means fuel commonly utilized in Turboprop and Turbojet Aircraft.

~~_____ Law Enforcement Officer means any person vested with a police power of arrest on the airport under law enforcement officers of any federal, state, or local government authority Agency.~~

~~_____ Leased Premises means the land and/or Improvements used exclusively under Agreement by Operator for the conduct of Operator's Activities.~~

~~_____ Lessee means an entity that has entered into an Agreement with the County to occupy, use, and/or develop land and/or Improvements and engage in Aeronautical Activities.~~

~~_____ Limousine means any motor vehicle having a seating capacity of eight (8) persons, excluding the driver, operating to and from the airport for hire in accordance with a valid motor carrier license issued by the board, but shall not include "taxicabs" or "vans" as defined in section 1-13.3-16 of the County Code of Ordinances and Compiled Laws.~~

~~_____ Light Aircraft means aircraft with a maximum takeoff weight of 12,500 pounds or less.~~

~~_____ Master Plan means an assembly of appropriate documents and drawings covering the development of the Airport from a physical, economical, social, and political jurisdictional perspective and adopted by the Airport, a copy of which is on file and available for inspection in the Airport Director's office, and any amendments, modifications, revisions, or substitutions thereof. The Airport Layout Plan (ALP) is a part of the Master Plan.~~

~~_____ Minimum Standards means those qualifications, standards, and criteria set forth as the minimum requirements to be met as a condition for the right to engage in Activities at the Airport, as they may be amended from time to time.~~

~~_____ Motor vehicle means a device in, upon, or by which a person or property may be propelled, moved, or drawn upon land or water, except a device moved by human or animal power, aircraft or devices moved exclusively upon stationary rails or tracks, and "equipment" as defined in subsection 1-2.3-1(m).~~

~~_____ Movement Area means the runways, Taxiways, and other areas of the Airport which are utilized for taxiing/hover taxiing, air taxiing, takeoff, and landing of Aircraft, exclusive of loading ramps and parking areas. Specific approval for entry onto the movement area must be obtained from ATC.~~

~~_____ National Fire Protection Association (or "NFPA") means all codes, standards, rules, and regulations contained in the Standards of the National Fire Protection Association, as may be amended from time to time, and are incorporated herein by reference.~~

Non-Commercial means not for the purpose of securing earnings, income, compensation (including exchange of service), and/or profit.

Non-Commercial Operator means an entity that either owns or leases and operates Aircraft for personal or recreational purposes. In the case of a business, the operation of Aircraft must be an ancillary Activity to support the business's purposes by providing transportation for the exclusive use of its employees, agents, and/or customers. In all cases, the Non-Commercial Operator neither offers nor engages in Commercial Aeronautical Activities.

Non-Movement Area means those areas of the Airport where Aircraft taxi, or are towed or pushed without radio contact with ATC or with other Aircraft. These areas are usually confined to those immediately adjacent to hangars, shops, terminal buildings and other structures. Non-Movement Areas are usually defined as part of the same formal agreement referenced herein under Movement Areas.

Operator (as used in Lease/Rates and Charges Policy and Minimum Standards) means an entity that has entered into an Agreement with the County or an approved Sublease for office, shop, hangar, or land to engage in Commercial Aeronautical Activities.

Owner means the registered legal owner of an Aircraft according to the records of the FAA or a Vehicle according to the Department of Motor Vehicle records.

Park(ing) means the standing of an Aircraft or Vehicle, whether occupied or not, other than for the purpose of, and while, engaging in loading or unloading of Property and/or passengers.

Paved, to lay or cover with asphalt or concrete that forms a firm level surface.
Permission, A right or approval granted by the Airport Director.

Piston Aircraft, An Aircraft that utilizes a reciprocating engine for propulsion.

Primary Guiding Documents, a compilation of policy documents of the County, as may be adopted or amended from time to time, including General Provisions, Lease/Rates and Charges Policy, Minimum Standards, Rules and Regulations, and Development Guidelines.

Private Vehicle, Any Vehicle operated for transportation of persons or baggage that are not customers of the Vehicle Operator, and no revenue is being derived from the transportation either directly or indirectly.

Property, anything that is owned by an entity. Property is divided into two types: "real property," which is any interest in land, real estate, growing plants or the Improvements on it, and "personal property", which is everything else.

Public Area, those areas of the Airport open for public thoroughfare, gathering, waiting, and/or viewing, and in which access is not restricted by federal and Airport regulations.

Readily Available, Conveniently located (in close proximity) and accessible, but not necessarily located on the Leased Premises.

Refueling Vehicle, Any Vehicle used for the transporting, handling or dispensing of Fuels, oils, and lubricants.

Regulatory Measures, Federal, state, county, local, and Airport, laws, codes, ordinances, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation, the FAA, TSA, EPA, EPCRA, and the Primary Guiding Documents; all as may be in existence, hereafter enacted, and amended from time to time.

Repair Station, A certificated Aircraft Maintenance facility approved by the FAA to perform specific maintenance functions. These facilities are certificated under 14 CFR Part 145.

Rules and Regulations, Rules and Regulations of the Airport, properly adopted by Resolution of the St. Lucie Board of County Commissioners, as may be adopted or amended from time to time.

Runup, Aircraft engine operation above normal idle power for purposes other than initiating taxi or takeoff.

Self-Fueling, The fueling of an Aircraft by the Owner of the Aircraft, or the Owner's Employee, using the Owner's Equipment.

Self Servicing, Any person who dispenses Fuel into an Aircraft using a commercial self-service Aircraft fueling station to their own fueling apparatus.

Sheriff's Department, Agency and law enforcement officers having jurisdiction (responsibility) over those portions of the Airport located within the County. As such, the terms "Sheriff's Department" and "Law Enforcement Officer" are used interchangeably.

SPCC Plan, Spill Prevention, Control, and Countermeasures Plan.

Specialized Aviation Service Operator (or "SASO"), A Commercial Operator that provides any one or a combination of the following Activities: Aircraft Maintenance, avionics or instrument maintenance, Aircraft rental or flight training, Aircraft charter or Aircraft management, Aircraft sales, and other Commercial Aeronautical Activities.

Standard Operating Procedures (or "SOP"), Written instructions, which describe procedures designed to work toward maintaining an environment.

Sublease, An agreement entered into by an entity with an Operator or Lessee that transfers rights or interests in the Operator's or Lessee's Leased Premises and is enforceable by law.

Sublessee, An entity that has entered into a sublease with an Operator or Lessee who is authorized to engage in Commercial Aeronautical Activities at the Airport.

Storm Water Pollution Prevention Plan (or "SWPPP"), The Storm Water Pollution Prevention Plan for the Airport, as may be amended from time to time.

Taxilane, The portion of the Aircraft parking area used for access between Taxiways and Aprons and not under ATC control.

Taxiway, A defined path, usually paved, over which Aircraft can taxi from one part of an airport to another (excluding the runway) and may be under ATC control.

Tiedown, An area Paved or unpaved suitable for parking and mooring of Aircraft wherein suitable Tiedown points and equipment (to facilitate Aircraft tiedown) are located.

Touch-and-Go, The act of landing an Aircraft on a runway and immediately taking off in the same direction on that runway instead of landing and coming to a full stop on the runway before proceeding on a Taxiway to a parking location or to another runway.

Transient Parking, The parking of Aircraft not normally based at the Airport in an area specifically set aside by the FBO for this purpose.

TSA, Transportation Security Administration.

Turbojet Aircraft, An Aircraft that utilizes one or more jet engines that have a turbine driven compressor and develop thrust from the exhaust of hot gases.

Turboprop Aircraft, An Aircraft that utilizes a gas turbine engine to drive a set of reduction gears, which, in turn, drives a propeller for propulsion.

Ultralight Vehicle, Any contrivance used or intended to be used for manned operation in the air by a single occupant; does not have any U.S. or foreign airworthiness certificate; and if unpowered, weighs less than 155 pounds; or if powered, weighs less than 254 pounds empty weight, excluding floats and safety devices which are intended for deployment in a potentially catastrophic situation; has a Fuel capacity not exceeding 5 U.S. gallons; is not capable of more than 55 knots calibrated airspeed at full power in level flight; and has a power-off stall speed which does not exceed 24 knots calibrated airspeed.

Vehicle, Any device that is capable of moving itself, or being moved, from place to place upon wheels; but does not include any device designed to be moved by human muscular power or designed to move primarily through the air.

Vehicle Operator, Any person who is in actual physical control of a Vehicle.

Vehicle Permit, A permanent sticker affixed to the rear bumper of a Vehicle authorizing access to the Movement Areas of the Airport.

PART B. AMENDMENT OF ARTICLE II (REGULATION OF VEHICULAR TRAFFIC AND PARKING) OF CHAPTER 1-2.3 (AIRPORTS AND AIRCRAFT) OF THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY.

Article II (Regulation of Vehicular Traffic and Parking) of Chapter 1-2.3 of the St. Lucie County Code of Ordinances and Compiled Laws is hereby amended to read as follows:

ARTICLE II. REGULATIONS OF VEHICULAR TRAFFIC AND PARKING
GENERAL PROVISIONS

~~Section 1-2.3-17. In general.~~

~~Motor vehicles operated on the public roadway and parking lots of the airport shall be governed by the traffic ordinances of the county and applicable state vehicle laws, and in addition thereto, no person shall operate any motor vehicle on the airport except in accordance with the rules and regulations prescribed in this article.~~

~~Section 1-2.3-18. Stopping or parking prohibited.~~

~~No person shall stop, stand, or park a vehicle in a place other than that specified for such by sign or pavement markings, at the terminal building area or fixed base operator areas, except when necessary to avoid conflict with other traffic or in compliance with the direction of a law enforcement officer, or the director or his designated representative.~~

~~Section 1-2.3-19. Vehicles not to obstruct traffic.~~

~~Whenever a vehicle for any reason obstructs the free flow of traffic, the operator shall move the vehicle immediately.~~

- ~~(1) No person or persons shall willfully obstruct the free, convenient and normal use of any roadway, loading area, unloading area, parking aisle, crosswalk, wheelchair ramps, parking entrance or exit at the airport by impeding, hindering, stifling, retarding, or restraining traffic or passage thereon, or by endangering the safe movement of vehicles or pedestrians traveling thereon.~~
- ~~(2) The parking of a vehicle shall not usurp any of the traveled portion of the street.~~

~~Section 1-2.3-20. Parking for certain purposes prohibited.~~

- ~~(a) The parking of a vehicle shall not usurp any of the traveled portion of the street.~~

~~Section 1-2.3-20. Parking for certain purposes prohibited.~~

- ~~(a) No person shall park or stand a vehicle at the airport for the purpose of:
 - ~~(1) Displaying of such vehicle for sale.~~
 - ~~(2) Washing, greasing, or repairing such vehicle, except repairs necessitated by emergency. This subsection shall not apply to such activities performed by rental car companies authorized by the authority to operate at the airport.~~
 - ~~(3) Displaying advertising.~~
 - ~~(4) Selling merchandising from such vehicle.~~
 - ~~(5) Storage or as junkage or dead storage.~~~~
- ~~(b) No person shall engage in any commercial activity at the airport, other than motor carrier permittees granted permits by the board, unless otherwise permitted by the authority.~~

~~Section 1-2.3-21. Motor vehicle and operator licenses generally.~~

~~No motor vehicle shall be operated upon the airport unless:~~

- ~~(1) The operator thereof is duly licensed to operate such vehicle on state, county, or municipal highways, and~~
- ~~(2) Such vehicle is registered in accordance with the provisions of the law of the state.~~

~~The name of the owner shall be affixed to the driver and passenger sides of all commercial motor vehicles while operated on the airport movement area.~~

~~**Section 1-2.3-22. Parking for disabled persons.**~~

~~No person shall stop, stand, or park a vehicle within any parking space designated and marked for handicapped or disabled persons unless such vehicle displays a parking permit issued pursuant to section 316.1958 or 320.0846, Florida Statutes, and such vehicle is transporting a person eligible for the parking permit.~~

~~**Section 1-2.3-23. Restricted use zones.**~~

~~No person shall enter, stop, stand or park a vehicle in a restricted use zone when such zone has been officially designated and appropriately signed. A "restricted use zone" is defined as an area where parking, standing, or stopping is reserved for an authorized vehicle.~~

~~**Section 1-2.3-24. Vehicle speed.**~~

- ~~(a) No person shall operate any motor vehicle in excess of twenty-five (25) miles per hour upon any roadway, taxiway, or portion thereof of any area used for motor vehicle traffic at the airport, except as otherwise posted or directed by the air traffic control tower.~~
- ~~(b) No person shall operate any motor vehicle in excess of seven (7) miles per hour upon any aircraft parking area, apron, loading or unloading, or portion thereof at an airport, or as otherwise directed by the air traffic control tower.~~

~~**Section 1-2.3-25. Certain vehicular traffic prohibited.**~~

- ~~(a) No person shall operate any truck, trailer, semitrailer, truck tractor, special mobile equipment, house trailer, dump truck, truck-mounted shovel, crane, transit mixers or other vehicle designated for the transportation of property to which machinery has been attached, on any airport roadway for the purpose of utilizing such roadway as a short-cut thoroughfare between any points outside the boundaries of the airport, unless otherwise directed by a law enforcement officer, or pursuant to a written permit issued by the director.~~
- ~~(b) No person shall operate any vehicle on an airport contrary to posted load or height limits.~~

~~Section 1-2.3-26. Entry to airport movement area or restricted areas.~~

- ~~(1) Persons who enter in accordance with security clearance from the county port and authority director.~~
- ~~(2) Persons assigned duties on the airport movement area or other restricted area bearing proper identification as approved and required in section 12.3-27 herein.~~
- ~~(3) Persons who are employees or authorized representatives of the authority or other federal, state or local governmental department or agency, having proper business thereon and bearing property identification as approved and required herein.~~

~~Section 1-2.3-27. Identification card and pouch.~~

- ~~(a) Those persons authorized to enter the air movement area or other restricted areas at an airport in accordance with subsection 1-2.3-26(b), and (c), shall at all times, possess an official identity or entry permit card issued or approved by the authority. Identification cards shall be enclosed in a pouch issued by the authority and worn conspicuously on the outer garment of the bearer, unless otherwise authorized by the authority.~~
- ~~(b) In the event an identification card or pouch issued by the authority is damaged, lost or stolen, the person to which such card or pouch was issued shall give official written notice of such occurrence to the authority. A duplicate card or pouch shall not be released until such notice is received by the authority.~~
- ~~(c) All persons shall pay the authority fee for the issuance of the original or duplicate identification cards and pouches, as established by resolution of the authority, and promptly return all such identification cards and pouches of employees who have been terminated or transferred, or upon the request of the authority.~~
- ~~(d) No person to whom an approved identification card and/or pouch has been issued by the authority for the purpose of entering an airport movement area or the restricted areas of the airport shall transfer such card or pouch to any other person.~~

~~Section 1-2.3-28. Authority to operate vehicular traffic on airport movement area.~~

- ~~(a) No person other than employees or agents of the authority, board, federal, state and local governmental entity thereof shall operate or cause to be operated any motor vehicle on an airport movement area, unless such operation is required on the airport movement area and is directly related to an aviation activity on the airport, to the business of the authority or the board, or to the~~

~~business of a tenant or authorized subtenant of the authority engaged in a business activity authorized by the authority.~~

- (b) ~~The authority shall establish, in accordance with any and all applicable National Fire Protection Association (NFPA) codes and standards, fueling procedures which shall be adhered to by all fuel trucks, unless otherwise directed by the air traffic control tower.~~

~~Section 1-2.3-29. Yielding to aircraft.~~

~~All motor vehicles on the airport movement area shall yield the right-of-way to aircraft in motion under all conditions. This requirement shall include vehicles within designated roadways on the airport movement area.~~

~~Section 1-2.3-30. Crossing runways and taxiways.~~

~~No person at the airport when the control tower is in operation shall operate a motor vehicle beyond the hold bars of an active runway or taxiway or closer than one hundred fifty (150) feet from the edge of an active runway, or closer than one hundred ten (110) feet from the centerline of an active taxiway, or as may subsequently be required by authority resolution, without authorization from the control tower. Movement across said runway or taxiway shall then be made expeditiously. No crossing shall be made by other than emergency vehicles during hours the control tower is closed.~~

~~Section 1-2.3-31. Operations near aircraft.~~

~~No person, other than employee or authorized representative of the authority or of any federal, state or local government entity or the operator of an aircraft servicing vehicle for that aircraft, shall operate a motor vehicle on the airport movement area at an airport so as to pass within twenty (20) feet of a parked aircraft or contrary to established vehicle operational procedures, including, but not limited to, specific routes or zones marked on pavement and regulatory signs. No person shall operate a motor vehicle between an aircraft parked at the terminal building and the terminal building without first ascertaining that no person is on foot in the area through which the vehicle will travel. In the event that an aircraft being loaded or unloaded at ground level no vehicle shall be operated between said aircraft and the terminal while passengers are enplaning or deplaning.~~

~~Section 1-2.3-32. Two-way radio requirements.~~

~~The operator of a motor vehicle requiring clearance to operate on or across an active taxiway or runway at an airport shall maintain direct two-way radio contact with the control tower, or in the event of an authorized motor vehicle equipped with a two-way radio in contact~~

~~with the control tower. This requirement shall not apply, however, to operators of vehicles authorized by the director to receive preestablished visual signals from the control tower, or to operators following preestablished special procedures of the authority which have been approved by the control tower.~~

~~**Section 1-2.3-33. Operator's license.**~~

~~No person shall drive a motor vehicle on the airport movement area, unless such individual carries on his person at all time a currently valid operator's license for the type of such vehicle being operated, issued in accordance with statutes of the state.~~

~~**Section 1-2.3-34. Reckless driving.**~~

~~No person shall operate a motor vehicle on the airport movement area in a reckless manner, so as to indicate a willful or wanton disregard for the safety of persons or property.~~

~~**Section 1-2.3-35. Careless driving.**~~

~~No person shall operate a motor vehicle on the airport movement area in a careless manner, which is other than in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and use of roadways, weather conditions, and all other attendant circumstances, so as not to endanger the life, limb or property or any person.~~

~~**Section 1-2.3-36. Emergency vehicles.**~~

~~Upon the approach of a sheriff, ambulance, fire district, or other emergency vehicle giving an audible or visual signal, each person operating another motor vehicle on the airport movement area shall immediately yield the right-of-way to such vehicle, until the emergency vehicle has stopped or passed, unless otherwise directed by a law enforcement officer.~~

~~**Section 1-2.3-37. Occupants of motor vehicles.**~~

~~No person shall, while on the airport, ride on the running board of a moving motor vehicle, stand up in the body of a moving vehicle, ride on the outside of the body of a moving motor vehicle, or ride on such a vehicle with his arms or legs protruding from the body of the vehicle, unless required to do so in the performance of his duties. This provision shall not apply to a tug which is not equipped with a seat.~~

~~**Section 1-2.3-38. Parking on airport movement area.**~~

- (a) ~~No person shall park any motor vehicle or motorized or other equipment on the airport movement area in areas other than those designated as authorized by the authority nor in any manner contrary to any posted regulatory signs, traffic-control devices, pavement markings, etc.~~
- (b) ~~No person shall park a motor vehicle or equipment on the airport movement area so as to interfere with the use of a facility by others or prevent the passage or movement of aircraft, emergency vehicles or other motor vehicles.~~
- (c) ~~No person shall park a motor vehicle or equipment on the airport movement area in such a manner as to interfere with or prevent an aircraft fueling vehicle from being readily driven away from such aircraft in the event of an emergency.~~

~~Section 1-2.3-39. Motor vehicle accidents.~~

- (a) ~~Any person operating a motor vehicle on the airport movement area, who is involved in an accident resulting in injury to any person or damage to any property, shall immediately stop such vehicles at the scene of such accidents or as close thereto as possible, notify the county sheriff's department or the director, and shall then return to and remain at the scene of the accident until he has fulfilled the requirements of subsection 1-2.3-39(b) following. Every such stop shall be made with the least possible obstruction of traffic.~~
- (b) ~~Any person operating a motor vehicle on the airport movement area, who is involved in an accident, as defined in subsection 1-2.3-39(a) above, and the owner of such vehicle, if other than the operator thereof, shall make a full report of such accident to the nearest law enforcement officer and to the director as soon after the accident as possible, including the names and addresses of the individuals involved, the registration and license number of the vehicle or vehicles involved, and such other information relevant to the accident on request of any law enforcement officer investigating the same; and the operator of any such motor vehicle involved in such accident shall, upon request, exhibit such licenses, registrations or other documents relevant to such accident or the persons or property involved to any officer investigating the same.~~

~~Section 1-2.3-40. Service and repair of motor vehicles on airport movement area.~~

- (a) ~~No person shall service, clean, repair, maintain or overhaul any motor vehicle or motorized or other equipment on the airport movement area; except for immediate minimum repairs required to remove the vehicle from airport movement area in the event of breakdown.~~
- (b) ~~No person shall fuel a motor vehicle or motorized equipment on the airport movement area in any areas other than those established by the authority.~~

~~Section 1-2.3-41. Contractor's access and operations on the airport movement area.~~

- ~~(a) Access to and egress from the site of construction located on the airport movement area by motor vehicles, cranes, and other equipment belonging to or under the supervision of an airport contractor shall be gained only via routes through gates and at such times as may be established or approved by the director. Request for access to such sites shall be made to the director a minimum of twenty-four (24) hours in advance.~~
- ~~(b) Construction equipment shall be operated and stored within the airport movement area, in accordance with procedures established or approved by resolution of the authority.~~

~~Section 1-2.3-42. Vehicle and equipment condition and safety requirements.~~

~~No person shall operate a motor vehicle or equipment on the airport movement area unless such vehicle or equipment is in good operating condition and repair for a unit of its type and is equipped with at least the following safety equipment in fully operable condition;~~

- ~~(1) Motor vehicle lights:
 - ~~a. All motor vehicles operated on the airport movement, except motor vehicles designed for only one (1) headlight, shall be equipped with two (2) headlights and one (2) or more red taillights and brake lights. Exception: tow tugs and other specialized ramps units which are standardly equipped with taillights only. For purposes of general guidelines, vehicles with four (4) wheels shall require dual headlights.~~
 - ~~b. All headlights and taillights shall be kept lighted between the hours of sunset and sunrise and at all times when passing through unlighted or poorly lighted areas.~~
 - ~~c. Any motor vehicle, other than emergency vehicles, operating on runways or taxiways of the airport movement area shall display an amber overhead or rotating light at all times while so operating provided, however, that between the hours of sunrise and sunset a motor vehicle not so equipped may operate if such vehicle displays a checkered flag approved by the director. The use of red or blue flashing or rotating lights shall be limited to emergency vehicles only.~~
 - ~~d. All motor vehicle lights shall be of sufficient brilliance to assure safety in driving.~~
 - ~~e. All baggage and cargo carts shall be equipped with reflectors or fluorescent tape material, two (2) each on the front, the rear and both sides of the cart. The reflectors shall be standard truck types. If fluorescent tape is used, each piece shall have a reflective surface of~~~~

~~not less than fourteen (14) square inches. Reflectors or tape on the front and front sides shall be amber and on the rear and rear sides shall be red.~~

~~(2) Motor vehicle brakes:~~

- ~~a. All motor vehicles operating on the airport movement area shall be equipped with a properly functioning braking system, suitable for the specific type of equipment operated.~~
- ~~b. The operator of a motor vehicle on the airport movement area shall test the brakes of such vehicle upon approaching an aircraft within such distance as necessary to avoid a collision with such aircraft in the event of brake failure.~~

~~(3) Motor vehicle windows and mirrors:~~

- ~~a. Every motor vehicle operating on the airport movement area shall be equipped with at least one (1) mirror, so adjusted that the operator of such vehicle shall have a clear view of the road behind for a distance of at least two hundred (200) feet.~~
- ~~b. The windshield and other windows of a motor vehicle operating on the airport movement area shall be free of cracks, blisters, discoloration, or any other defect causing distortion or obstruction of the vision of the operator thereof.~~
- ~~c. The use or placing of posters, stickers, signs or other objects on the windshield or other windows of a motor vehicle operating on the airport movement area, other than those required by the authority or by state and local law, is prohibited.~~
- ~~d. The vision of an operator of a motor vehicle on the airport movement area shall not be obstructed by an extended superstructure or load.~~

Section 1-2.3-17. Definitions.

Definitions identified and defined in Section 1-2.3-1 (Definitions), whenever used in the Primary Guiding Documents, shall be construed as defined therein unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases. All defined words shall be capitalized throughout the Primary Guiding Documents.

Section 1-2.3-18. Governing Body

The St. Lucie County International Airport (Airport) is owned and operated by St. Lucie County (County), and governed by and through the St. Lucie County Board of County

Commissioners (BOCC). The authority to grant the occupancy and use or development of Airport land or Improvements, the right to engage in any Commercial activity or Aeronautical Activity at the Airport, and to approve, adopt, amend, or supplement any Agreement, policy, or practice relating thereto, including the Primary Guiding Documents, is expressly reserved to the BOCC.

Section 1-2.3-19. Statement of Policy.

(a) It is the intent of the County to: (1) plan, manage, operate, finance, and develop the Airport to ensure its long-term financial health and protect and promote the health, safety, security, and general welfare of the public consistent with all applicable Regulatory Measures and (2) encourage the development and operation of General Aviation businesses and the provision of quality aviation products, services, and facilities to the public at the Airport.

(b) As set forth by the Federal Aviation Administration (FAA), by way of its Airport Assurances, any airport developed with federal grant assistance is required to operate for the use and benefit of the public and shall be made available to all types, kinds, and classes of Aeronautical Activity on fair and reasonable terms and without unjust discrimination.

Section 1-2.3-20. Airport Management.

(a) The Airport Director is responsible for the operation, management, maintenance, and security of the Airport and all County owned and operated Airport land, Improvements, facilities, Vehicles, and equipment.

(b) The County has authorized and directed the Airport Director to:

(1) Interpret, administer, and enforce Agreements and the Primary Guiding Documents and to permit, where appropriate, temporary, short-term occupancy or use of certain Airport land or Improvements; and

(2) Obtain and receive copies of all licenses, permits, certifications, ratings, Certificates of Insurance, and other documents required to be provided to or filed with the County under the Primary Guiding Documents.

(3) All official inquiries to the County regarding the Primary Guiding Documents and/or compliance therewith should be directed to the Airport Director.

Section 1-2.3-21. Authority to Adopt.

The Primary Guiding Documents are promulgated under the authority granted by Chapter 332, Florida Statutes, and Section 332.08 (2)(a) of the Florida Statutes, which authorizes the County to "adopt and amend all needful rules, regulations, and ordinances.

Section 1-2.3-22. Compliance with Regulatory Measures and Agreements.

- (a) All entities occupying or using, engaging in an Aeronautical Activity on, or developing Airport land or Improvements shall comply, at the entity's expense, with all applicable Regulatory Measures including, without limitation, those of the federal, state, and local government and any other Agency having jurisdiction over the Airport, the businesses operating at the Airport, and the activities occurring at the Airport including the Department of Transportation (DOT), the FAA, the state of Florida, the County, and the Primary Guiding Documents; all as may be in effect and amended from time to time.
- (b) Compliance with the Primary Guiding Documents shall not excuse any entity from full and complete compliance with any responsibility or obligation the entity may have to the County under any existing Agreement.

Section 1-2.3-23. Conflicting Regulatory Measures and Agreements.

- (a) If a provision of the Primary Guiding Documents is found to be in conflict with any other provision of the Primary Guiding Documents, a provision of any Regulatory Measure, or a provision of an existing Agreement (if provided for in the Agreement) or future Agreement, the provision that establishes the higher or stricter standard shall prevail.
- (b) It is not the intent of the Primary Guiding Documents to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of any Regulatory Measure except those specifically repealed by the Primary Guiding Documents.

Section 1-2.3-24. Repeal of Regulatory Measures.

All Airport related leasing policies, rates and charges policies, minimum standards, rules and regulations, and development guidelines previously enacted by the County and any other County ordinance or resolution in conflict with the Primary Guiding Documents are hereby repealed to the extent of the conflict.

Section 1-2.3-25. Right to Self-Service.

The Primary Guiding Documents will not exercise or grant any right or privilege which operates to prevent any entity operating Aircraft on the Airport from performing any services on its own Aircraft with its own Employees (including, but not limited to, maintenance, repair, and fueling) that it may choose to perform.

(a) However, individual Operators may restrict the use of their exclusive Leased Premises and each Aircraft Operator must adhere to all applicable Regulatory Measures in the performance of any services on its own Aircraft.

(b) Further, any entity performing services on its own Aircraft must do so in compliance with all applicable Regulatory Measures including the Primary Guiding Documents.

Section 1-2.3-26. Prohibited Activities.

Through-the-fence Operators (entities that have the right to direct access to an airport's runway and Taxiway system from private property located contiguous to the airport) are prohibited at the Airport.

Section 1-2.3-27. Fines.

(a) Entities shall have the responsibility to pay any fine or penalty levied against entity, the Airport, the County, and/or the BOCC, individually or collectively, and their representatives, officers, officials, employees, agents, and volunteers as a result of entity's failure to comply with any applicable Regulatory Measure.

(b) If the fine or penalty is contestable (and contested by the entity), entity shall pay the fine or penalty when upheld by the Agency having jurisdiction.

Section 1-2.3-28. Subordination.

The Primary Guiding Documents are subject and subordinate to the provisions of any existing or future agreements between the County and the state of Florida or the United States pertaining to the operation, management, planning, and development of the Airport and are specifically subordinated to, and to be construed as in accordance with, the Airport Assurances.

Section 1-2.3-29. Notices, Requests for Approval, Applications, and Other Filings.

Any notice, request for approval, application, or other filing required or permitted to be given or filed with the County and any notice or communication required or permitted to be given or filed with any Lessee, Sublessee, Operator, or Applicant pursuant to the Primary Guiding Documents shall be in writing, signed by the party giving such notice, and shall be sent by overnight courier, United States certified mail, facsimile (confirmed by dated return signature), email (confirmed by return email), or in person (confirmed with dated and signed receipt), and shall be deemed to have been given when delivered to the County, Lessee, Sublessee, Operator, or Applicant at their principal place of business or such other address as may have been provided to the County.

Section 1-2.3-30. Amendments.

- ~~(a) The Primary Guiding Documents may be supplemented, amended, or modified by the BOCC from time to time and in such a manner and to such extent as is deemed appropriate by the BOCC.~~
- ~~(b) The BOCC may issue special rules, regulations, notices, memoranda, directives, covenants, restrictions, or conditions from time to time as is deemed appropriate or necessary, consistent with the provisions of County Code and the Primary Guiding Documents.~~
- ~~(c) The County shall provide for public notification of pending amendments to the Primary Guiding Documents in order to provide the opportunity for public comment and input by Operators, Lessees, Sublessees, consumers, users, and the community.~~

Section 1-2.3-31. Variance or Exemption.

- ~~(a) The County has the right, but is not obligated, to approve variances or exemptions to the Primary Guiding Documents when a specific clause, section, or provision of the Primary Guiding Documents may not be justified in a particular case because of special conditions or unique circumstances.~~
- ~~(b) Prior to approving or denying variances or exemptions, the Airport Director shall conduct a reasonable and not unjustly discriminatory review of all relevant information to include those items described in Section 1-2.3-31(h) of these General Provisions as well as any other information requested by the Airport Director.~~
- ~~(c) Approval or denial of a variance or exemption shall be reasonable and consistent with prior decisions involving similar situations at the Airport (if any) which are active on the date the County receives the request for the variance or exemption and shall be provided in writing within ninety (90) days from the receipt of the written request.~~
- ~~(d) If approved, the variance or exemption shall only apply to the special conditions or unique circumstances of the particular case for which the variance or exemption is granted.~~
- ~~(e) An approval of a variance or exemption shall not serve to amend, modify, or alter the Primary Guiding Documents.~~
- ~~(f) Requests for variance or exemption can also be denied in accordance with Section 1.2.3-33 of these General Provisions~~
- ~~(g) When a specific product, service, or facility is not currently being provided at the Airport, the County may enter into an Agreement with an FBO or SASO with terms and conditions that may be less than those outlined in the Primary Guiding Documents (e.g., reduced rents, lower minimum standards, etc.), only for~~

a limited period of time (i.e., pioneering period). The duration of the pioneering period shall be specified in the Agreement.

(h) Requests for variance or exemption shall be submitted in writing to the Airport Director and must state definitively the Primary Guiding Document and the exact clause(s), section(s), or provision(s) for which the variance or exemption is being sought, describe the proposed variance or exemption, state the reason or rationale for the proposed variance or exemption, identify potential and/or anticipated impacts on the Airport, other entities (including Operators and Lessees) at the Airport, and the community, and identify the duration of the proposed variance or exemption.

(i) Each variance or exemption shall be requested for and approved or denied separately.

Section 1-2.3-33. Grounds for denial.

The County may reject any proposal (including requests for variances or exemptions) or any application for any one or more of the following reasons:

1. The Applicant, for any reason, does not fully meet the qualifications, standards, and requirements established by the County. The burden of proof shall be on the Applicant and the standard of proof shall be by clear and convincing evidence.

2. The Applicant's proposed Activities and/or Improvements will create a safety hazard at or on the Airport.

3. The County would be required to expend funds and/or supply labor and/or materials in connection with the proposed Activities and/or Improvements that the County is unwilling and/or unable to spend and/or will result in a financial loss or hardship to the County or the Airport.

4. No appropriate, adequate, or available land and/or Improvement exists at the Airport to accommodate the proposed Activity (at the time the proposal or application are submitted), nor is such availability contemplated within a reasonable time frame.

5. The proposed Activities and/or Improvements do not comply with the Master Plan of the Airport or the ALP then in effect or anticipated to be in effect within the time frame proposed by the Applicant.

6. The development or use of the land requested by the Applicant will result in a congestion of Aircraft and/or the Improvements will, in the sole discretion of the County, unduly interfere with Activities of any existing Operator on the Airport and/or prevent adequate access to the Leased Premises of any existing Operator.

- ~~7. The Applicant has intentionally or unintentionally misrepresented or omitted material fact in the proposal, on the application, and/or in supporting documentation.~~
- ~~8. The Applicant has failed to make full disclosure in the proposal, on the application, and/or in supporting documentation.~~
- ~~9. The Applicant or an officer, director, agent, representative, shareholder, or employee of the Applicant has a record of violating the Regulatory Measures of the County (or any other airport sponsor), the FAA, or any other Regulatory Measure applicable to the Airport and/or the proposed Activity.~~
- ~~10. The Applicant or an officer, director, agent, representative, shareholder, or employee of the Applicant has defaulted in the performance of any Agreement or Sublease at the Airport or at any other airport.~~
- ~~11. The Applicant does not exhibit adequate financial responsibility or capability to undertake the proposed Activity.~~
- ~~12. The Applicant cannot provide a performance bond or applicable insurance in the type and amounts required by the County for the proposed Activity.~~
- ~~13. The Applicant or an officer or director has been convicted of a felony.~~
- ~~14. The Applicant's proposed Activity has been or could be detrimental to the Airport.~~
- ~~15. The Applicant seeks terms and conditions which are inconsistent with County's policies or any request for proposal (or any other invitation for proposals) issued by the County.~~
- ~~16. The Applicant's interests and/or the proposed Activity or use is inconsistent with the Airport's mission (purpose), vision, values, goals, or objectives; the best interest of the County; or, any grant assurances.~~

Section 1-2.3-33. Enforcement.

- ~~(a) The County shall be responsible for enforcement of the Primary Guiding Documents.~~
- ~~(b) The Airport Director is empowered to require compliance with and enforce the Primary Guiding Documents.~~
- ~~(c) Any entity who violates, disobeys, omits, neglects, or refuses to comply with the Primary Guiding Documents or any lawful order issued pursuant thereto may be cited, removed from the Airport, denied the use of the Airport, and/or prevented from engaging in Activities at the Airport and shall be subject to all legal, equitable, statutory, and common law rights and remedies available to the County including, but not limited to, actions for declaratory relief, injunctive relief, specific performance, and damages.~~

- ~~(d) Any entity failing to comply or knowingly and/or willfully violating with the Primary Guiding Documents shall be guilty of a violation of law in accordance with Part 1, Chapter 1-1, Section 1-1-8 of the St. Lucie County Code.~~
- ~~(e) In the event an entity fails to comply with the Primary Guiding Documents, the Airport Director shall send a written statement of violation to such entity at its last known address. The entity shall have 10 days within which to provide a statement to the County explaining why the violation occurred and to advise the Airport Director that the violation has been corrected. The Airport Director has the right to revoke the entity's privileges at the Airport or may suspend the operations for such period of time as deemed necessary in order to obtain a correction of the violation. In addition, any such violations shall be considered in renewing the entity's application. The entity shall pay for any costs incurred by the Airport, including but not limited to attorney fees, under this paragraph.~~
- ~~(f) Any person denied use of the Airport due to a violation of the Primary Guiding Documents may only use the Airport for the purpose of enplaning or deplaning (as a passenger) Aircraft using the Airport.~~
- ~~(g) Unless otherwise specified in the Primary Guiding Documents, parties aggrieved by a decision of the Airport Director related to the Primary Guiding Documents may appeal (in writing) such decision to the BOCC within 10 days after such decision is issued.~~
- ~~(1) The decision of the BOCC on such appeal shall be final.~~

Section 1-2.3-34. Rights Reserved.

- ~~(a) In addition to the following rights and privileges, the County reserves the rights and privileges outlined under federal and/or state Airport Assurances as such rights and privileges may be amended from time to time.~~
- ~~(1) The County reserves and retains the right for the use of the Airport by others who may desire to use the same pursuant to applicable Regulatory Measures pertaining to such use.~~
- ~~(2) The County further reserves the right to designate specific Airport areas for Activities in accordance with the currently adopted Airport Layout Plan (ALP) as may be amended from time to time. Such designation shall give consideration to the nature and extent of current and/or future Activities and the land and/or Improvements that may be available and/or used for specific Activities and shall be consistent with the safe, orderly, and efficient use of the Airport.~~
- ~~(3) The ALP reflects an agreement with the FAA regarding the proposed allocation of Airport land and/or Improvements to specific uses and/or development. It is the policy of the County that any use, occupancy, construction, or modification of land and/or Improvements that is~~

inconsistent with the ALP is undesirable. Any development that is substantially different than that depicted on the ALP could adversely affect the safe, orderly, or efficient use of the Airport. While the County may consider making application to the FAA for approval of the revision of the ALP on behalf of an Applicant, nothing contained in these Primary Guiding Documents shall require or obligate the County to make such application.

(4) The County reserves the right to develop and make any improvements and/or repairs at (or to) the Airport that it deems necessary. Except in the event of emergency improvement and/or repairs, the County will provide advance notice of the date and time that such development, improvements, and/or repairs will be made. The County shall not be obligated to reimburse or compensate any Operator, Sublessee, or other entity for any expense incurred or loss of revenue (or inconvenience) that may result from such development, improvement, and/or repair.

(5) The County reserves the right to prohibit any entity from using the Airport or engaging in Activities at the Airport (and/or revoke or suspend any privileges granted to any entity) upon determination by the County that such Operator has not complied with the Primary Guiding Documents, applicable Regulatory Measures, directives issued by the County, or has otherwise jeopardized the safety of entities utilizing the Airport or the land and/or Improvements located at the Airport.

(6) The County reserves the right to lease the Airport or portions thereof during war or national emergency to the United States government for military use. If such lease is executed, the provisions of such lease including, without limitation, the County's obligations and the Operator's obligations, to the extent they are inconsistent with said lease, shall be suspended.

(7) The County will not enter into an Agreement that will require the County to relinquish the right to take any action the County considers necessary to protect the aerial approaches of the Airport against obstruction or to prevent an entity from erecting or permitting to be erected any facility or other structure which might limit the usefulness of the Airport or constitute a hazard to Aircraft.

(8) The County will not enter into an Agreement that requires the County to waive any sovereign, governmental, or other immunity to which the County may be entitled nor shall any provision of any Agreement be so construed or that would require the County to submit to the laws of any state other than those of the state of Florida.

(9) The County is under no obligation to provide financing and/or make any improvements to Airport land and/or Improvements to facilitate any

development proposed by an Applicant.

(10) While the County may choose to pursue federal, state, or other available funds to contribute to the development, the County is under no obligation to do so. In addition, the County is under no obligation to provide matching funds if required to secure such funding.

(11) The County reserves the right to take such actions as it may deem necessary, appropriate, and/or in the best interest of the County to preserve the assets of the County, protect the safety of the people who work at and use the Airport, and maintain the integrity of the County's mission (purpose), vision, and values.

PART C. CREATION OF ARTICLE III (AIRPORT RULES AND REGULATIONS) OF CHAPTER 1-2.3 (AIRPORTS AND AIRCRAFT) OF THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY.

Article III (Regulation of Vehicular Traffic and Parking) of Chapter 1-2.3 of the St. Lucie County Code of Ordinances and Compiled Laws is hereby amended to read as follows:

ARTICLE III
AIRPORT RULES AND REGULATIONS

Section 1-2.3-35. Purpose and scope.

The purpose of these Rules and Regulations is to protect the public health, safety, interest, and general welfare of the Operators, Lessees, Sublessees, consumers, and users of St. Lucie County International Airport (Airport) and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport by its Operators, Lessees, Sublessees, consumers, and users.

Section 1-2.3-36. Applicability and Conditional Use of Airport.

(a) Any permission granted directly or indirectly, expressly or by implication, to any entity to enter upon or use the Airport (including Aircraft and Vehicle Operators; Aircraft crewmembers and passengers; spectators and sightseers; occupants of Vehicles; officers, employees, and customers of Operators and Lessees; entities doing business with the County, its contractors, subcontractors, and licensees; and all other entities whatsoever) is conditioned upon:

(1) Assumption of responsibility by entity exercising or taking advantage of permission;

- (2) Full and complete compliance with these Rules and Regulations, Primary Guiding Documents, and applicable Regulatory Measures;
- (3) Each such entity shall at all times release, hold harmless, and indemnify the BOCC, Airport, and County (individually and collectively), representatives, officers, officials, employees, agents, and volunteers from any and all responsibility, liability, loss or damage that may result to any entity, be caused by or on their behalf and/or incident to the manner in which the Airport is operated, constructed, maintained, served, or used.
- (b) The General Provisions are hereby incorporated as part of these Rules and Regulations as though fully set forth herein.
- (c) Responsible Party:
 - (1) Any person accessing or using the Airport shall be responsible for their actions and all actions of any person to whom they provide or facilitate access, whether directly or indirectly.
 - (2) Any and all Property on the Airport destroyed or damaged shall be paid for by the entity or entities responsible for such destruction or damage thereto.
 - (3) Any person who causes injury to any person on the Airport shall be liable for such injuries.

Section 1-2.3-37. Airport Identification Badge

- (a) Operators, Lessees, Sublessees, and contractors (including all employees) at or performing work inside the AOA require an Airport Identification Badge (Badge).
- (b) A Badge shall not be issued to any person until a need for unescorted access inside the AOA has been determined by the Airport Director and then only after an Application for Airport Identification Badge, Applicant Identification Badge Conditions of Agreement Form, and Applicant Disqualifying Crimes Form has been completed and submitted for review and approval to the Airport Director.
- (c) It is the responsibility of Operators, Lessees, Sublessees, and contractors to notify the Airport Director of persons who do not need access and/or are no longer employees or affiliated with the Operator, Lessee, Sublessees, or contractor within 48 hours of the individual's separation from the entity.
- (d) If the Badge is not returned within 10 days, the Operator, Lessee, Sublessee, or contractor is subject to a \$50.00 fine.
- (e) Airport Identification Badges are not transferable.

Section 1-2.3-38. Violations.

- (a) Each person who is issued a Badge shall comply with all Rules and Regulations. Failure to comply may result in the loss of access privileges.
- (b) No person to whom a Badge has been issued shall intentionally perform any of the following non-inclusive acts:
 - (1) Loaning of Badge to anyone under any circumstance
 - (2) Allowing unauthorized persons or Vehicles into the AOA
 - (3) Blocking, damaging, or leaving doors or gates open that could be an AOA access route for unauthorized persons
 - (4) Bypassing the security system
 - (5) Altering a Badge
 - (6) Failure to provide proper escort
 - (7) Failure to report lost or stolen Badge
 - (8) Driving on unauthorized areas of the AOA
- (c) Any violation of a severe nature, as determined by the Airport Director (i.e., a violation resulting in Property damages and/or bodily injury or any runway or Taxiway incursion) may warrant immediate suspension of Badge privileges.
- (d) Upon request, the option of a hearing or a meeting with the Airport Director will be scheduled before any punitive action is taken.

Section 1-2.3-39. Damaged, Lost, Stolen, or Missing Badge.

Each Badge holder and/or entity employing the Badge holder shall notify their supervisor and, in writing, the Airport Director immediately upon becoming aware of a damaged, lost, stolen, or missing Badge.

Section 1-2.3-40. Security.

- (a) Airport Operations Area (AOA)
 - (1) No person shall enter the AOA except those persons authorized by the Airport Director, including those:
 - A. Having a Badge issued by the Airport Director or
 - B. Under appropriate escort.
- (b) All persons shall display their Badge on the outermost garment, waist high or higher on the front of the body, at all times while inside the AOA.
- (c) Any person who is not authorized to be in the AOA or whose status is questionable shall leave the area by the nearest established exit point when asked to do so by any other person who is authorized to be in the area.
- (d) Any person inside the AOA shall produce a Badge when asked to do so by any other person properly displaying a Badge, law enforcement credentials, or

appropriate FAA or TSA credentials.

~~(e) Any person that has been issued a Badge but does not have it in possession must be escorted into the AOA. That person must get possession of their Badge or apply for a replacement Badge.~~

~~(f) All persons with a Badge should request a Badge or authorized identification from any unescorted person not displaying a Badge or authorized identification, unless the person with a Badge feels the other person may cause him harm. In such event, the Airport Director or 911 should be contacted..~~

~~(g) All persons escorted in the AOA shall be under the control of a person in possession of a Badge at all times. Whenever the escort official departs the area, the person under escort must be placed under the control and responsibility of another escort official or depart the AOA.~~

~~(h) With the intent of preventing unauthorized use of Badges, all persons issued a Badge shall store their Badge in a secure place and under their control at all times.~~

~~(i) Airport Entrances (Security Gates and Doors):~~

~~1. All persons entering the Airport shall use only authorized entrances.~~

~~2. Security gates and doors that provide access to the AOA shall be kept closed and locked at all times, except when actually in use.~~

~~3. It shall be the responsibility of all Operators, Lessees, and Sublessees to see that all gate chains and doors and other public safeguards are continually and conscientiously used in a manner so as to protect all persons.~~

~~4. Authorized persons may not share combination codes or access information.~~

~~5. When an authorized person accesses a door or gate leading to or from the AOA, it is the person's responsibility to ensure that unauthorized persons cannot gain access to the AOA~~

~~6. Vehicle Operators utilizing a security gate to access the AOA shall stop the Vehicle and allow the gate to fully close before proceeding. The Vehicle Operator shall also ensure that no other Vehicles or persons gain access to the Airport while the gate is in the process of closing or not fully closed.~~

~~7. Tampering or interfering with a closing mechanism, disabling the lock, or breaching any other securing device at the Airport is prohibited.~~

~~(j) If unauthorized access occurs by persons or Vehicles, it must be immediately reported to the Sheriff's Department (911) and the Airport Director.~~

~~(k) U.S. Customs and Border Protection (CBP) Facility:~~

~~1. Only individuals approved by the CBP may enter the CBP Facility or CBP Apron.~~

~~2. BP Apron access is only for authorized personnel who need to work at~~

the CBP Facility.

3. CBP Apron is not to be used for access to and from one side of the Airport to another.
4. The yellow and black markings located at the edge of the CBP Apron provides that on one side of the line is the CBP Apron and on the other side of the markings is Taxiway C.

Section 1-2.3-41. Commercial Aeronautical Activities.

- (a) Entities desirous of engaging in Commercial Aeronautical Activities at the Airport must receive prior Permission.
- (b) Entities engaged in Commercial Aeronautical Activities at the Airport shall pay all applicable rents and fees.
- (c) Entities basing or otherwise maintaining an Aircraft at the Airport shall not permit said Aircraft to be used for a Commercial Aeronautical Activity unless such Activity is expressly authorized by Agreement with the County.
- (d) Notwithstanding the foregoing, such Aircraft may be used by the Aircraft Owner for the purpose of Flight Training or otherwise maintaining or increasing the flying proficiency of the Aircraft Owner or members of that person's immediate family.

Section 1-2.3-42. Tenant Responsibilities.

Lessees shall maintain an up-to-date file containing the name, address, and telephone number of all Based Aircraft owners of Lessees and Sublessees. This information shall be submitted to the Airport Director and updated on a quarterly basis.

Section 1-2.3-43. Accidents or Incidents.

- (a) Any person involved in or witnessing an Aircraft or Vehicle Accident on the Airport resulting in any injury (or death) to person or damage to Property shall remain at the scene and notify the Sheriff's Department immediately and provide all pertinent information as requested.
- (b) No person shall tamper with an incident/Accident scene or fail to comply with any directive issued by the Airport Director, the Sheriff's Department, the Fire Department, or any other Agency having jurisdiction over the incident/Accident scene.
- (c) Unauthorized entry into Movement Areas to access an incident/Accident scene is prohibited.

Section 1-2.3-44. General Conduct

- ~~(a) No person shall make, possess, use, offer for sale, pass, and/or deliver any forged or falsely altered pass, permit, identification, card, sign, and/or other authorization purporting to be issued by or on behalf of the County or Airport.~~
- ~~(b) No person shall use or otherwise conduct them self upon any portion of the Airport in any manner contrary to the posted or otherwise visually indicated directions applicable to that area.~~
- ~~(c) Destroying, damaging, injuring, defacing, disturbing, or tampering with Property on the Airport is prohibited.~~
- ~~(d) Smoking or carrying lighted cigars, cigarettes, or pipes in any indoor public use area of the Airport, except in areas specifically designated by the Airport Director and posted as public smoking areas, is prohibited.~~
- ~~(e) No person shall be intoxicated; commit any disorderly, obscene, lewd, indecent, or unlawful act; or commit any act of nuisance (including the use of abusive or threatening language) on the Airport.~~
- ~~(f) Loitering or loafing on the Public Areas of the Airport is prohibited.~~
- ~~(g) The Airport shall not be used for storing merchandise, supplies or equipment (except as stipulated within an Agreement), or for washing clothes, overnight camping or lodging, or for any improper, objectionable or immoral purposes.~~
- ~~(h) Operator and Lessee facilities are expressly for the conduct of the Operator's or Lessee's business and operations. No person other than employees and customers of the Operator or Lessee shall make use of such facilities or loiter or loaf on such premises without written permission of the Operator or Lessee.~~

Section 1-2.3-45. Abandoned, Derelict, or Lost Property.

- ~~(a) Property shall not be Abandoned on the Airport.~~
- ~~(b) Abandoned, Derelict, or lost Property found in Public Areas at the Airport including, without limitation, equipment, machinery, baggage, freight, or parts thereof should be reported (and/or turned in) to the Airport Director.~~
- ~~(c) Nothing in this section shall be construed to deny the right of Operators and Lessees to maintain "lost and found" service for Property of their customers, invitees, and/or employees.~~

Section 1-2.3-46. Animals.

- ~~(a) Domestic pets and animals, except for special assistance or law enforcement dogs, are not permitted on the Airport unless controlled and restrained by a leash or container.~~
- ~~(b) All persons shall use utmost care to prevent any animal under their care to~~

control or prevent from urinating or defecating upon the sidewalks of the Airport or in other public buildings. Person(s) responsible for the animal will immediately and thoroughly clean any soiled area.

(c) Horses, except those utilized for law enforcement or intended to be transported, are not permitted on the Airport.

(d) No person, except those authorized by the Airport Director, shall intentionally hunt, pursue, trap, catch, injure, or kill any bird or animal (except rodents) on the Airport.

(e) No person, except those authorized by the Airport Director, shall feed non-domestic birds or animals on the Airport.

Section 1-2.3-47. Use of Public Areas.

Use of the Public Area of any facility or area of the Airport for sleeping or other purpose in lieu of a hotel, motel, or other public accommodation is prohibited.

Section 1-2.3-48. Storage of Materials and Equipment.

(a) Storage, stacking, boxing, or bagging of materials (or equipment) shall be done in such a manner as to preclude creating any hazard, obstructing any operation, or littering.

(b) Railroad (box or tanker) cars, intermodal containers, or tanker, truck, or flatbed trailers, etc. shall not be stored or used to store any type of non-aviation materials, Vehicles, or equipment without prior Permission.

(c) Railroad (box or tanker) cars, intermodal containers, or tanker, truck, or flatbed trailers, etc. used to store non-aviation materials, Vehicles, or equipment must not be unsightly or create a hazard. Upon the written request of the Airport Director, these items must be removed from the Airport.

(d) Trash and Other Waste Containers

1. Garbage, empty boxes, crates, rubbish, trash, papers, refuse, and/or litter of any kind shall not be placed, discharged, or deposited on the Airport except in the receptacles provided specifically for that purpose.

2. The burning of garbage, empty boxes, crates, rubbish, trash, papers, refuse, and/or litter of any kind on the Airport is prohibited.

3. Such areas shall be kept clean and sanitary at all times.

4. Garbage receptacles shall be emptied with sufficient frequency to prevent overflowing and shall be cleaned with sufficient frequency to prevent the development of offensive odors.

5. Garbage receptacles shall be equipped with securely fastened lids.

6. Dumping or disposing of any fill, building material, or other waste material on the Airport, except in such areas that are specifically

designated by the Airport Director for such purpose is prohibited.

Section 1-2.3-49. Burning of materials.

- (a) Entities engaged in any activity at the Airport, whether occupying Airport owned facilities or otherwise, shall comply with all practices recommended by the NFPA.
- (b) Entities shall comply with all directives issued by the Airport Director regarding the removal of fire hazards, arrangement or modification of Vehicles or equipment, or altering operating procedures considered unsafe from a fire prevention standpoint.
- (c) Smoking, matches, lighters, or any open flames are prohibited on the Apron, in hangars, or in any other area on the Airport in violation of posted "no smoking" signs and in no case within 50 feet of any Aircraft, refueling Vehicle, Fuel storage facility, storage area for flammable materials, or any Aircraft being fueled or defueled.
- (d) Any hostile fires (regardless of the size of the fire or whether or not the fire has been extinguished) shall be reported immediately to the Fire Department (via "911").
- (e) No entity shall remove or cause to be removed from its holder, container, reel, or bracket any equipment or device used in fire prevention except in case of emergency or fire.
- (f) All fire doors, hangar doors, sprinkler risers, fire boxes, fire hydrants and pits, hose boxes, and all fire fighting apparatus shall be kept clear of obstructions at all times.

Section 1-2.3-50. Hazardous Materials.

No entity shall store, keep, handle, use, dispense, dispose, discharge, or transport on the Airport any Hazardous Materials in contravention of any these Rules and Regulations, the SWPPP, the Uniform Fire Code, and all other applicable Regulatory Measures. Proper permits must be obtained from the appropriate Agency, and copies must be presented to the Airport Director on request.

Section 1-2.3-51. Painting.

Doping processes, painting, or paint stripping shall be performed only in those designated and properly designed, fireproofed, and ventilated facilities approved for such activities and in compliance these Rules and Regulations, the SWPPP, the Uniform Fire Code, and all other applicable Regulatory Measures.

Section 1-2.3-52. Flammable solids and liquids.

- (a) The procedures and precautions outlined in the criteria of NFPA Pamphlet No. 30 (Flammable and Combustible Liquids Code), NFPA Pamphlet No. 410D (Safeguarding Aircraft Cleaning, Painting and Paint Removal), and NFPA Pamphlet No. 410F (Aircraft Cabin Cleaning and Refurbishing Operations) shall be adhered to in all cleaning, painting, refurbishing, and other operations using flammable liquids including the storage of such liquids.
- (b) A total of 60 gallons of lubricating oils having a flash point at or above 150 degrees may be stored in hangars provided that the product is stored in the original container and has the original manufacturer's labeling (or that the product is stored in other suitable containers approved by the Fire Department). Larger quantities may be stored in accordance with applicable Regulatory Measures and notification to the Airport Director and Fire Department.
- (c) T-hangars shall not contain oil quantities in excess of two cases or two times the oil storage capacity of the engine of the Aircraft, whichever is greater, stored therein.

Section 1-2.3-53. Compressed Gases.

- (a) Oxygen or any compressed gas in a cylinder or portable tank must be secured to a fixed location or secured to a portable cart designed and approved specifically for the cylinder(s) or tank(s) being secured.
- (b) Cylinders or tanks shall be maintained in compliance with all applicable Regulatory Measures.

Section 1-2.3-54. Effluents, pollutant, or air contaminant.

- (a) No person shall discharge any substance in or upon the Airport in contravention of any Regulatory Measure. Proper permits must be obtained from the appropriate Agency, copies must be presented to the Airport Director, and prior Permission must be received for such discharge.
- (b) Any person who experiences overflowing, spilling, or leaking of oil, grease, Fuel, and/or similar material or substance anywhere on the Airport is responsible for the immediate cleanup of the spill, proper disposal of the substance, and notification of appropriate Agency, all in accordance with the SWPPP, Operator's SPCC plan, and applicable Regulatory Measures. The Airport Director should be notified when any reportable spill occurs.
- (c) Should the County determine that during the course of an environmental incident the responsible party is not capable of, has not, or refuses to take the

appropriate action in a timely manner to mitigate the adverse environmental incident (in the sole discretion of the County), then the County reserves the right to take action and/or employ those services that the County determines appropriate to control and/or clean up the site. The cost of such services shall be borne by the responsible party.

Section 1-2.3-55. Hazardous Materials Spills.

In the event a Hazardous Materials spill occurs of any magnitude, the responsible party of such spill shall take appropriate action in the containment, clean up, reporting, and rehabilitation of such spill. The following procedures shall be implemented in managing a Hazardous Materials spill:

(a) Minor Spills - Spills of less than 5 gallons and that are not compromising the safety of the public.

(1) Determine the threat to the immediate public.

(2) Contain the spill with an absorbent.

(3) Block all stormwater drains that could be impacted by such a spill.

(4) Apply the proper absorbent from strategically placed spill kits. All liquids and or absorbents shall be disposed of or reused per applicable Regulatory Measures.

(5) Make record of the spill at the facility.

(6) Contact the Florida Department of Environmental Protection should the spill impact the ground waters and or the surface waters no matter how small the quantity.

(b) Major Spills - Spills in excess of 5 gallons but less than 25 gallons or any spill causing an immediate threat to the safety of the public.

(1) Determine the threat to the immediate public.

(2) Block all stormwater drains from potential contamination.

(3) Contain the spill with an absorbent.

(4) Contact the Fire Department.

(5) Determine the nature of the spill.

(6) Apply absorbents to the spill until all residual liquid has been processed. All liquids and absorbent shall be disposed of properly per applicable Regulatory Measures.

(7) Assess the damage to the land and/or water with Airport personnel.

(8) Contact the Florida Department of Environmental Protection should the spill impact the ground waters and or the surface waters no matter how small the quantity.

(9) Record all aspects of the spill in company files.

- ~~(10) A written detailed report containing all pertinent information of such spill shall be completed by the responsible party and delivered to the Airport Director within five working days.~~
- ~~(c) Serious Spills - Spills in excess of 25 gallons and which may pose a serious threat to the safety of the public.~~
- ~~(1) Evaluate the threat to the public and make any arrangements to secure the safety of the immediate public (i.e., evacuation).~~
- ~~(2) Contain the spill should safety permit.~~
- ~~(3) Block all drains that pose an immediate threat from the spill.~~
- ~~(4) Apply absorbents to such a spill until all residual liquid is processed. All liquids and absorbent shall be disposed of properly per applicable Regulatory Measures.~~
- ~~(5) Contact the Fire Department immediately.~~
- ~~(6) Airport personnel shall assess the damage to the land and/or the waters.~~
- ~~(7) Airport personnel shall inspect the drainage outfall for downstream contamination.~~
- ~~(8) Record all aspects of the spill in company records.~~
- ~~(9) Contact the Florida Department of Environmental Protection immediately.~~
- ~~(10) Provide a written summary of the spill and the measures that will be taken to eliminate such a spill in the future to the Airport Director within 24 hours.~~

Section 1-2.3-56. Emergency conditions.

- ~~(a) The Airport Director, either directly or through ATC, may suspend or restrict any or all activities at the Airport or issue emergency procedures wherever such action is deemed necessary in the interest of safety.~~
- ~~(b) Emergency conditions at the Airport shall not mitigate or cancel these Rules and Regulations.~~
- ~~(c) Permits issued under these Rules and Regulations shall be rendered invalid until the emergency situation has been alleviated and normal operations have resumed.~~
- ~~(d) During such conditions, the Operator of any Aircraft or Vehicle shall make certain that the Aircraft or Vehicle is not moved in any direction unless specifically cleared by ATC, National Transportation Safety Board (NTSB), Airport Director, and/or a Law Enforcement Officer.~~
- ~~(e) No person shall enter upon the AOA for the purpose of attending, observing, or assisting at the scene of an Accident except persons requested or permitted to do so by ATC, Airport Director, a Law Enforcement Officer, and/or Fire Department.~~

Section 1-2.3-57. Special events.

- (a) Special events utilizing public areas of the Airport or the AOA shall not be held unless written approval is first obtained from the BOCC or Airport Director and any other Agency having jurisdiction over the event.
- (b) Written authorization shall specify the areas of the Airport authorized for such special use, the dates and duration of such use, and any other terms and conditions deemed necessary.

Section 1-2.3-58. Improvement construction or modification.

All Lessees and Sublessees must submit construction or modification plans to the Airport Director in advance for review and approval.

- (a) Aircraft Operators involved in an Accident on the Airport resulting in any injury (or death) to person or damage to Property shall make a full and prompt report of the Accident to the Airport Director and complete any necessary reports and/or forms.
- (b) Aircraft Operators shall be responsible for the safe and prompt removal of disabled Aircraft and parts thereof, unless required or directed by the Airport Director, the FAA, or the NTSB to delay such action pending an investigation of an Accident.
- (c) An Aircraft involved in an Accident on the Airport may not be removed from the scene of the Accident until authorized by the Airport Director.
- (d) Once authorization to remove the Aircraft has been issued, the Aircraft Operator shall make immediate arrangements to have the Aircraft removed.
- (e) If immediate arrangements are not made (so that the Airport can return to full operational status without unreasonable delay), the Airport Director may have the Aircraft removed at the Aircraft Operator's risk and expense without liability for damage arising from or out of such removal.

Section 1-2.3-59. Prohibiting use of the airport.

- (a) The Airport Director shall have the right at any time to deny the use of the Airport to any person or group when the Airport Director considers such actions to be necessary and desirable in the interest of safety and security.
- (b) The Airport Director may prohibit Aircraft operations (except for emergency landings) when it is determined that conditions are unsafe or the Aircraft operation would likely endanger persons or Property.
- (c) Under no circumstance shall an authorized Airport closure or restriction constitute grounds for reimbursement of any expense, loss of revenue, or damage incurred by any Operator, Lessee, or any other entity.

Section 1-2.3-60. Aircraft maintenance.

- (a) Aircraft Maintenance on the Airport shall be permitted only on Leased Premises.
- (b) Aircraft Maintenance must be performed in accordance with SWPPP.
- (c) Aircraft Maintenance performed on Aprons is limited to preventive maintenance (as defined by 14 CFR Part 43).
- (d) Aircraft Maintenance within hangars shall be limited to that specifically permitted by the type rating established in the Uniform Building Code and in compliance with the directives of the Fire Department.

All Aircraft cleaning must be done at a facility designed for such purpose or in accordance with NFPA standards and SWPPP.

Section 1-2.3-61. Aircraft engine operation.

- (a) Starting engines shall be prohibited until ground personnel have given proper clearance (if appropriate) and until all standard safety procedures have been followed.
- (b) Any person operating an Aircraft engine in an area that is accessible to the public shall take precautions to alert and protect the public from hazards incident to such operations.
- (c) Starting an Aircraft engine when there is any flammable liquid on the ground in the immediate vicinity of the Aircraft is prohibited.
- (d) Aircraft controls shall not be unattended while Aircraft engines are operating.
- (e) Propeller, engine, and exhaust noises shall be kept to a minimum.
- (f) Runup of Aircraft engines shall be performed only in the areas designated for such purpose by the Airport Director.
 - (1) Runup of Aircraft engines is not allowed in Non-Movement Areas except in designated areas or as approved by the Airport Director.
 - (2) Aircraft may not be tied to any structure during Aircraft engine Runup.
 - (3) High speed or full power aircraft engine Runups (including maintenance run-ups) shall be performed in designated run-up areas or in other areas designated specifically for this purpose by the Airport Director.
 - (4) High speed or full power Aircraft engine Runups are prohibited at the Airport from 10:00 PM to 8:00 AM without prior Permission.

Section 1-2.3-62. Aircraft parking and storage.

- (a) Derelict Aircraft on the Airport are prohibited.

- ~~(b) The Airport Director, at the risk and expense of the Aircraft Operator, may remove such Aircraft without liability for damage arising from or out of such removal.~~
- ~~(c) Aircraft shall be parked only on Leased Premises or in those designated public areas designed for such purpose by the Airport Director and shall not be positioned in such a manner so as to block a runway, Taxiway, Taxilane (except for temporary staging and/or fueling of such Aircraft), or obstruct access to hangars, parked Aircraft, and/or parked Vehicles.~~
- ~~(d) Unless otherwise provided in an Agreement with the County or authorized FBO, no person shall use any area of the Airport for the parking and storage of Aircraft, other than Transient Parking, without prior Permission.~~
- ~~(e) Should a person use such areas for Aircraft parking or storage without first obtaining prior Permission, the Airport Director may remove and store the Aircraft at the expense of the Aircraft Operator without liability for damage that may arise from or out of such removal or storage.~~
- ~~(f) Aircraft Operators shall ensure unattended, parked, and stored Aircraft are properly secured as set forth in AC 20-35C.~~
- ~~(g) Parked or stored rotorcraft shall have braking devices and/or rotor mooring blocks applied to the rotor blades.~~
- ~~(h) Moored lighter-than-air Aircraft shall have at least one person monitoring the safety of the mooring at all times.~~
- ~~(i) Upon request of the Airport Director, the Operator of any Aircraft parked or stored at the Airport shall move the Aircraft to the location and/or position on the Airport identified by the Airport Director due to an emergency condition or the Aircraft is illegally parked.~~
- ~~(j) In the event the Aircraft Operator refuses, is unable, or unavailable, the Airport Director may move the Aircraft to the area at the risk and expense of the Aircraft Operator without liability for damage that may arise from or out of such movement.~~
- ~~(k) Aircraft Tiedowns shall only be used for the following purposes:
 - ~~(1) Storage and parking of Aircraft; and~~
 - ~~(2) Performance of preventive Aircraft Maintenance (as defined in 14 CFR Part 43) on Aircraft in accordance with applicable Regulatory Measures.~~~~
- ~~(l) Aircraft storage hangars shall only be used for the following purposes:
 - ~~(1) Storage and parking of Aircraft and associated Aircraft equipment and supplies as approved by the Airport Director and the Fire Department.~~
 - ~~(2) Parking of Vehicles and recreational toys owned and operated by Aircraft Owner or Operator and only on temporary basis(i.e., during use of Aircraft) and in compliance with Section 1-2.3-77(e).~~~~
- ~~(m) Use of Aircraft storage hangars shall be subject to the following restrictions:~~

- ~~(1) For hangars not having a personnel exit door, hangar doors shall remain open a minimum of 36 inches anytime a person is in the hangar for adequate egress in an emergency.~~
- ~~(2) Space heaters shall never be located inside Aircraft and left unattended. Space heaters may be utilized in hangars so long as the heater has a clear radius of 10 feet from Aircraft (or any other object) and fire prevention/safety measures are observed.~~
- ~~(3) Oily rags, waste oil, or other materials soiled with petroleum-based products may only be stored in containers with self-closing, tight-fitting lids as approved by the Fire Department.~~
- ~~(4) A battery charger shall not be directly connected to an aircraft battery installed in an Aircraft that is located inside (or partially inside) a hangar.~~

Section 1-2.3-63. Aircraft security.

- ~~(a) If the kind, type, mission, or condition of an Aircraft makes it necessary for an Aircraft Operator to obtain, provide, and/or maintain security for an Aircraft, the Aircraft Operator shall be responsible for such security and may only provide (and/or arrange for) such security after obtaining prior Permission.~~
- ~~(b) Aircraft Operators shall not employ security measures as a means to hinder, delay, or prevent removal of Aircraft at the direction of the Airport Director.~~

Section 1-2.3-64. Aircraft operations.

- ~~(a) Operating an Aircraft in a careless, negligent, or reckless 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 is likely to endanger persons or Property of any entity is prohibited.~~
- ~~(b) Aircraft Operators shall obey all pavement markings, signage, and lighted signals unless instructed otherwise by ATC or the Airport Director.~~
- ~~(c) Operating an Aircraft constructed, modified, equipped, or loaded as to endanger, or be likely to endanger persons or the Property of any entity is prohibited.~~
- ~~(d) Aircraft Operators shall comply with any order, signal, or directive of ATC, Airport Director or a Law Enforcement Officer.~~
- ~~(e) It shall be the Aircraft Operator's responsibility to repair any damage to the Airport's runways, Taxiways, or Aprons caused by excessive Aircraft weight loading.~~
- ~~(f) The starting, positioning, or taxiing of any Aircraft shall be done in such a manner so as to avoid generating (or directing) any propeller slipstream or~~

engine blast that may endanger or result in injury to persons or damage to Property.

- ~~(g) Airborne radar equipment shall not be operated or ground-tested in an area where the directional beam of such radar, if high intensity (50KW or greater output), is within 300 feet or, if low intensity (less than 50 KW output), is within 100 feet of another Aircraft, an Aircraft refueling operation, an Aircraft Refueling Vehicle, or a Fuel storage facility.~~
- ~~(h) Operation of Aircraft radio equipment while the Aircraft is in a hangar, other than when radio equipment maintenance is being performed on the Aircraft is prohibited.~~
- ~~(i) Aircraft engines shall not be started and Aircraft shall not be taxied into, out of, or within any structure on the Airport.~~

Section 1-2.3-65. Taxiing operations.

- ~~(a) The following sections are applicable to all non-movement areas and movement areas when ATC is closed.~~
- ~~(b) Aircraft Operators shall obey all pavement markings, signage, and lighted signals unless the Airport Director directs otherwise.~~
- ~~(c) Aircraft shall not be taxied until the Aircraft Operator has determined by visual inspection that there shall be no danger of collision with any person or object in the area.~~
- ~~(d) When reasonably possible, Aircraft being taxied, towed, or otherwise moved at the Airport shall proceed with running lights and/or position lights illuminated during the time between official sunset and official sunrise.~~
- ~~(e) Taxiing Aircraft shall yield the right-of-way to any Emergency Vehicle responding to an emergency.~~
- ~~(f) Aircraft Operators shall not taxi an Aircraft at a speed greater than is reasonable and prudent under the conditions with regard for actual and potential hazards and other Aircraft so as not to endanger persons or Property.~~

Section 1-2.3-66. Rotorcraft operations.

- ~~(a) Rotorcraft shall not be operated unless there is a clear area of at least 50 feet from the outer tip of each rotor.~~
- ~~(b) Rotorcraft should not be operated within 200 feet of any area where Light Aircraft are parked or operating, unless such area is specifically established for rotorcraft operations. Pilots operating rotorcraft within 200 feet of any area where light Aircraft are parked or operating do so at their own risk and are responsible for any damage to Property that may occur.~~

Section 1-2.3-67. Limitations.

- (a) Aircraft Operators shall provide prior notification to the Airport Director before conducting any of the following activities at the Airport.
- (1) Experimental Flights (excluding those with an Airworthiness Certificate)
 - (2) Use of Motorless Aircraft: The landing upon or towing from the Airport of gliders, sailplanes, and other certificated motorless Aircraft.
 - (3) Use of Ultralight Vehicles: The landing upon or taking off from the Airport of ultralight vehicles.
 - (4) Use of Lighter-than-Air Aircraft: The landing upon or taking off from the Airport of airships, dirigibles, blimps, balloons, and other certificated lighter-than-air Aircraft that utilize gasses or hot air to provide lift.
 - (5) Banner or Glider Towing: The landing upon or taking off from the Airport of Aircraft that tow banners, gliders, or any other device.
- (b) Aircraft Operators shall provide prior notification to the Fire Department before conducting any of the following activities at the Airport.
- (1) Hazardous Cargo: Landing or taking off with flammable, explosive, or corrosive materials, except that which is carried aboard for the operation of the Aircraft or use by crewmembers or passengers.
 - (2) Radioactive Cargo: The landing upon or taking off from the Airport of Aircraft loaded with radioactive materials.
 - (3) All shipments of radioactive cargo or other hazardous material shall comply with regulations established in 49 CFR Parts 100 - 199, and all other Regulatory Measures governing such shipments.
 - (4) Trained hazmat and Fire Department equipment and personnel will be required for this type of operation as a standby precautionary measure. Costs associated with trained hazmat equipment and personnel shall be borne by the Aircraft Operator.

Section 1-2.3-68. Self-Servicing of aircraft.

- (a) Aircraft Operators are permitted to fuel, wash, repair, or otherwise service their own Based Aircraft (utilizing their own equipment), provided there is no attempt to perform such services for others and further provided that such right is conditioned upon compliance with these Rules and Regulations, SWPPP, and all other applicable Regulatory Measures.
- (b) An Aircraft Operator may hire a person (as an Employee) to provide, under the direction and supervision of the Aircraft Operator, services on the Aircraft Operator's Aircraft.
- (c) Such services may only be provided by a direct Employee of the Aircraft

Operator utilizing the Vehicles/equipment owned by the Operator

~~(d) Aircraft Operators are only permitted to have their Aircraft fueled, washed, repaired, or painted by those Operators and Lessees authorized to provide such service pursuant to an Agreement with the Airport and in compliance with SWPPP and all applicable Regulatory Measures.~~

~~(e) Airport Lessees may restrict self-servicing on their Leased Premises.~~

Section 1-2.3-69. Voluntary noise abatement procedures.

~~(a) Aircraft Operators are encouraged to familiarize themselves with and comply with the voluntary noise abatement procedures of the Airport and are encouraged to comply with the procedures whenever operating Aircraft.~~

~~(b) The voluntary noise abatement procedures of the Airport are located on the Airport's website (www.stlucieco.gov/airport/).~~

Section 1-2.3-70. Vehicle operator licensing and vehicle permit.

~~(a) A Vehicle Operator that does not have in their possession a valid State of Florida driver's license and Airport Identification Badge will not be allowed to operate a Vehicle on the Movement Area unless accompanied by an authorized Vehicle Operator with a valid Vehicle Permit issued by the Airport.~~

~~(b) An Airport Identification Badge with Movement Area driving privileges and Vehicle Permit will only be granted as follows:~~

~~(1) Submission of letter (on company letterhead) to the Airport Director from employee's supervisor providing justification for Movement Area driving privileges.~~

~~(2) Airport Management reserves the right to grant full or limited driving privileges on the Movement Area based upon access frequency and job requirements. Limited permits grant access to specific locations within the Movement Area.~~

~~(3) Attendance of Airport's driver training class. Persons shall receive a seal on their Airport Identification Badge showing that they have been trained to operate a Vehicle displaying a Vehicle Permit on the Taxiways and runways of the Airport.~~

~~(4) Certificate of Insurance showing the Vehicle and Vehicle Operator having a general liability insurance in a minimum amount of \$5 million dollars per occurrence and aggregate and naming the County as additional insured.~~

~~(c) Suspension of Driving Privileges:~~

~~(1) An individual with Movement or Non-Movement Area driving privileges that violates these Vehicle Rules and Regulations, may be subject to~~

immediate suspension or revocation of driving privileges by the Airport Director, depending upon the severity of the violation.

- (2) Individuals with suspended or revoked driving privileges must deliver a letter to the Airport Director from their supervisor indicating that the individual has been counseled on the severity of the violation and has received recurrent training from the employer or the Airport. Once the letter has been received driving privileges may be reinstated.

Section 1-2.3-71. Vehicle equipment.

- (a) Vehicles shall not be operated on the Airport unless the Vehicle is in sound mechanical order; has adequate and operational headlights, horn, and brakes; and permits clear visibility from the driver's position.
- (b) All Vehicles and equipment on the Airport must keep original factory equipment (i.e., headlights, taillights, horn, etc.) in working order and have a proper and operable braking system. Vehicles without tail lights may utilize an alternative reflective device (i.e., reflective tape) mounted on the rear and all sides of the Vehicle. This shall include trailers, carts, semi-trailers, baggage carts, portable heater units, and other towed equipment.

Section 1-2.3-72. Vehicle operations.

- (a) Operating a Vehicle on the Airport in a careless, negligent, unsafe, or reckless manner; in disregard of the rights and safety of others; and without due caution and circumspection; or at a speed or in a manner which endangers, or is likely to endanger, persons or Property is prohibited.
- (b) Vehicles constructed, equipped, loaded, or maintained (or have attached thereto any object or equipment which drags, swings, or projects) so as to endanger, or be likely to endanger, persons or Property, is prohibited on the Airport.
- (c) Vehicles shall not be operated in any hangar at the Airport unless the Vehicle exhaust is protected by screens or baffles (e.g., muffler) to prevent the escape of sparks or the propagation of flame and a vent system exists to prevent exhaust fumes from building up in the hangar (if Vehicles are operated in the hangar for an extended period of time).
- (d) Vehicle Operators shall yield the right of way to pedestrians, Emergency Vehicles (or equipment), and Aircraft.
- (e) All Vehicles crossing or entering the traffic lanes shall yield to those Vehicles already in the lane before proceeding. All Vehicles must travel in a single lane of traffic only (in each direction) when crossing Taxiways and when in the terminal area.

- ~~(f) Vehicle Operators shall not, after receiving a visual or audible signal from Airport personnel or Law Enforcement Officer, fail to stop the Vehicle being operated, operate the Vehicle in disregard of the signal, or interfere with or endanger the operation of Airport personnel or Law Enforcement Officer, increase the speed or extinguish the lights of the Vehicle, or attempt to flee from or elude Airport personnel or Law Enforcement Officer.~~
- ~~(g) Vehicle Operators shall provide proper signals and obey all traffic lights, signs, mechanical or electrical signals, and pavement markings unless directed otherwise by Airport personnel or Law Enforcement Officer.~~
- ~~(h) Vehicles must have both headlights and taillights operating when the Vehicle is used during the time between official sunset and official sunrise and at any other time when visibility is poor.~~
- ~~(i) Persons shall not ride on the running board, in the beds of pickup trucks, ride on the outside of a Vehicle, or allow arms or legs to protrude from a Vehicle with exception of Emergency Vehicles that are designed specifically for such operations and/or use by Fire Department personnel.~~
- ~~(j) Vehicles used for hauling trash, dirt, or any loose material shall be operated in such a fashion as to prevent the contents of the Vehicle from dropping, sifting, leaking, or otherwise escaping including, at a minimum, covering Vehicles load.~~
- ~~(k) The operator of a Vehicle will be responsible for any object falling from the Vehicle including, but not limited to, those objects that may create a hazard to persons, Aircraft, or other Vehicles and is responsible for any resulting damage and required cleanup.~~
- ~~(l) Equipment in Tow:
 - ~~(1) Positive locking couplings are required for all towed equipment on the AOA.~~
 - ~~(2) Vehicles (tugs) and baggage carts shall be returned to designated storage areas immediately following unloading.~~
 - ~~(3) Equipment in tow must have reflectors or fluorescent tape on the rear of equipment~~~~
- ~~(m) Recreational use of ATVs, three wheelers, scooters, mini-bikes, go-carts, roller blading, skate boarding, and bicycles is not permitted on the Airport without Permission.~~
- ~~(n) Vehicles operated on the public roadway and parking lots of the Airport shall be governed by the traffic ordinances of the county and applicable state vehicle laws. In addition thereto, no person shall operate any Vehicle on the Airport except in accordance with the rules and regulations prescribed in this article.~~

Section 1-2.3-73. Airport Operations Area (AOA).

- (a) All Vehicles entering the AOA must come to a complete stop and observe ground Aircraft traffic in all directions.
- (b) Airside Speed Limits:
 - (1) Safe Speed - Vehicles shall not be operated at a speed greater than is reasonable and prudent under the conditions and having regard for actual and potential hazards, traffic, or so as not to endanger persons or Property.
 - (2) Vehicles, except Emergency Vehicles responding to an emergency, shall not be operated on the AOA at speeds in excess of 15 miles per hour, unless otherwise posted.
 - (3) Vehicles operated in the baggage sort areas, around hangars, and near Aircraft shall be limited to a speed of not more than 5 miles per hour.
- (c) Vehicles shall not be operated in such a manner or within such proximity of an Aircraft as to create a hazard or interfere with the safe operation of the Aircraft.
- (d) Vehicles shall not overtake or pass in front of a moving Aircraft.
- (e) Vehicles shall pass to the rear of taxiing Aircraft and ~~come no closer than 300 feet to a~~ maintain a safe distance from taxiing or towed Aircraft.
- (f) Vehicles may not be left running and unattended on the AOA. Exceptions include Vehicles that must be left running for the purpose of servicing an Aircraft. In those cases, the Vehicle must have the parking brake engaged and/or wheel chocks in place.
- (g) All Vehicle Operators should display courtesy to taxiing Aircraft during nighttime hours by angling their Vehicles so that headlight beams do not directly impact Aircraft cockpit areas.
- (h) The Airport Director may restrict Vehicles to a certain portion(s) or segment(s) of the AOA. Such restrictions shall prohibit Vehicle operations outside designated area(s).
- (i) Manually controlled gates that provide access to the AOA shall be kept closed and locked at all times except when actually in use.
- (j) When automatic gates are used, Vehicle Operators must stop the Vehicle and allow the gate to fully close behind them before proceeding. The Vehicle Operator must also ensure that no other Vehicles or persons gain access to the Airport while the gate is in the process of closing and/or not fully closed. If the Vehicle Operator cannot prevent such access, the Vehicle Operator must immediately notify the Airport Director or 911.

Section 1-2.3-74. Movement area.

- (a) Vehicles operating in the Movement Area, except for Emergency Vehicles, must be readily identified by a sign on the Vehicle and be equipped with an approved and fully operational amber rotating beacon on the roof or uppermost point of the Vehicle providing visibility in a 360 degree radius all in compliance with AC 150/5210-5B unless specifically exempted from this requirement by the Airport Director. Such Vehicles shall meet the following requirements:
- (1) The Vehicle must display a current Airport issued Vehicle Permit
 - (2) Operator's name or logo must be displayed on Vehicle
 - (3) The beacon shall be activated by the Vehicle Operator prior to entering the Movement Area and shall remain in operation while the Vehicle is in the Movement Area.
 - (4) The Vehicle must be equipped with a functioning two-way radio capable of communicating on the proper aeronautical frequencies (ranging from 108.00 to 136.00).
- (b) In the event a Vehicle in the Movement Area experiences radio failure, the Vehicle must vacate the area utilizing perimeter roadways or other non-controlled routes. If exit via non-controlled route is not possible, the Vehicle Operator shall indicate radio failure by facing the Vehicle towards the control tower and flashing the Vehicle's headlights. Thereafter, the Vehicle Operator shall operate the Vehicle in accordance with the standard colored light signal directions given by ATC.
- (c) Vehicles should use public roads in lieu of crossing the movement area whenever possible. Runway crossings for point-to-point travel for the sole purpose of convenience sake and saving travel time are not permitted.
- (d) Vehicle Operators shall obtain a clearance from ATC personnel before proceeding into the Movement Area. Upon receiving clearance, Vehicle Operators shall ensure that no Aircraft is approaching before entering the Movement Area. After obtaining Permission, a Vehicle that is not operated on the Airport on a regular basis may enter the Movement Area provided that such Vehicle is escorted at all times (while in the Movement Area) by an authorized Vehicle having radio contact with ATC.
- (e) When construction-related Vehicles are required to enter or work within the Movement Area, such Vehicles will be marked with an approved orange and white checkered flag (for daytime operations) or an amber beacon (for nighttime operations).
- (f) If the construction Vehicle is not equipped with a two way radio capable of communicating on the proper aeronautical frequencies, the Vehicle shall be escorted at all times (while in the Movement Area) by an Airport authorized Vehicle having radio contact with ATC or have a flagman (with a two way radio

capable of communicating on the proper aeronautical frequencies) stationed at the area(s) designated by the Airport Director to give instructions to the Vehicle.

- (g) Vehicle Operators operating in the Movement Area must be conversant with proper radio communication, standard colored light signals, regardless of whether or not the Vehicle is radio equipped, and must have a thorough knowledge of runway and Taxiway configuration.

Section 1-2.3-75. Accidents or incidents.

- (a) A Vehicle Operator involved in an Accident on the Airport resulting in any injury (or death) to person or damage to Property shall:

(1) Stop the Vehicle at the scene (or as close as possible to the scene without unnecessarily obstructing traffic or creating a safety hazard).

(2) Render reasonable assistance, if capable, to any person injured in the Accident.

(3) Immediately report the Accident to the Sheriff's Department, unless all Property owners involved with property damage agree that reporting the accident to law enforcement is not necessary.

(4) If on the Movement Area, the Airport Director must also be notified immediately.

(5) Provide the following information to any Airport personnel.

A. Name, address, and contact information

B. State driver's license

C. Airport Identification Badge

D. Information necessary to complete a Vehicle Accident report

(6) Remain at the scene until Airport personnel or Law Enforcement Officer takes a full report.

Section 1-23.-76. Vehicle maintenance.

Private Vehicles shall not be cleaned and/or maintained anywhere on the Airport, except for minor repairs that are necessary to remove such Vehicle(s) from the Airport.

Section 1-23.-77. Parking or stopping of vehicles.

- (a) Vehicles shall be Parked only in those areas designated for such purpose by the Airport Director.

- (b) Vehicles shall not be Parked or stopped:

(1) In such a manner so as to obstruct a parking lot lane, driveway, roadway,

walkway, crosswalk, fire lane, runway, Taxiway, Taxilane, and/or obstruct access to hangars, Parked Aircraft, and/or parked Vehicles;

~~(2) Within four feet of either side of a security fence;~~

~~(3) On unpaved or grassed areas (unless specifically designated for parking);
or~~

~~(4) Other than in accordance with restrictions posted on authorized signs.~~

~~(c) Vehicles, other than those loading and unloading Aircraft, shall not stop for loading, unloading, or any other purpose on the Airport other than in the areas specifically established for loading, unloading, and/or Parking and only in the manner prescribed by signs, lines, or other means.~~

~~(d) Displaying Vehicles and ground support equipment for sale at the Airport is prohibited unless otherwise approved in writing by the Airport Director.~~

~~(e) Boats, jet skis, dune buggies, race cars, recreational vehicles, etc. may not be permanently Parked (including overnight) or stored on the Airport unless inside a hangar or with prior Permission. However, in no circumstance will hangars be used for the primary purpose of storing non-aviation equipment, Vehicles, or recreational toys as the primary use of a hangar is for Parking an Aircraft.~~

Section 1-2.3-78. Disabled, abandoned, or illegally parked vehicles.

The Airport Director may tow or otherwise remove from the Airport, at the Vehicle Operator's risk and expense and without liability for damage that may result from such removal, any Vehicle:

~~(a) That is disabled or parked in violation of these Rules and Regulations (or if the Vehicle creates a safety hazard or interferes with Airport operations);and/or~~

~~(b) That has remained stationary on the Airport in excess of 72 hours and is in a condition that would render the Vehicle inoperable, including expired license plates, missing (or flat) tire, and/or broken window.~~

Section 1-2.3-79. Refueling, defueling, and fuel storage.

~~(a) Applicability~~

~~(1) This section in its entirety applies to those entities (Commercial or Non-Commercial) operating Refueling Vehicles and Fuel storage facilities.~~

~~(2) Only Sections 1-2.3-79(b), Sections 1-2.3-79(c) through Section 1-2.3-79(d), Sections 1-2.3-79(h) - (i), Sections 1-2.3-79(l)-(m), Section 1-2.3-79(o), and Section 1-2.3-79(p) apply to those entities engaged in Non-Commercial Self-Fueling without Refueling Vehicles and Fuel storage facilities.~~

~~(b) Regulatory Measures~~

- ~~(1) Refueling, defueling, and Fuel storage on the Airport shall conform to all appropriate Regulatory Measures, NFPA guidelines, AC 150/5230-4, SWPPP, and Operator's SPCC.~~
- ~~(2) Fuels shall only be stored and dispensed on the Airport by those entities operating under an Agreement approved by the County granting such permission.~~
- ~~(c) Refueling, Defueling, and Fuel Storage Operations~~
- ~~(1) A properly trained operator shall be present (and responsive) at all times while Fuel delivery Vehicles transfer Fuel into or out of any Fuel storage facility.~~
- ~~(2) The operator shall remain within the immediate vicinity, in close proximity to, and in direct view of all operating controls and equipment.~~
- ~~(3) The operator shall not leave the discharge end of any hose or hoses unattended at any time while the transfer of Fuel is in progress.~~
- ~~(4) The operator shall not block open, disengage, and/or deactivate the deadman while fueling and/or transferring Fuel.~~
- ~~(5) Aircraft shall not be refueled or defueled in an area where Aircraft engines are operating, Aircraft (or engines) are being warmed by application of heat, or while the Aircraft is located in a hangar.~~
- ~~(6) All Fuel handled on the Airport shall be treated with due caution and circumspection with regard to the rights and safety of others so as not to endanger, or likely to endanger, persons or Property.~~
- ~~(7) Individuals engaged in the refueling, defueling, and oil servicing of Aircraft (or Vehicles), the filling of Refueling Vehicles or dispensing equipment, or the dumping or pumping or loading of aviation Fuels (or oils) into or from Fuel (or oil) storage facilities shall exercise care and extreme caution to prevent overflow of Fuel (or oils) and/or spills.~~
- ~~(8) In the event of a spill, Section 1-2.3-55 of these Rules and Regulations shall be followed.~~
- ~~(9) Refueling Vehicles shall be positioned so that the Vehicle can be directly driven or towed away from the loading or fueling position in the event of fire or spill.~~
- ~~(10) Not more than one Refueling Vehicle shall be positioned to refuel each wing of an Aircraft and not more than two Refueling Vehicles shall be positioned to service the same Aircraft.~~
- ~~(11) Aircraft Fuel Handling shall be conducted outdoors and at least 50 feet from any hangar, facility, and any combustion and ventilation air-intake to any boiler, heater, or incinerator room or as approved by the Fire Marshall.~~
- ~~(12) Pouring or gravity transfer of Fuel from containers larger than five gallons is prohibited.~~

- ~~A. Pumps, either hand or power operated, shall be used when Aircraft are fueled from containers larger than five gallons.~~
- ~~B. All containers shall be designed for the type of fuel contained therein.~~
- ~~(13) Aircraft or Vehicles shall not be refueled or defueled if an electrical storm is in progress within the immediate vicinity of the Airport.~~
- ~~(14) When Aircraft are being refueled or defueled, the Refueling Vehicle shall be bonded to the Aircraft to equalize the voltage potential between the Refueling Vehicle and the Aircraft.~~
- ~~1. All hoses, nozzles, spouts, funnels, and appurtenances used in refueling and defueling operations shall be FM or UL approved and shall be equipped with a bonding device to prevent ignition of volatile liquids.~~
- ~~(15) Refueling Vehicle Operators shall not operate the Vehicle in reverse anywhere on the Airport unless another person is present and capable of monitoring and directing the movement of the Vehicle.~~
- ~~(16) Aircraft shall not be refueled or defueled while passengers are on board unless a passenger-loading ramp is in place at the Aircraft cabin door, the door is in the open position, and an attendant is present at or near the door.~~
- ~~A. If an incapacitated patient is on board the Aircraft during refueling operations, Fire Department personnel and firefighting/rescue equipment must be available at the scene.~~
- ~~(17) No person shall operate any radio transmitter or receiver (or switch electrical appliances on or off in an Aircraft) during refueling or defueling unless said radio transmitter or receiver is designed for such environment.~~
- ~~(18) Smoking is prohibited in or about any Aircraft, on any Apron, or within 100 feet of an Aircraft being fueled or defueled.~~
- ~~(19) For single point refueling, deadman controls or mechanism shall be utilized and shall remain in good working order at all times.~~
- ~~A. No person shall deactivate or bypass a deadman control or mechanism at any time.~~
- ~~(20) During refueling operations, no person shall use any material or equipment that is likely to cause a spark or ignition within 50 feet of such Aircraft or Vehicle.~~
- ~~A. Smoking, matches, lighters, or any open flames are prohibited on the AOA and within 50 feet of any Aircraft, refueling Vehicle, Fuel storage facility, or any Aircraft being fueled or defueled~~
- ~~(21) The County assumes no liability or responsibility for violations of any applicable refueling requirements and procedures.~~

- ~~A. The Operator or Lessee shall be solely responsible for any violation incident to or in connection with the Operator's or Lessee's fueling storage facilities, equipment, operations, and training.~~
- ~~B. The Operator or Lessee shall reimburse the Airport for any fines, legal or court costs, incurred by the Airport for such violations.~~
- (d) Storage of Refueling Vehicles
- ~~(1) Refueling Vehicles shall be stored outside and not less than 50 feet from a building (or at the distance approved by the Airport Director) unless building is designed, constructed, and used exclusively for that purpose.~~
- ~~A. This subsection does not apply to containers with a capacity of not more than five gallons, provided that no more than one can is located within a single Vehicle and not more than two cans are located in any hangar.~~
- ~~B. All handheld portable containers shall be an approved type pursuant to UFC Sec. 79.104 and legibly marked. Capacity shall conform to UFC Table No. 79.104.~~
- ~~(2) Refueling Vehicles shall be parked in a manner that provides a minimum of 10 feet of separation between Vehicles and any other Vehicle or Aircraft or within 20 feet of a storm water inlet.~~
- (e) Maintenance of Refueling Vehicles
- ~~(1) Maintenance and servicing of Refueling Vehicles shall be performed outdoors or in a building that is approved by the Airport Director and Fire Department specifically for this purpose.~~
- ~~(2) Operator or Lessees shall document and maintain Vehicle maintenance and Agency inspection records. These records shall be made available to the Airport Director upon request.~~
- (f) Equipment
- ~~(1) Only those Fuel storage facilities and Refueling Vehicles (and equipment) that are approved under an Agreement with the County shall be used for the storage and delivery of Fuel.~~
- ~~(2) Refueling Vehicles, fueling pumps, meters, hoses, nozzles, funnels, fire extinguishers, and bonding devices used during fueling operations shall be maintained in a safe operating condition and in good working order and repair at all times.~~
- ~~A. When said Refueling Vehicle(s) or equipment is found in a state of disrepair, malfunction, the use constitutes an undue fire or safety hazard, or is in violation of any Regulatory Measure, the Operator shall discontinue the use of such Vehicles and/or~~

equipment until repairs, replacements, or changes are made to render the same safe for continued use.

~~(3) Refueling Vehicles, equipment, and Fuel storage facilities shall be placarded, marked, and/or color coded in accordance with NFPA 407 and applicable FAA Advisory Circulars.~~

~~(4) Adequate and proper fire extinguishers shall be immediately available during all fueling and defueling operations.~~

~~A. At least 2 carbon dioxide (or approved dry chemical) fire extinguishers (15 pounds or larger) or the types of fire extinguishers that are capable of extinguishing Category B and Category C fires shall be immediately available.~~

~~B. All extinguishers shall be inspected and certified as required by law and all personnel involved with fueling or defueling operations shall be properly trained on the use of fire extinguishers.~~

~~(5) Adequate and proper absorbent and Fuel spill containment capable of damming/diking a Fuel spill shall be immediately available at all times.~~

~~(6) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a bonding device to prevent ignition of volatile liquids.~~

~~(7) Refueling Vehicles and Vehicles utilized to deliver Fuel to the Fuel storage facility shall be subject to inspection by the Airport Director at any time to determine compliance with these Rules and Regulations.~~

~~(g) Fuel Storage Facilities~~

~~(1) The maintenance and operation of Fuel storage facilities shall meet NFPA 30, NFPA 407, and FAA regulations, and shall be approved by all Agencies who regulate the maintenance and operation of Fuel storage facilities. Further the installation of all tanks and/or facilities shall meet the requirements of the Uniform Fire Code, Article 24.~~

~~(2) Any portable containers of more than 50 gallons shall be approved by all Agencies who regulate the storage of Fuel and may be used for a period of no more than 90 days and shall be for a specific location (or site) only.~~

~~(3) All security gates leading into Fuel storage areas shall be kept closed and locked at all times except when actually in use.~~

PART C. CREATION OF ARTICLE III (GENERAL AVIATION MINIMUM STANDARDS) OF CHAPTER 1-2.3 (AIRPORTS AND AIRCRAFT) OF THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY.

Article III (General Aviation Minimum Standards) of Chapter 1-2.3 of the St. Lucie County Code of Ordinances and Compiled Laws is hereby amended to read as follows:

ARTICLE III
GENERAL AVIATION MINIMUM STANDARDS

Section 1-2.3-80. Purpose and scope.

~~(a) The purpose of these General Aviation Minimum Standards (Minimum Standards) is to encourage, promote, and ensure: (1) the delivery of high quality General Aviation products, services, and facilities to Airport users, (2) the design and development of quality General Aviation Improvements and facilities at the Airport; (3) safety and security, (4) the economic health of General Aviation Airport businesses, and (5) the orderly development of Airport property.~~

~~(1) To this end, all entities desiring to engage in General Aviation Aeronautical Activities at the Airport shall be accorded reasonable opportunities, without unjust discrimination, to engage in such Activities, subject to these Minimum Standards.~~

~~(b) Aeronautical Activities may be proposed that do not fall within the categories designated herein. In any such cases, appropriate minimum standards shall be developed by the Airport Director on a case-by-case basis (in conjunction with negotiations with the Applicant) for such Activities and incorporated into the Agreement.~~

~~(c) Specialized Aviation Service Operators (SASO) are encouraged to the greatest extent possible to be Sublessees of a Fixed Base Operator (FBO); however, if suitable land or Improvements are not available or cannot be secured from an FBO, SASOs may (if available) Sublease Improvements from another SASO, lease land from the County and may request in writing to the County to construct Improvements on such land in the areas designated by the County, or lease Improvements from the County.~~

Section 1-2.3-81. General Provisions.

~~These Minimum Standards include all provisions provided in the General Provisions.~~

Section 1-2.3-82. Exclusive rights.

~~(a) In accordance with the Airport Assurances given to the federal or state government by the County as a condition to receiving federal or state funds, the granting of rights or privileges to engage in Commercial Aeronautical Activities shall not be construed in any manner as affording an Operator any Exclusive Right, other than the exclusive use of the land and/or Improvements that may be leased to the Operator, if applicable, and then only to the extent provided~~

in an Agreement.

(1) The presence on the Airport of only one entity engaged in a particular Commercial Aeronautical Activity does not, in and of itself, indicate that an Exclusive Right has been granted. It is the policy of the County not to enter into or promote an understanding, commitment, or express agreement to exclude other reasonably qualified entities. Accordingly, those who desire to enter into an Agreement with the County should neither expect nor request that the County exclude others who also desire to engage in the same or similar Activities. The opportunity to engage in a Commercial Aeronautical Activity shall be made available to those entities meeting the qualifications and the requirements set forth in these Minimum Standards and as space may be available at the Airport to support such Activity provided such use is consistent with the current and planned uses of Airport land and Improvements and is in the best interest of the County.

A. If the FAA determines that any provision of these Minimum Standards, Agreement, or a practice constitutes a grant of a prohibited Exclusive Right, such provision or practice shall be deemed null and void and/or such practice shall be discontinued immediately.

Section 1-2.3-83. Land use.

The County reserves the right to designate specific Airport areas in which Commercial and Non-Commercial Aeronautical Activities may be conducted. Such designation shall give consideration to the nature and extent of the Activities, the land and Improvements that are available, and the preferred development of the Airport as described in the most recently completed Master Plan, Airport Layout Plan, and/or a land use plan.

Section 1-2.3-84. Applicability.

(a) These Minimum Standards specify the standards and requirements that must be met by any entity desiring to engage in one or more General Aviation Aeronautical Activities at the Airport.

(1) Throughout these Minimum Standards, the words "standards" or "requirements" shall be understood to be modified by the word "minimum" except where explicitly stated otherwise. Any required determinations, interpretations, or judgments regarding what constitutes an acceptable minimum standard, or regarding compliance with such standard, shall be made by the County. All entities are encouraged to exceed the applicable minimum standards.

(b) These Minimum Standards shall apply to any new Agreement, Operator or Improvements relating to the occupancy or use of Airport land or Improvements for General Aviation Aeronautical Activities.

(1) If an existing Operator (whether a Lessee or Sublessee) desires to substantially amend an existing Agreement (or sublease), to materially change its permitted Aeronautical Activities, the County shall, as a condition of its approval of such change, require the entity to comply with these Minimum Standards as they apply to the new Aeronautical Activity.

(2) These Minimum Standards shall not affect any Agreement or amendment to such Agreement (or sublease) properly executed prior to the date of promulgation of these Minimum Standards except as provided for in such Agreement (or sublease), in which case these Minimum Standards shall apply to the extent permitted by such Agreement (or Sublease).

(3) Upon termination of an Agreement (or sublease), the Operator shall be required to comply with these Minimum Standards upon execution of a new Agreement. However, Sublessees that enter into a renewal sublease for the same facilities to engage in the same Aeronautical Activities shall not be required to comply with these Minimum Standards.

(4) These Minimum Standards shall not be deemed to modify any existing Agreement (or sublease) under which an entity is required to exceed these Minimum Standards, nor shall they prohibit the County from entering into or enforcing an Agreement (or sublease) that requires an entity to exceed the Minimum Standards.

(5) If these Minimum Standards are amended after Operator enters into an Agreement with the County, the Operator shall not be required to increase Operator's Leased Premises or construct additional Improvements to be in compliance with the amended Minimum Standards for all existing facilities.

Section 1-2.3-85. General requirements.

(a) Introduction

(1) Operators engaging in Aeronautical Activities at the Airport shall meet or exceed the requirements of this Section 1-2.3-85 as well as the minimum standards applicable to the Operator's Activities, as set forth in subsequent sections.

(b) Experience/Capability

(1) Operator shall, in the judgment of the County, demonstrate before and during the term of the Agreement, the following:

- A. The capability of providing the proposed products, services, and facilities and engaging in the proposed Activities in a safe efficient, courteous, prompt, and workmanlike manner in service to and to the benefit of the public, and,
- B. The financial and technical responsibility, capability, and integrity to develop and maintain Improvements; procure and maintain required Vehicles, Equipment, and/or Aircraft; employ proper level of personnel; and engage in the Activity.
- (c) Agreement approval.
- (1) No entity shall engage in an Activity unless the entity has an Agreement with the County authorizing such Activity or the entity has received written approval (consent) from the County to Sublease land or Improvements from an authorized Operator and conduct the Activity at the Airport.
- (2) Except as provided for in Section 1-2.3-84, an Agreement shall not reduce or limit Operator's obligations with respect to these Minimum Standards.
- (d) Payment of Rents, Fees, and Charges
- (1) Operator shall pay the rents, fees, or other charges specified by the County for engaging in Activities.
- (2) Operator's failure to remain Current in the payment of any and all rents, fees, charges, and other sums due to the County shall be grounds for revocation of the Agreement or approval authorizing the conduct of Activities at the Airport.
- (e) Leased Premises
- (1) Operator shall lease sufficient land and/or lease, Sublease, or construct sufficient Improvements for the Activity as stipulated in these Minimum Standards.
- A. Each SASO and Non-Commercial Storage Operator with an Agreement shall lease a minimum of 87,120 square feet (2 acres) of Contiguous Land, upon which all required Improvements including Apron, Paved Tiedown, facilities, and Vehicle Parking shall be located.
- B. Improvements shall comply at all times with all applicable Regulatory Measures pertaining, but not limited, to drainage, building setbacks, and available Vehicle Parking.
- C. Construction of any Improvements must be approved in advance by the Airport Director.
- D. Leased Premises that are used for Commercial purposes and require public access shall have direct public streetside access.

(f) Apron/Paved Tiedowns

- (1) Aprons/Paved Tiedowns (if required) must have adequate size and weight bearing capacity to accommodate the movement, staging, and Parking of Operator's, Operator's Sublessees', and customers Aircraft without interfering with the movement of Aircraft in and out of other facilities and Aircraft operating in Taxilanes or Taxiways.
- (2) Aprons associated with hangars shall be equal to one and one-half times the hangar square footage or adequate to accommodate the movement of Aircraft into and out of the hangar, staging, and Parking of customer and/or Operator Aircraft without interfering with the movement of Aircraft in and out of other facilities and Aircraft operating in Taxilanes or Taxiways.

(g) Vehicle Parking

- (1) Paved Vehicle Parking shall meet all Regulatory Measures and be sufficient to accommodate all Operator's and Operator's Sublessees' (if Subleasing facilities) customers, employees, visitors, vendors, and suppliers Vehicles on a daily basis.
- (2) Paved Vehicle Parking shall be on Operator's Leased Premises and/or located in close proximity to Operator's main facility.
- (3) On-street Vehicle Parking is not allowed.

(h) Products, Services, and Facilities

- (1) Products, services, and facilities shall be provided on a reasonable, and not unjustly discriminatory, basis to all consumers and users of the Airport.
- (2) Operator shall charge reasonable, and not unjustly discriminatory, prices for each product, service, or facility, provided that, Operator may be allowed to make reasonable discounts, rebates, or other similar types of price reductions to volume purchasers.
- (3) Operator shall conduct its Activities on and from the Leased Premises in a safe, efficient, and first class professional manner consistent with the degree of care and skill exercised by experienced operators providing comparable products, services, and facilities and engaging in similar Activities from similar Leased Premises in like markets.

(i) Non-Discrimination

- (1) Operator shall not discriminate against any person or class of persons by reason of race, creed, color, national origin, sex, age, or physical handicap in providing any products or services or in the use of any of its facilities provided for the public, or in any manner prohibited by applicable Regulatory Measures including without limitation Part 21 of the rules and regulations of the office of the Secretary of Transportation effectuating Title VI of the Civil Rights Act of 1964, as

amended or reenacted.

~~(2) In the event of noncompliance with this subsection, the County shall take such action as the federal government may direct to enforce such compliance.~~

~~(j) Licenses, Permits, Certifications, and Ratings~~

~~(1) Operator and Operator's personnel shall obtain and comply with, at Operator's sole expense, all necessary licenses, permits, certifications, or ratings required for the conduct of Operator's Activities at the Airport as required by the County or any other duly authorized Agency prior to engaging in any Activity at the Airport. Upon request, Operator shall provide copies of such licenses, permits, certifications, or ratings to the Airport Director within 10 business days.~~

~~A. Cost(s) associated with obtaining Operator (not Operator's personnel) licenses, permits, certifications, or ratings required for the conduct of Operator's Activities shall be borne solely by Operator.~~

~~B. Operator shall keep in effect and post in a prominent place all necessary or required licenses, permits, certifications, or ratings.~~

~~(k) Personnel~~

~~(1) Operator shall provide a responsible person on the Leased Premises to supervise Activities and such person shall be qualified and authorized to represent and act for and on behalf of Operator during all hours of Activities with respect to the method, manner, and conduct of the Operator and Operator's Activities.~~

~~(2) Operator shall have in its employ, on duty, and on the Leased Premises during hours of Activity, properly trained, qualified, and courteous personnel in such numbers as are required to meet these Minimum Standards and to meet the reasonable demands of the aviation public for each Activity being conducted in a safe, secure, efficient, courteous, and prompt manner.~~

~~(3) Operator shall control the conduct, demeanor, and appearance of their employees. It shall be the responsibility of the Operator to maintain close supervision over Operator's employees to ensure that a high standard of products, services, and facilities are provided in a safe, secure, efficient, courteous, and prompt manner.~~

~~(l) Aircraft, Equipment, and Vehicles~~

~~(1) All required Aircraft, Equipment, and Vehicles must be fully operational, functional, and available at all times and capable of providing all required products and services.~~

~~A. Aircraft, Equipment, and Vehicles can be temporarily unavailable due to routine or emergency maintenance so long as appropriate measures are taken to return the Aircraft, Equipment, or Vehicle to service as soon as possible.~~

~~B. Operator shall have at least one required Aircraft, Equipment, and/or Vehicle in a fully operational/functional condition at all times.~~

~~(m) Hours of Activity~~

~~(1) Each Operator shall provide the minimum hours of activity required for its specific operation(s) in this ordinance. An Operator's hours of activity shall be clearly posted in public view using appropriate (and professional) signage.~~

~~(2) If exterior signage is utilized, it must be approved in advance by the Airport Director.~~

~~(n) Security~~

~~(1) Operator shall designate a responsible person for the coordination of all security procedures and communications and provide point-of-contact information to the Airport Director including the name of the primary and secondary contacts and a 24-hour telephone number for both contacts.~~

~~(2) Operator shall install fencing, doors, gates, lighting, access card reader, and locks in accordance with the Airport's security system program and maintain same in good condition at all times.~~

~~(3) Operator shall not remove any Airport locks.~~

~~(4) Operator must comply with all applicable reporting requirements (as established by the County, FAA, TSA, and law enforcement Agencies).~~

~~(o) Insurance~~

~~(1) Operator shall procure, maintain, and pay premiums during the term of an Agreement for insurance policies required by Regulatory Measures and the types and minimum limits set forth in Attachment A (Minimum Insurance Requirements) of these Minimum Standards for each Activity. The insurance company or companies underwriting the required policies shall be licensed (with a Best rating of A-7) or authorized to write such insurance in the State of Florida or be approved in writing by the St. Lucie County Board of County Commissioners (BOCC).~~

~~A. When coverages or limits set forth herein are not commercially available, appropriate replacement coverages or limits must be approved, in advance, by the County.~~

~~(2) When coverages or limits set forth herein are not economically viable for the proposed Activity, Operator may request a variance (as outlined in Section 1-2.3-31).~~

(3) When Operator engages in more than one Activity, the minimum limits shall be established by the County and may vary depending upon the nature of each Activity or combination of Activities, but shall not necessarily be cumulative in all instances. While it may not be necessary for Operator to carry insurance policies for the combined total of the minimum requirements of each Activity, Operator shall procure and maintain insurance for all exposures in amounts at least equal to the greatest of the required minimum or as established by the County.

(4) All insurance, which Operator is required by the County to carry and keep in force, shall name St. Lucie County, St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers as additional insured.

(5) Liability policies shall contain, or be endorsed to contain, the following provisions:

A. "The St. Lucie County, St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers are to be covered as additional insured with respect to: liability arising out of Activities performed by or on behalf of Operator; products and services of Operator; premises owned, leased, occupied, or used by Operator; or vehicles, equipment, or aircraft owned, leased, hired, or borrowed by Operator. Any insurance or self-insurance maintained by St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers shall be excess of Operator's and shall not contribute with it."

B. "Any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers. Operator's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the aggregate limits of the insurer's liability."

C. "Coverage shall not be suspended, voided, or cancelled by either party or reduced in coverage or in limits except after 30 days

prior written notice by certified mail, return receipt requested, has been given to the County."

(6) Certificates of Insurance for the insurance required by Regulatory Measures and set forth by these Minimum Standards for each Activity shall be delivered to the Airport Director upon execution of any Agreement or approval. Operator shall furnish additional Certificates of Insurance 30 days prior to any changes in coverage, if the change results in a reduction. Current proof of insurance shall be continually provided to the County throughout the term of the Agreement.

(7) The limits stipulated herein for each Activity represent the minimum coverage and policy limits that shall be maintained by the Operator to engage in Activities at the Airport. Operators are encouraged to secure higher policy limits.

(8) Any self-insured Operator shall furnish evidence of such self-insurance and shall hold St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners harmless in the event of any claims or litigation arising out of its Activities at the Airport. Such evidence shall be reviewed and approved in writing by the BOCC.

(9) Operator shall, at its sole expense, cause all Improvements on the Leased Premises to be kept insured to the full (or highest) insurable value (current replacement cost with no depreciation) thereof against the perils of fire, lightning, wind, hail, flood, extended coverage, and/or vandalism. The proceeds of any such insurance paid on account for any of the aforementioned perils, shall be used to defray the cost of repairing, restoring, or reconstructing said facilities or Improvements to the condition and location existing prior to the casualty causing the damage or destruction, unless a change in design or location is approved in writing by the BOCC.

(10) Operator with known environmental contamination exposures shall be required to secure appropriate environmental liability insurance with coverage limits appropriate for the type and level of environmental contamination exposure risk.

(p) Indemnification and Hold Harmless

(1) Operator shall defend, indemnify, save, protect, and hold harmless St. Lucie County, St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers from any and all claims, demands, damages, fines, obligations, suits, judgments, penalties, causes of action, losses, liabilities, administrative proceedings, arbitration, or costs at any time received,

incurred, or accrued by St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers as a result of, or arising out of Operator's actions or inaction. In the event a party indemnified hereunder is in part responsible for the loss, the indemnitor shall not be relieved of the obligation to indemnify; however, in such a case, liability shall be shared in accordance with state of Florida principles of comparative fault.

(2) The Operator shall accept total responsibility, indemnify, and hold harmless St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers in the event of an environmental contaminating accident or incident caused by Operator, its employees, its vendors or any other personnel used by the Operator to maintain Operator's facilities, Vehicles, Equipment, or Aircraft.

(3) Nothing herein shall constitute a waiver of any protection available to St. Lucie County, the St. Lucie County International Airport, and the St. Lucie County Board of County Commissioners, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers under the state of Florida governmental immunity act or similar statutory provision.

(q) Taxes

(1) Operator shall, at its sole cost and expense, pay all taxes, fees, and other charges that may be levied, assessed, or charged by any duly authorized Agency associated with Operator's Leased Premises (land and/or Improvements), Operator's Improvements on Leased Premises, and/or Operator's Activities.

(r) Multiple Activities

(1) When more than one Activity is conducted at the Airport, the minimum standards shall be established by the Airport Director.

(2) Depending upon the nature of the combined Activities, the minimum standards shall not be:

A. Less than the highest standard for each element (e.g., land, hangar, office, shop, etc.) within the combined Activities, or

B. Greater than the cumulative standards for all of the combined Activities.

Section 1-2.3-86. Fixed Base Operator (FBO)

(a) Introduction

- (1) A Fixed Base Operator (FBO) is a Commercial Operator engaged in the sale of products, services, and facilities to include, at a minimum, the following Activities at the Airport: aviation Fuels and lubricants (Jet Fuel, Avgas, and Aircraft lubricants); passenger, crew, and Aircraft ground services, support, and amenities; Aircraft Maintenance; sale of Aircraft parts and accessories, Aircraft Parking; and rental Tiedown and hangar.
- (2) In addition to the General Requirements set forth in Section 1-2.3-84, each Fixed Base Operator at the Airport shall comply with the following minimum standards set forth in this Ordinance.

Section 1-2.3-87. Scope of activity.

(a) Unless otherwise stated in these Minimum Standards, all required products and services shall be provided by FBO's Employees using FBO's Vehicles and Equipment.

(b) FBO's products and services shall include the following:

- (1) Aviation Fuels and Lubricants (Jet Fuel, Avgas, and Aircraft Lubricants):
- A. FBO shall deliver and dispense, upon request, Jet Fuel, Avgas, and Aircraft lubricants into all General Aviation Aircraft normally frequenting the Airport.
 - B. FBO shall provide a response time of no more than 30 minutes during required hours of activity (excepting situations beyond the control of the FBO).
- (2) Passenger, Crew, and Aircraft Ground Services, Support, and Amenities
- A. FBO shall meet, direct, and park all Aircraft arriving on FBO's Leased Premises.
 - B. FBO shall provide parking and Tiedown of Aircraft upon the FBO's Leased Premises.
 - C. FBO shall provide hangar storage of Aircraft, to include in-out service.
 - D. FBO shall provide arrival and departure services for Aircraft using FBO's Leased Premises.
 - E. FBO shall provide oxygen, nitrogen, and compressed air services. These services may be provided through arrangement with an Aircraft Maintenance Operator.
 - F. FBO shall provide lavatory services.
 - G. FBO shall make available aircraft ground power units.

H. FBO shall make available crew and passenger ground transportation arrangements (limousine, shuttle, and rental car).

I. FBO shall make available Aircraft catering arrangements.

(3) Aircraft Maintenance:

A. FBO shall provide Aircraft Maintenance (as defined by 14 CFR Part 43) for Group I and Group II Piston Aircraft and Group I Turboprop Aircraft.

B. FBO shall be able to provide Aircraft Line Maintenance for General Aviation Aircraft up to Group III Turbojet Aircraft not exceeding 60,000 pounds maximum takeoff weight.

C. FBO can meet these Minimum Standards for the provision of Aircraft Maintenance by and through an entity who meets the minimum standards for Aircraft Maintenance Operator.

(4) Aircraft Storage

A. FBO shall develop, own, and/or lease facilities for the purpose of Subleasing Aircraft storage facilities and associated office or shop space to entities engaging in Commercial or Non-Commercial Aeronautical Activities.

(c) Leased Premises

(1) FBO shall have adequate land (see Section 1-2.3-85(e)), Apron/Paved Tiedown (see Section 1-2.3-85(f)), facilities (hangars, terminal, maintenance, and Fuel storage), and Vehicle Parking (see Section 1-2.3-85(g)) to accommodate all Activities of FBO and all approved Sublessees, but not less than the following:

A. Contiguous Land - ten (10) acres (435,600 square feet), upon which all required Improvements including Apron, Paved Tiedown, facilities, and Vehicle Parking shall be located.

B. Apron - 5.7 acres (250,000 square feet), with a weight bearing capacity adequate to accommodate the largest Aircraft handled or serviced by FBO.

C. Paved Tiedown - adequate to accommodate the number, type, and size of Based Aircraft and Transient Aircraft requiring Tiedown space at the FBO's Leased Premises, but not less than thirty (30) Paved Tiedown spaces.

D. Facilities shall contain a minimum of 33,300 square feet (total) consisting of the following:

1. Terminal space - 2,000 square feet

Customer area shall include adequate space for crew and passenger lounge(s), flight planning room, conference room, public use telephones, and restrooms.

2. Administrative area shall include adequate space for

employee offices, work areas, and storage.

(2) Maintenance space - 1,500 square feet

A. Maintenance customers shall have immediate access to FBO's customer lounge, public use telephones, and restrooms.

B. Administrative area shall include adequate space for maintenance Employee offices.

C. Maintenance area shall include adequate space for maintenance Employee work areas, shop areas, and storage of Aircraft parts and equipment.

(3) Hangar area - 30,000 square feet

A. At least 10,000 square feet of hangar space shall be dedicated to Aircraft storage (with a minimum door height of 27.5 feet and a door width of 100 feet) and 10,000 square feet shall be dedicated to the provision of Aircraft Maintenance. No single hangar shall be less than 10,000 square feet.

(d) Fuel Storage

(1) FBO shall construct or install and maintain an on-Airport aboveground Fuel storage facility at the Airport, unless otherwise authorized or required, in a location consistent with the Airport Master Plan, Airport Layout Plan, or other land use plan and approved by the County.

(2) Fuel storage facility shall have total capacity for three (3) days peak supply of aviation Fuel for Aircraft being serviced by FBO. In no event shall the total storage capacity be less than:

A. 20,000 gallons for Jet Fuel storage

B. 15,000 gallons for Avgas storage

C. FBO shall have adequate storage, with appropriate secondary containment for waste Fuel or test samples (or the capability to recycle waste Fuel or test samples);

D. FBO shall also demonstrate the capability of expanding its Fuel storage capacity within a reasonable time period.

(3) FBO shall, at its sole expense, maintain the Fuel storage facility, all Improvements thereon, and all appurtenances thereto, in a clean, neat, orderly, and fully functional condition consistent with good business practice and equal or better than in appearance and character to other similar Improvements on the Airport.

(4) FBO shall have a written Spill Prevention, Control, and Countermeasures Plan ("SPCC Plan") that meets Regulatory Measures for aboveground Fuel storage facilities. An updated copy of the SPCC Plan shall be provided to the Airport Director on request.

(5) FBO shall be liable and indemnify the County for all leaks, spills, or other damage that may result through the handling and dispensing of Fuel.

(6) Fuel delivered/dispensed by FBO shall meet quality specifications as outlined in ASTM D 1655 (Jet A) and ASTM D 1910 (Avgas). Ensuring the quality of the Fuel is the responsibility of FBO.

(7) FBO shall report all Fuel delivered to the FBO, including total gallons of Fuel delivered by type and make, during each calendar month and submit a summary along with appropriate fees and charges due the County on or before the 10th day of the subsequent month.

(8) FBO shall maintain records identifying the total number of aviation Fuel gallons purchased and delivered. Records (and meters) shall be made available for audit to the County or representatives of the County. In the case of a discrepancy, FBO shall promptly pay, in cash, all additional rates, fees, and charges due the County, plus annual interest on the unpaid balance at the maximum rate allowable by law from the date originally due.

(e) Fueling Equipment

(1) FBO shall have two (2) Jet Fuel Refueling Vehicles with one (1) having a capacity of at least 2,200 gallons.

(2) FBO shall have two (2) Avgas Refueling Vehicles having a capacity of at least 750 gallons. A fixed Avgas refueling (self-fueling) system can be substituted for an Avgas Refueling Vehicle.

A. A fixed Avgas refueling (self-fueling) system constructed or installed and maintained by an FBO for public commercial use shall be in a location specified by the Airport Director.

(3) Aircraft Refueling Vehicles shall be equipped with metering devices that meet all applicable Regulatory Measures. One Refueling Vehicle dispensing Jet Fuel shall have over-the-wing and single point Aircraft servicing capability. All Refueling Vehicles shall be bottom loaded.

(4) Each Refueling Vehicle shall be equipped and maintained to comply with all applicable safety and fire prevention requirements, standards, and Regulatory Measure including without limitation, those prescribed by:

A. State of Florida Fire Code and local Fire District;

B. National Fire Protection Association (NFPA) Codes;

C. Florida Environmental Protection Agency;

D. 14 CFR Part 139, Airport Certification, Section 139.321 "Handling/Storing of Hazardous Substances and Materials".

E. Applicable FAA Advisory Circulars (AC) including AC 00-34 "Aircraft Ground Handling and Servicing" and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used on an Airport".

(f) Equipment

(1) FBO shall have the following equipment:

- A. Adequate equipment for securing Aircraft on the Apron including ropes, chains, and other types of Aircraft restraining devices and wheel chocks which are required to safely secure Aircraft as described in AC 20-35C
- B. One (1) oxygen cart, one (1) nitrogen cart, and one (1) compressed air unit
- C. Equipment may be provided through an Aircraft Maintenance Operator.
- D. Two (2) Aircraft tugs (and tow bars) with at least one (1) having a rated draw bar capacity sufficient to meet the towing requirement of the heaviest General Aviation Aircraft normally frequenting the Airport
- E. Two (2) ground power units to provide electricity to direct current (DC)
- F. One (1) lavatory service cart
- G. Spill kits including the necessary equipment and materials to contain a Fuel spill and keep it from flowing into drains or other areas
- H. Adequate number of approved and regularly inspected dry chemical fire extinguisher units shall be maintained within all hangars, on Apron areas, at Fuel storage facilities, and on all grounding handling and Refueling Vehicles
- I. All Equipment reasonably necessary for the proper performance of Aircraft Maintenance in accordance with applicable FAA regulations and manufacturers' specifications, unless provided through a third party

(g) Personnel

- (1) Personnel, while on duty, shall be clean, neat in appearance, courteous, and at all times, properly uniformed. Uniforms shall identify the name of the FBO and the employee and shall be clean, neat, professional, and properly maintained at all times.
 - A. Management and administrative personnel shall not be required to be uniformed.
- (2) FBO shall develop and maintain Standard Operating Procedures (SOP) for Fueling and ground handling and shall ensure compliance with standards set forth in FAA Advisory Circular 00-34A "Aircraft Ground Handling and Servicing." FBO's SOP shall include a training plan, Fuel quality assurance procedures and record keeping, and emergency response procedures to Fuel fires and spills. FBO's SOP shall also address: bonding and fire protection; public protection; control of access to Fuel storage facilities; and marking and labeling of Fuel

storage tanks and Refueling Vehicles. FBO's SOP shall be provided to the Airport Director upon request.

~~(3) FBO shall have two (2) properly trained and qualified Employees, on each shift, providing Aircraft Fueling, Parking, and ground services and support.~~

~~(4) FBO shall have one (1) properly trained and qualified Employee, on each shift, to provide customer service and support.~~

~~(5) FBO (or approved Sublessee) shall have one (1) Airframe and powerplant Mechanic properly trained and qualified to perform Aircraft Maintenance on Aircraft frequenting the Airport.~~

(h) Hours of Activity

~~(1) Aircraft Fueling and passenger, crew, and aircraft ground handling services, support, and amenities shall be continuously offered and available to meet reasonable demands of the public for this Activity seven (7) days a week, twelve hours a day (including holidays).~~

~~A. These services shall also be available all other times (after hours), on-call.~~

~~(2) Aircraft Maintenance shall be continuously offered and available to meet reasonable demand of the public for this Activity five (5) days a week, eight hours a day.~~

~~A. Aircraft Maintenance shall be available all other times (after hours), on-call.~~

(i) Aircraft Removal

~~(1) Recognizing that Aircraft removal is the responsibility of the Aircraft Owner/Operator, the FBO shall be prepared to lend assistance within 30 minutes upon request in order to maintain the operational readiness of the Airport. The FBO shall prepare an Aircraft removal plan and have the Equipment Readily Available that is necessary to remove the General Aviation Aircraft normally frequenting the Airport.~~

(j) Insurance

~~(1) FBO shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.~~

Section 1-2.3-88. Aircraft Maintenance Operator (SASO)

(a) Introduction

~~(1) An Aircraft Maintenance Operator is a Commercial Operator engaged in providing Aircraft Maintenance on airframes and powerplants (as defined in 14 CFR Part 43) for Aircraft other than those owned, leased, and/or operated by (and under the full and exclusive control of) the Operator, which includes the sale of Aircraft parts and accessories.~~

(2) In addition to the General Requirements set forth in Section 1-2.3-85, each Aircraft Maintenance Operator at the Airport shall comply with the following minimum standards set forth in this section.

(3) FBOs shall comply with the minimum standards set forth above in Section 1-2.3-86 associated with Aircraft Maintenance.

(b) Leased Premises

(1) Operator engaging in this Activity shall have adequate land, and Improvements as set forth in Section 1-2.3-85(3), (f) and (g), and facilities to accommodate all Activities of the Operator and all approved Sublessees, but not less than the following square footages (SF), which are not cumulative and are based upon the largest Aircraft Design Group that the Aircraft Maintenance Operator proposes to maintain:

Table 1

Facilities	Group I Piston and Turboprop Aircraft	Group II Piston and Turboprop Aircraft	Group I and II Turbojet Aircraft	Group III Turbojet Aircraft
Maintenance Area	750 SF	1,000 SF	1,000 SF	1,250 SF
Hangar	3,000 SF	10,000 SF	10,000 SF	12,000 SF

(2) Facilities shall include customer, administrative, maintenance, and hangar areas.

A. Customer area shall include adequate space for (or in the case of a Sublessee, immediate access to) customer lounge, public use telephone, and restrooms.

B. Administrative area shall include adequate and dedicated space for employee offices, work areas, and storage.

C. Maintenance area shall include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

D. Hangar area shall be at least equal to the square footage required for the type of Aircraft Maintenance being provided (as identified above) or large enough to accommodate the largest

Aircraft undergoing Aircraft Maintenance (other than preventative Aircraft Maintenance as described in 14 CFR Part 43), whichever is greater.

(c) Licenses and Certification

- (1) All Operators' personnel shall be properly certificated by the FAA, current, and hold the appropriate ratings for the work being performed.

(d) Personnel

- (1) Operator shall provide a sufficient number of personnel to adequately and safely carry out Aircraft Maintenance in a courteous, prompt, and efficient manner and meet the reasonable demands of the public for this Activity.

- (2) An Operator conducting Aircraft Maintenance on Piston Aircraft shall employ one (1) A & P Mechanic and one (1) customer service representative as Employees (on each shift).

A. A & P Mechanic and/or non-certificated mechanic may fulfill the responsibilities of the customer service representative unless mechanic is performing duties off Airport.

- (3) An Operator conducting Aircraft Maintenance on Turboprop or Turbojet Aircraft shall employ two (2) A & P Mechanics and one (1) customer service representative as Employees (on each shift).

A. A & P Mechanic and/or non-certificated mechanic may fulfill the responsibilities of the customer service representative unless mechanic is performing duties off Airport.

- (4) An Operator conducting 100 hour, annual, or phase inspections shall employ an A & P Mechanic certified as an IA (Inspection Authority).

(e) Equipment

- (1) An Operator shall maintain sufficient Equipment, supplies, and availability of parts as required for the type of Aircraft Maintenance being performed.

- (2) Equipment requirements include tugs, tow bars, jacks, dollies, and other equipment, supplies, and parts required to perform the Activity.

(f) Hours of Activity

- (1) Operator shall be open and services shall be available to meet reasonable demands of the public for this Activity, at least five days a week, eight hours a day.

(g) Insurance

- (1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-89. Avionics or instrument maintenance operator (SASO)

- (a) Introduction
- (1) An Avionics or Instrument Maintenance Operator is a Commercial Operator engaged in the business of maintenance or alteration of one or more of the items described in 14 CFR Part 43, Appendix A (i.e., Aircraft radios, electrical systems, or instruments).
- (2) In addition to the General Requirements set forth in Section 1-2.3-85, each Avionics or Instrument Maintenance Operator at the Airport shall comply with the following minimum standards set forth in this Section 1-2.3-89.
- (b) Operator engaging in this Activity shall have adequate land, Apron, facilities, and Vehicle Parking to accommodate all Activities of the Operator and all approved Sublessees, but not less than the following square footages, which are not cumulative.
- (1) For Operators performing just benchwork (i.e., no removal and replacement services are being performed), the minimums, which are based upon the type of Aircraft avionics or instruments being tested and/or repaired, are as follows in Section 1-2.3-88(b)(2) excluding hangar requirements)
- (2) For Operators performing services beyond benchwork (i.e., removal and replacement services are being performed), the minimums, which are based upon the type of Aircraft avionics or instruments being tested and/or repaired, are as follows:

Table 2

<u>Facilities</u>	<u>Groups I and II Piston Aircraft</u>	<u>Groups I and II Turboprop Aircraft</u>	<u>Groups I and II Turbojet Aircraft</u>	<u>Group III Turbojet Aircraft</u>
<u>Maintenance Area</u>	<u>750 SF</u>	<u>1,000 SF</u>	<u>1,000 SF</u>	<u>1,250 SF</u>
<u>Hangar</u>	<u>3,000 SF</u>	<u>10,000 SF</u>	<u>10,000 SF</u>	<u>12,000 SF</u>

(3) Facilities shall include customer, administrative, maintenance, and hangar (if required) areas.

A. Customer area shall include adequate space for customer lounge, public use telephone, and restrooms.

B. Administrative area shall include adequate and dedicated space for employee offices, work areas, and storage.

C. Maintenance area shall include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

D. Hangar area (if required) shall be at least equal to the square footage stipulated for the type of service being provided (as identified above) or large enough to accommodate the largest Aircraft undergoing maintenance or alteration of avionics or instruments, and/or removal and replacement services, whichever is greater.

(c) Licenses and Certifications

(1) Personnel shall be properly certificated by the FAA and the Federal Communications Commission (FCC), current, and hold the appropriate ratings for the work being performed.

(d) Personnel

(1) Operator shall provide a sufficient number of personnel to adequately and safely carry out Activity in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.

A. An Operator conducting avionics or instrument maintenance on Piston Aircraft shall employ one (1) avionics or instrument technician and one (1) customer service representative as Employees (on each shift).

i. Avionics or instrument technician may fulfill the responsibilities of the customer service representative unless avionics or instrument technician is performing duties off Airport.

B. An Operator conducting avionics or instrument maintenance on Turboprop or Turbojet Aircraft shall employ two (2) avionics or instrument technicians and one (1) customer service representative as Employees (on each shift).

i. An avionics or instrument technician may fulfill the responsibilities of the customer service representative unless both avionics or instrument technicians are performing duties off Airport.

(e) Equipment

(1) An Operator conducting Avionics or Instrument Maintenance on Group

I and/or Group II Turboprop or Turbojet Airport shall provide sufficient shop space, Equipment, supplies, and availability of parts as required for certification as an FAA Repair Station.

(2) Operator shall provide sufficient Equipment, supplies, and availability of parts to safely accommodate its largest serviced Aircraft.

(f) Hours of Activity

(1) Operator shall be open and services shall be available to meet the reasonable demands of the general public for this Activity five days a week, eight hours a day.

(g) Insurance

(1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-90. Aircraft rental or flight training operator (SASO)

(a) Introduction

(1) An Aircraft Rental Operator is a Commercial Operator engaged in the rental of Aircraft to the general public.

(2) A Flight Training Operator is a Commercial Operator engaged in providing Flight Training to the general public.

A. A person holding a current FAA flight instructor's certificate, who gives occasional Flight Training (does not make Flight Training available to the general public) to an owner of an Aircraft in the owner's Aircraft, shall not be deemed a Commercial Activity.

(3) In addition to the General Requirements set forth in Section 1-2.3-85, each Aircraft Rental or Flight Training Operator at the Airport shall comply with the following minimum standards set forth in this section.

(b) Leased Premises

(1) Operator engaging in this Activity shall have adequate land, Apron/Paved Tiedown, facilities, and Vehicle Parking to accommodate all Activities of the Operator and all approved Sublessee(s), but not less than the following:

A. Apron/Paved Tiedowns (Lessee only) shall be adequate to accommodate four (4) Aircraft having a minimum wingspan of 40 feet.

1. If Operator utilizes a hangar for the storage of Operator's entire fleet of Aircraft at the Airport, Paved Tiedowns are not required.

B. Facilities shall include customer and administrative areas. Maintenance and hangar areas are required if Operator is

conducting Aircraft Maintenance on Aircraft owned, leased, and/or operated by (and under the full and exclusive control of) Operator. If Operator provides Aircraft Maintenance on other Aircraft, Operator shall meet the minimum standards for an Aircraft Maintenance Operator.

i. Customer area (Lessee) shall be at least 500 square feet to include adequate space for customer lounge, class/training rooms, public use telephone, and restrooms. A copy of the Airport's Voluntary Noise Abatement Program shall be posted in the customer area.

ii. Customer area (Sublessee) shall be at least 250 square feet to include adequate space for class/training rooms. Operator's customers shall have immediate access to customer lounge, public use telephone, and restrooms.

iii. Hangar area (Lessee), if required, shall be at least 2,500 square feet or large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator, whichever is greater.

iv. Hangar area (Sublessee), if required, shall be large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator.

v. Maintenance area, if required, shall be at least 250 square feet to include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

(c) Licenses and Certifications

(1) Personnel performing Aircraft proficiency checks and/or Flight Training shall be properly certificated by the FAA, current, and hold the appropriate ratings and medical certification for the Aircraft being utilized and/or Flight Training being provided.

A. Flight Training Operators shall have at least one (1) flight instructor with the appropriate ratings and medical certification to provide Flight Training for an instrument rating.

(d) Personnel

(1) Operator shall provide a sufficient number of personnel to adequately and safely carry out Aircraft rental and/or Flight Training in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public/members seeking such services.

A. Operator shall employ one (1) flight instructor and one (1) customer service representative as Employees to be available during required Hours of Activity as set forth above.

~~i. One of the required flight instructors may fulfill the responsibilities of the customer service representative unless the flight instructor is performing duties off-Airport.~~

~~B. Flight Training Operators shall have available a properly certificated ground school instructor capable of providing on-demand ground school instruction sufficient to enable students to pass the FAA written examinations for private pilot, commercial pilot, and instrument rating.~~

~~(e) Equipment~~

~~(1) Operator shall have available for rental or use in Flight Training, either owned by or under written lease to Operator and under the full and exclusive control of Operator, no less than three (3) properly certified and currently airworthy Piston Aircraft, at least one of which shall be equipped for and fully capable of flight under instrument conditions and one of which shall be a multi-engine Aircraft.~~

~~(2) Flight Training Operators shall provide, at a minimum, adequate mock-ups, still and motion pictures, or other training aids necessary to provide proper and effective ground school instruction.~~

~~(f) Hours of Activity~~

~~(1) An Aircraft Rental Operator and a Flight Training Operator shall be open and services shall be available to meet the reasonable demands of the public for this Activity five days a week, eight hours a day.~~

~~(2) An Aircraft Rental Operator and a Flight Training Operator shall provide a copy of the Airport's Voluntary Noise Abatement Program brochure to all lessees and students and shall instruct them on the provisions of the program.~~

~~(g) Insurance~~

~~(1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.~~

~~(2) Disclosure Requirement: Any Operator conducting Aircraft rental, sales, or Flight Training shall post a notice and incorporate within the rental and Flight Training agreements the coverage and limits provided to the renter or student by Operator, as well as a statement advising that additional coverage is available to such renter or student through the purchase of an individual non-ownership liability policy. Operator shall~~

provide a copy of such notice to the Airport Director.

Section 1-2.3-91. Aircraft charter or aircraft management operator (SASO)

(a) Introduction

- (1) An Aircraft Charter Operator is a Commercial Operator engaged in on-demand common carriage for persons or Property (as defined in 14 CFR Part 135) or operates in private carriage under 14 CFR Part 125.
- (2) An Aircraft Management Operator is a Commercial Operator engaged in the business of providing Aircraft management including, but not limited to, flight dispatch, flight crews, or Aircraft Maintenance coordination to the general public.
- (3) In addition to the General Requirements set forth in Section 1-2.3-85, each Aircraft Charter Operator and Aircraft Management Operator at the Airport shall comply with the following minimum standards set forth in this Section.

(b) Leased Premises

- (1) Operator engaging in this Activity shall have adequate land (see Section 1-2.3-85(e)), Apron/Paved Tiedown (see Section 1-2.3-85(f)), facilities, and Vehicle Parking (see Section 1-2.3-85(g)) to accommodate all Activities of the Operator and all approved Sublessee(s), but not less than the following:
 - A. Apron/Paved Tiedowns (Lessee only) shall be adequate to accommodate two (2) Aircraft having a minimum wingspan of 40 feet.
 - i. If Operator utilizes a hangar for the storage of Operator's entire fleet at the Airport, no Paved Tiedowns will be required.
 - B. Facilities shall include customer and administrative areas. Maintenance and hangar areas are required if Operator is conducting Aircraft Maintenance on Aircraft owned, leased, and/or operated by (and under the full and exclusive control of) Operator. If Operator provides Aircraft Maintenance on other Aircraft, Operator shall meet the minimum standards for an Aircraft Maintenance Operator.
 - i. Hangar area (Lessee), if required, shall be at least 2,500 square feet or large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator, whichever is greater.
 - ii. Hangar area (Sublessee), if required, shall be large enough to accommodate the largest Aircraft in

Operator's fleet at the Airport maintained by Operator.

- iii. Maintenance area, if required, shall be at least 250 square feet and shall include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

(c) Licenses and Certifications

- (1) Aircraft Charter Operators shall have and provide copies to the Airport Director of all appropriate certifications and approvals, including without limitation, FAA issued operating certificate(s). Any time certifications or approvals are modified, the updated documentation (reflecting the changes) shall be immediately provided to the Airport Director.
- (2) Personnel shall be properly certificated by the FAA, current, and hold the appropriate ratings in the Aircraft utilized and medical certifications for Activity.

(d) Personnel

- (1) Operator shall provide a sufficient number of personnel to adequately and safely carry out Activity in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.
- A. Aircraft Charter Operator shall employ one (1) pilot and one (1) customer service representative as Employees (on each shift).
- I. The pilot may fulfill the responsibilities of the customer service representative unless the pilot is performing duties off-Airport
- B. Aircraft Management Operator shall employ one (1) customer service representative as an Employee (on each shift).

(e) Equipment

- (1) Aircraft Charter Operator shall provide, either owned or under written lease to Operator and under the full and exclusive control of Operator, one (1) certified, continuously airworthy, and instrument qualified Aircraft.

(f) Hours of Activity

- (1) Operator shall be open and services shall be available to meet the reasonable demands of the public for this Activity five days a week, eight hours a day.

(g) Insurance

- (1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-92. Aircraft sales operator (SASO)

(a) Introduction

- (1) An Aircraft Sales Operator is a Commercial Operator engaged in the sale of three (3) or more new and/or used Aircraft during a 12-month period.
- (2) In addition to the General Requirements set forth in Section 1-2.3-85, each Aircraft Sales Operator at the Airport shall comply with the following minimum standards set forth in this Ordinance.

(b) Leased Premises

- (1) Operator engaging in this Activity shall have adequate land, Apron/Paved Tiedown, facilities, and Vehicle Parking to accommodate all Activities of the Operator and all approved Sublessee(s), but not less than the following:

A. Apron/Paved Tiedowns (Lessee only) shall be adequate to accommodate four (4) Aircraft having a minimum wingspan of 40 feet.

i. If Operator utilizes a hangar for the storage of Operator's entire fleet at the Airport (inventory), no Paved Tiedowns will be required.

B. Facilities shall include customer and administrative areas. Maintenance and hangar areas are required if Operator is conducting Aircraft Maintenance on Aircraft owned, leased, and/or operated by (and under the full and exclusive control of) Operator. If Operator provides Aircraft Maintenance on other Aircraft, Operator shall meet the minimum standards for an Aircraft Maintenance Operator.

i. Hangar area (Lessee), if required, shall be at least 2,500 square feet or large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator, whichever is greater.

ii. Hangar area (Sublessee), if required, shall be large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator.

iii. Maintenance area, if required, shall be at least 250 square feet and shall include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

(c) Dealership

- (1) An Operator which is an authorized factory sales franchise, dealer, or distributor, either on a retail or wholesale basis, shall have available or

shall make available (with advance notice) at least one (1) current model demonstrator of Aircraft in each of its authorized product lines.

(d) Licenses and Certifications

(1) Personnel shall be properly certificated by the FAA, current, and hold the appropriate ratings and medical certification for providing flight demonstration in Aircraft offered for sale.

(e) Personnel

(1) Operator shall provide a sufficient number of personnel to adequately and safely carry out Activity in a prompt and efficient manner adequate to meet the reasonable demand of the public seeking such services.

A. Operator shall employ one (1) current commercial pilot and one (1) customer service representative as Employees (on each shift).

i. The Operator may fulfill the responsibilities of the commercial pilot and/or customer service representative.

ii. The commercial pilot may fulfill the responsibilities of the customer service representative unless the commercial pilot is performing duties off Airport.

(f) Equipment

(1) Operator shall provide necessary and satisfactory arrangements for Aircraft Maintenance in accordance with any sales guarantee or warranty period.

(g) Hours of Activity

(1) Operator shall be open and service shall be available to meet the reasonable demands of the public for this Activity five days a week, eight hours a day.

(h) Insurance

(1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-93. Other commercial aeronautical activities (SASO)

(a) Introduction

(1) This section pertains to other commercial aeronautical SASOs engaging in limited Aircraft services and support Activities, miscellaneous Commercial services and support Activities), or other air transportation services for hire Activities.

A. Limited Aircraft Services and Support - are defined as limited Aircraft, engine, or accessory support (e.g., cleaning, washing, waxing, painting, upholstery, propeller repair, etc.) or other related (miscellaneous) Aircraft services and support Activities.

~~B. Miscellaneous Commercial Services and Support - are defined as ground schools, simulator training, scheduling and dispatching (flight coordination and aircrew management), or any other related (miscellaneous) Commercial services and support Activities.~~

~~C. Other Air Transportation Services for Hire - are defined as non-stop sightseeing flights (flights that begin and end at the Airport and are conducted within a 25 statute mile radius of the Airport); flights for aerial photography or survey, fire fighting, and power line, underground cable, or pipe line patrol; helicopter operations relating to construction or repair work; or, other related (miscellaneous) air transportation services for hire.~~

~~(2) In addition to the General Requirements set forth in Section 1-23-85, each of the SASOs described above at the Airport shall comply with the following minimum standards set forth in this Section 1-2.3-93.~~

~~(b) Leased Premises~~

~~(1) Operator engaging in this Activity shall have adequate land, Apron/Paved Tiedown, facilities, and Vehicle Parking, if appropriate, to accommodate all Activities of the Operator and all approved Sublessee(s). The following provides the necessary minimums for the appropriate land, Apron, facilities, and Vehicle Parking, when appropriate:~~

~~A. Apron/Paved Tiedowns (Lessee only) shall be adequate to accommodate four (4) Aircraft having a minimum wingspan of 40 feet.~~

~~i. If Operator utilizes a hangar for the storage of Operator's entire fleet at the Airport, no Paved Tiedowns will be required.~~

~~B. Facilities shall include customer and administrative areas. Maintenance and hangar areas are required if Operator is conducting Aircraft Maintenance on Aircraft owned, leased, and/or operated by (and under the full and exclusive control of) Operator. If Operator provides Aircraft Maintenance on other Aircraft, Operator shall meet the minimum standards for an Aircraft Maintenance Operator.~~

~~i. Hangar area (Lessee), if required, shall be at least 2,500 square feet or large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator, whichever is greater.~~

~~ii. Hangar area (Sublessee), if required, shall be large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by Operator.~~

iii. Maintenance area, if required, shall be at least 250 square feet and shall include adequate space for employee work areas, shop areas, and storage for Aircraft parts and equipment.

(c) Licenses and Certifications

(1) Operator shall have and provide to the Airport evidence of all Agency licenses and certificates that are required to conduct the Activity.

(d) Personnel

(1) Operator shall provide a sufficient number of personnel to adequately and safely carry out its Activity in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.

(e) Equipment

(1) Operator shall have (based at the Airport), either owned or under written lease to (and under the full and exclusive control of) Operator, sufficient Vehicles, Equipment, and, if appropriate, one continuously airworthy Aircraft.

(2) Operator shall have sufficient supplies and parts available to support the Activity.

(f) Hours of Activity

(1) Operator shall be open and services shall be available during the hours maintained by entities engaging in the same, similar, or competitive Activities. Operator's services shall be available to meet the reasonable demands of the general public for the Activity.

(g) Insurance

(1) Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-94. Non-tenant aviation service operator (NTASO)

(a) Introduction

(1) The County recognizes that Aircraft Operators using the Airport may (from time to time) desire to obtain aviation services from service operators not located on the Airport. In such instances, the Aircraft Operator may solicit and utilize the services of a Non-Tenant Aviation Service Operator which has been issued a NTAS Permit by an FBO in accordance with the provisions of this section.

A. No Non-Tenant Aviation Service Operator shall be permitted to conduct business at the Airport without first obtaining a NTAS Permit using the form provided by the County. Thereafter, the Non-Tenant Aviation Service Operator shall only conduct such

Business as authorized by the Permit. Permits shall be issued on an annual basis.

B. The FBO issuing the NTAS Permit is responsible for assuring compliance of all Regulatory Measures by the Non-Tenant Aviation Service Operator while on the Airport.

(2) In addition to the appropriate General Requirements set forth in Section 1-2.3-84, each Non-Tenant Aviation Service Operator at the Airport shall comply with the following minimum standards set forth in this Section 1-23.-94.

(b) Scope of Activity

(1) Non-Tenant Aviation Service Operators shall conduct Activity on and from the Leased Premises of the FBO in a first-class manner consistent with the degree of care and skill exercised by experienced Operators providing comparable products and services and engaging in similar Activities.

(c) Non-Tenant Aviation Service Operator (NTASO) Permit

(1) Aircraft Operator must submit written request to an FBO on behalf of Non-Tenant Aviation Service Operator.

(2) Non-Tenant Aviation Service Operator shall obtain a Non-Tenant Aviation Service Operator Permit approved by the FBO for a specific period of time prior to engaging in Activity on the Airport. The FBO shall submit a copy of the Permit to the Airport Director for her records. Issuance of the Permit shall be subject to the payment of a fee pursuant to the fee schedule adopted by the Board of County Commissioners by resolution.

A. Renewal shall be subject to the Non-Tenant Aviation Service Operator's compliance with all terms and conditions of the Non-Tenant Aviation Service Operator Permit.

(3) Non-Tenant Aviation Service Operator shall comply with all requirements for the permitted Activities and limit service provided to the entity(ies), area(s), and timeframe identified in the approved Commercial Aeronautical Activity Permit.

(d) Licenses and Certifications

(1) Non-Tenant Aviation Service Operator shall have and provide to the FBO evidence of all Agency licenses and certificates upon request.

(e) Insurance

(1) Non-Tenant Aviation Service Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-95. Commercial aeronautical activity application

(a) Lessee

- (1) Any entity desiring to lease land and/or Improvements from the County and engage in a Commercial Aeronautical Activity at the Airport shall submit a written application to the Airport Director.
- (2) The Applicant shall submit all of the information requested on the application form and thereafter shall submit any additional information that may be required or requested by the Airport Director in order to properly and fully evaluate the application and facilitate an analysis of the prospective operation including, but not limited to, verifiable qualifications and experience, past and current financial results (performance), condition and capacity (as evidenced by historical and current financial statements), references, etc.
- (3) No application will be deemed complete that does not provide the Airport Director with the information necessary to allow the Airport Director and/or the County to make a meaningful assessment of Applicant's prospective operation and determine whether or not the prospective operation will comply with all applicable Regulatory Measures and be compatible with the Airport's Master Plan, Airport Layout Plan, or land use plan (if any).
- (4) Following review and approval by the Airport Director and the County, negotiations for an Agreement shall commence.
- (5) Prior to an existing Lessee engaging in any Activity not permitted under the Agreement or changing or expanding the scope of Activities permitted under the Agreement, the Operator shall submit a completed application for a Commercial Aeronautical Activity and receive written approval from the Airport Director (and if necessary an amendment to the Agreement) prior to conducting Activity(ies) not permitted under the Agreement.

(b) Sublessee

- (1) Any entity desiring to sublease land or Improvements and engage in a Commercial Aeronautical Activity at the Airport shall provide evidence to the Lessor that they meet the applicable sections of these Minimum Standards.
- (2) Sublessee/Operator shall be required to meet and adhere to all applicable provisions of Lessor's Agreement.

Section 1-2.3-96. Non-Commercial hangar operator

(a) Introduction

(1) A Non-Commercial Hangar Operator is an entity that develops or constructs one or more hangar structures for the primary purpose of storing Aircraft used for Non-Commercial purposes only by the Non-Commercial Hangar Operator.

(2) In addition to the appropriate General Requirements set forth in Section 1-2.3-85, each Non-Commercial Hangar Operator at the Airport shall comply with the following Minimum Standards set forth in this Section.

(b) Scope of Activity

(1) Non-Commercial Hangar Operator shall use the Leased Premises for Aircraft owned, leased, and/or operated by (and under the full and exclusive control of) Operator for Non-Commercial purposes.

A. If Aircraft is leased, Non-Commercial Hangar Operator shall provide the Airport Director with a copy of the Aircraft lease. The Airport Director will determine if an Aircraft lease is commercially reasonable.

(2) No Commercial Activity of any kind shall be permitted on or from the Leased Premises.

(3) A Non-Commercial Hangar Operator shall not be permitted to Sublease any land or Improvements on the Leased Premises for any purpose.

(c) Leased Premises

(1) A Non-Commercial Hangar Operator engaging in this Activity shall have adequate land, Apron/Paved Tiedown (see Section 1-2.3-85(e)), facilities, and Vehicle Parking (see Section 1-2.3-85(g)) to accommodate all Activities of the Operator, but not less than the following square footages, which are not cumulative:

Table 3

Facilities	Group I Piston & Turboprop Aircraft Hangar Storage	Group II Piston & Turboprop Aircraft Hangar Storage	Group I Turbojet Aircraft Hangar Storage	Group II Turbojet Aircraft Hangar Storage	Group III Turbojet Aircraft Hangar Storage
Hangar	2,500 SF	5,000 SF	7,500 SF	10,000 SF	12,000 SF

A. The development of Non-Commercial hangar(s) shall be limited to the following types of hangar structures:

- i. Single structures of not less than 2,500 square feet, completely enclosed or
- ii. Single structures of not less than 5,000 square feet, sub-divided and configured (although each unit shall not be less than 1,250 square feet) to accommodate individual bays for the storage of Aircraft.

(d) Ownership Structure

(1) Hangar development may be accomplished by any entity, including Associations.

- A. Association membership shall be contingent upon ownership interest in the Association of a proportionate share of the Non-Commercial hangar facility which shall consist of not less than one individual hangar, or an equal portion of the "common" hangar area which is consistent with the total number of members/shareholders (such area not to be less than 1,250 total square feet).
- B. All members/shareholders of the Association shall be declared to the Airport Director at the time the application for development and Activity is submitted. Thereafter, the Association and/or each member/shareholder of the Association shall be required to demonstrate ownership (as required herein) as requested by the Airport Director from time to time. Association shall appoint (be represented by) one individual. The hangar facilities developed and utilized by the Association shall be exclusively for storage of Aircraft owned by the member(s)/shareholder(s) of the Association.
- C. The Association may not utilize nor cause the Leased Premises to be utilized for speculative development of either the Leased Premises or the Improvements located thereupon.
- D. Each member/shareholder of the Association shall be responsible and jointly and severally liable with all other members/shareholder for the Association's compliance with these Minimum Standards, and each member/shareholder of the Association shall, upon written request by the Airport Director, provide appropriate written confirmation of membership status or share ownership. All Association members/shareholders declared to the Airport Director in accordance with Section 1-2.3-96(d)(1)B hereof shall remain jointly and severally liable to the County for the Association's compliance with these Minimum Standards, regardless of whether the membership or ownership

of the Association changes, unless a release of the liability of a former Association member is approved in writing by the BOCC.

(e) Insurance

- (1) Non-Commercial Hangar Operator shall maintain, at a minimum, the coverage and limits of insurance set forth in Attachment A - Minimum Insurance Requirements

Section 1-2.3-97. Private flying club.

(a) Introduction and General Requirements

- (1) A Private Flying Club is an entity that is legally formed as a non-profit entity with the state of Florida and operates on a non-profit basis (so as not to receive revenues greater than the costs to operate, maintain, acquire and/or replace Private Flying Club aircraft).

A. Each Private Flying Club member (Owner) must have an ownership interest in Private Flying Club.

B. Private Flying Club shall keep on file and available for review by the Airport Director, a complete membership list and investment (ownership) share held by each member including a record of all members (past and present) with full names, addresses, and the date the membership began and ended.

- (2) Each Private Flying Club shall file and keep current with the Airport Director, upon request:

A. Copies of bylaws, articles of incorporation, operating rules, membership agreements, and the location and address of the club's registered office.

B. Roster of all officers and directors including home and business addresses and phone numbers.

C. Designee responsible for compliance with these Minimum Standards and other Regulatory Measures.

- (3) A Private Flying Clubs shall not be required to meet the minimum standards stipulated for Aircraft Rental or Flight Training Operators so long as the Private Flying Club's membership is not operated for Commercial purposes.

- (4) No member (Owner) of a Private Flying Club shall receive Compensation for services provided for such Private Flying Club or its members (owners) unless such member (owner) is an authorized Operator with the County. This does not include the provision of flight instruction relating to aircraft checkout and/or currency (e.g., biannual flight reviews, instrument proficiency checks, etc.) provided by a Private

Flying Club member (on an exclusive basis) to other Private Flying Club members.

(5) Private Flying Club Aircraft shall not be used by other than members (owners).

(6) No member (owner) shall use Private Flying Club Aircraft in exchange or Compensation (payment). This does not include reimbursement for expenses associated with the use of Private Flying Club aircraft.

Section 1-2.3-98. Non-commercial self-fueling permittee.

(a) Introduction

(1) All entities desirous of Self-Fueling shall be accorded a reasonable opportunity, without unlawful discrimination, to qualify and receive a Non-Commercial Self-Fueling Permit.

A. Those entities that have Agreements granting them the rights to perform commercial Fueling (e.g., FBO) are not required to apply for a Non-Commercial Self-Fueling Permit.

B. This excludes entities conducting Non-Commercial Self-Fueling through the utilization of 5 gallon fueling containers. However, these entities must follow the applicable Rules and Regulations.

(2) This Section sets forth the standards prerequisite to an entity desirous of engaging in Non-Commercial Self-Fueling at the Airport.

(3) In addition to the applicable General Requirements set forth in Section 1-2.3-85, each entity conducting Non-Commercial Self-Fueling activities at the Airport shall comply with the following minimum standards set forth in this Section.

(b) Permit/Approval

(1) No entity shall engage in Self-Fueling activities unless a valid Non-Commercial Self-Fueling Permit authorizing such activity has been obtained from the Airport Director. Such entities shall herein be referred to as "Self-Fueling Permittees".

(2) The Non-Commercial Self-Fueling Permit shall not reduce or limit Self-Fueling Permittee's obligations with respect to these Self-Fueling standards, which shall be included in the Non-Commercial Self-Fueling Permit by reference.

(3) Prior to issuance and subsequently upon request by the Airport Director, Self-Fueling Permittee shall provide evidence of ownership or lease of any Aircraft being operated (under the full and exclusive control of) and Fueled by Self-Fueling Permittee.

(c) Reporting

~~(1) Self-Fueling Permittee shall report all Fuel delivered to the approved Self-Fueling Permittee's Fuel storage facility during each calendar month and submit a summary report along with appropriate fees and charges due the County on or before the 10th day of the subsequent month.~~

~~(2) Self-Fueling Permittee shall during the term of the Non-Commercial Self-Fueling Permit and for 3 years thereafter maintain records identifying the total number of aviation Fuel gallons purchased and delivered. Records (and meters) shall be made available for audit to the County or representatives of the County. In the case of a discrepancy, Self-Fueling Permittee shall promptly pay, in cash, all additional rates, fees, and charges due the County, plus annual interest on the unpaid balance at the lesser of 18% or the maximum rate allowable by law from the date originally due.~~

~~(d) Fuel Storage~~

~~(1) Self-Fueling Permittee shall arrange and demonstrate that satisfactory arrangements have been made for the storage of Fuel, as follows:~~

~~A. Through either an authorized FBO at the Airport or~~

~~B. In a centrally located Fuel storage area approved by the BOCC.
i. Operators authorized by the County shall lease land and construct or install a Fuel storage facility in the centrally located Fuel storage area.~~

~~ii. In no event shall the total storage capacity be less than 12,000 gallons for Jet Fuel or 10,000 gallons for Avgas.~~

~~C. Self-Fueling Permittee shall be liable and indemnify the County for all leaks, spills, or other damage that may result through the handling and dispensing of Fuel.~~

~~D. Fuel delivered shall be clean, bright, pure, and free of microscopic organisms, water, or other contaminants. Ensuring the quality of the Fuel is the responsibility of Self-Fueling Permittee.~~

~~(e) Fueling Equipment~~

~~(1) Self-Fueling Permittee shall utilize a single Refueling Vehicle for each type of Fuel to be dispensed with a minimum capacity of 750 gallons. Avgas Refueling Vehicles shall have a maximum capacity of 1,200 gallons and Jet Refueling Vehicles shall have a maximum capacity of 3,000 gallons. All Refueling Vehicles shall be capable of bottom loading.~~

~~(2) Each Refueling Vehicle shall be equipped and maintained to comply at all times with all applicable safety and fire prevention requirements, standards, and Regulatory Measures including without limitation, those~~

prescribed by:

- A. State of Florida Fire Code and local fire district;
- B. National Fire Protection Association (NFPA) Codes;
- C. Florida Environmental Protection Agency;
- D. Applicable FAA Advisory Circulars (AC) including AC 00-34 "Aircraft Ground Handling and Servicing" and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used On An Airport".

(3) Prior to transporting Fuel onto the Airport, the Self-Fueling Permittee shall provide the Airport Director with a Spill Prevention, Control, and Countermeasures Plan (SPCC) that meets regulatory requirements for above ground Fuel storage facilities. An updated copy of such SPCC Plan shall be filed with the Airport Director at least 10 business days prior to actual implementation. Such plan shall describe, in detail, those methods that shall be used by the Self-Fueling Permittee to clean up any potentially hazardous Fuel spills. The plan should include Equipment to be used, emergency contact personnel and their telephone numbers, and all other details as to how the Self-Fueling Permittee would contain such a spill. This plan should also describe, in detail, what methods the Self-Fueling Permittee intends to use to prevent any such spill from occurring.

(4) In accordance with all applicable Regulatory Measures and appropriate industry practices, the Self-Fueling Permittee shall develop and maintain Standard Operating Procedures (SOP) for Fueling and shall ensure compliance with standards set forth in AC 00-34A, entitled "Aircraft Ground Handling and Servicing". The SOP shall include a training plan, Fuel quality assurance procedures, record keeping, and emergency response procedures for Fuel spills and fires. The SOP shall also address the following: (1) bonding and fire protection, (2) public protection, (3) control of access to Refueling Vehicle storage areas, and (4) marking and labeling of Refueling Vehicles. The SOP shall be submitted to the Airport Director not later than 10 business days before the Self-Fueling Permittee commences self-fueling at the Airport.

(f) Limitations

(1) Self-Fueling Permittees shall not sell and/or dispense Fuels to Based Aircraft or Transient Aircraft that are not owned, leased, and/or operated by (and under the full and exclusive control of) Self-Fueling Permittee. Any such selling or dispensing shall be grounds for immediate revocation of the Permit by the Airport Director.

- A. Revocation upon first violation will be for a period of one year.

B. Revocation upon a second violation shall be permanent.

(g) Insurance

(1) Self-Fueling Permittee shall maintain, at a minimum, the coverages and policy limits set forth in Attachment A - Minimum Insurance Requirements.

Section 1-2.3-99. Minimum insurance requirements.

Minimum insurance requirements shall be as set forth in Attachment A.

PART D. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART E. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. This ordinance shall be applicable within recorded subdivisions in unincorporated St. Lucie County. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART F. FILING WITH THE DEPARTMENT OF STATE.

The Clerk is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART G. EFFECTIVE DATE.

This ordinance shall take effect on receipt of official acknowledgment from the Office of the Secretary of State that this ordinance has been filed in that office.

PART H. ADOPTION.

After motion and second the vote on this ordinance was as follows:

Chairman Joseph E. Smith	Absent
Vice Chairman Paula A. Lewis	AYE
Vice Chair Chris Craft	AYE
Commissioner Charles Grande	AYE
Commissioner Doug Coward	AYE

PART I. CODIFICATION.

Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through G shall not be codified.

PASSED AND DULY ADOPTED this 4th day of December, 2007.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

DEPUTY CLERK

BY: _____
CHAIRMAN

**APPROVED AS TO LEGAL FORM AND
CORRECTNESS:**

COUNTY ATTORNEY

