

Durango-La Plata County Airport

Rules and Regulations



March 3, 2021

(Supersedes all prior Rules and Regulations)

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SECTION 1 – DEFINITIONS

1.01 – Accident: A collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other thing that results in property damage, bodily injury or death, or an entry into or emerging from a moving aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or that results in property damage.

1.02 – Advertising: The action of calling something (as a commodity for sale, a service offered or desired) to the attention of the public by posting, distributing or displaying signs, literature, circulars, pictures, sketches or other forms of printed or written material.

1.03 – Aeronautical Activity: Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to, or is required for the safety of such operations including, but not limited to: Air taxi, air charter, scheduled or non-scheduled air carrier service, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising, surveying aircraft sales, aircraft service, aircraft storage, sales of aviation fuels and other aviation related products or parts, parachute activities, sport pilot aviation activities and military flight operations.

1.04 – Affiliate or Affiliated Airline: An Airline that is: (1) the parent corporation of a Signatory Airline or (2) a wholly owned subsidiary of such Signatory Airline’s parent corporation, or (3) a wholly owned subsidiary of such Signatory Airline, or (4) an Airline operating under a code share arrangement with a Signatory Airline, or an Airline having another form of contractual arrangement with a Signatory Airline, or its parent corporation, for which all or part of the passenger seats, or cargo space, on each aircraft into and out of the Airport, are sold under the same airline code designator as those used by such Signatory Airline. All references to “Airline” and “Signatory Airline” shall include its Affiliated Airlines.

1.05 – Air Operations Area (AOA): That physical area designated by the Durango-La Plata County Airport as the Air Operations Area and approved as such by the Federal Aviation Administration and Transportation Security Administration. The Air Operations Area is considered to be restricted space on the Airport. It is either fenced or posted and includes areas where Aircraft are parked or operated, or where operations not open to the public are conducted; areas include, but are not limited to, the aircraft ramps, aprons, taxiways, runways, gate positions, and open unimproved land abutting the taxiways and runways. The physical boundaries of the AOA may be changed from time to time.

1.06 – Aircraft: Any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.

1.07 – Aircraft Rescue and Fire Fighting (ARFF): Fire protection and rescue for aircraft emergencies is provided by ARFF/Ops under the ARFF/Ops Department, Durango-La Plata County Airport.

1.08 – Airline: A company certificated by the United States Department of Transportation to engage for hire in the carriage of persons, property, cargo, or mail by aircraft.

1.09 – Airport: Durango-La Plata County Airport situated in La Plata County, Durango, Colorado, and its related land, facilities, appurtenances, and improvements.

1.10 – Airport Employee: The authorized airport personnel working directly for the Durango-La Plata County Airport.

1.11 – Airport Tenant Employee: The authorized personnel of all organizations, activities, governmental agencies, located on or connected with the operation, maintenance, and servicing of the Airport.

1.12 – Airport Operations Department: Coordinates day to day operations on the Airport; monitors Airport security; and dispatches fire, law enforcement and other emergency equipment. The Airport Operations Department is comprised of ARFF and Operations Officers.

1.13 – Airport Rules and Regulations: As used herein Airport Rules and Regulations means the provisions of this Ordinance and the provisions of any ordinances and rules and regulations of the Airport, and any operating directives issued by the Director of Aviation.

1.14 – Airport Security Plan (ASP): A plan required by TSR Part 1540-42 which describes the functions and procedures to control access to certain areas of the Airport and to control movement of persons and vehicles within those areas.

1.15 – Apron or Ramp: Those areas of the Airport within the AOA designated for loading, unloading, servicing or parking of aircraft.

1.16 – Authorized Emergency Vehicle: “Authorized Emergency Vehicle” means vehicles of the Airport and of fire departments, police vehicles, ambulances, emergency vehicles of governmental departments or agencies, or such vehicles of public service corporations.

1.17 – Based Aircraft: Any aircraft owned or exclusively leased by an operator who leases or subleases, a ground site, tie down or hangar space from the Airport or an authorized fixed base operator on the Durango-La Plata County Airport on a month-to-month or longer term basis.

1.18 – Combustible Liquid: Any liquid having a flash point at or above 100 degrees Fahrenheit and below 200 degrees Fahrenheit.

1.19 – Commercial Activity: Any revenue producing activity including the exchange, trading, buying, hiring, or selling of commodities, goods, services, or property of any kind conducted at or from the Airport for the purpose of securing earnings, income, compensation, or profit, whether or not such objectives are actually accomplished.

1.20 – Commercial Aeronautical Services or Activities: are Commercial Activities subject to Minimum Standards of Operation detailed in the Durango-La Plata County Airport Minimum Standards Document including but not limited to: Aircraft sales, Airframe or power plant repair, Aircraft rental, Flight training, Air taxi/charter, Avionics, Instrument or propeller service, Aircraft fueling and line services, and Airline ground handling services.

1.21 – Commercial Ground Transportation Business: A for-hire business in which fares are charged for ground transportation from one location to another. The descriptions of limousines, taxis, & van/shuttles shall fall into this category. Courtesy vehicles as described below shall not fall into this description. This definition shall also include Transportation Network Companies.

1.22 – Commercial Ground Transportation Business Permit: An authorization by the Airport to conduct commercial ground transportation activities at the Airport.

1.23 – Commercial Operating Agreement: An agreement between the Airport and an entity providing goods and/or services to the public with a right to profit by a specified activity.

1.24 – Concessionaire: An individual, company or other entity authorized by the Airport through a lease or contract to undertake and profit by a specified activity including, but not limited to, a gift shop, restaurant, public parking and car rentals.

1.25 – Engine Run-up: The operation of any aircraft engine above idle speed for maintenance or repair purposes.

1.26 – Environmental Protection Agency (EPA): The United States Environmental Protection Agency formed by federal authorities to preserve the well-being of natural surroundings.

1.27 – Director or Director of Aviation: The Director of Aviation of the Durango-La Plata County Airport or their authorized representative.

1.28 – Escort: As defined in 49 CFR 1540 – To accompany or monitor activities of an individual who does not have unescorted access authority into or within a secured area or Security Identification Display Area (SIDA).

1.29 – Federal Aviation Administration (FAA): The governmental body responsible for the aviation system in the United States. Divisions of the FAA are Air Traffic, Security, Airports, Flight Standards, and Facilities (Nav aids, Radar Systems, Lighting, etc.).

1.30 – Federal Aviation Regulation (FAR): Rules, regulations and standards prescribed by the Administrator of the Federal Aviation Administration governing practices, methods and procedures to insure the safety of air commerce.

1.31 – Firearm: Any weapon from which a dangerous object may be shot or propelled by the use of explosives, gas, or air.

1.32 – Fixed Base Operator (FBO): Any person, organization, or entity authorized by the Airport to engage in a commercial aviation business providing Commercial Aeronautical Services to the general public in accordance with these Rules and Regulations.

1.33 – Flammable Liquids: Any liquid that emits a flammable vapor at or below a temperature of 100 degrees Fahrenheit, as determined by flash point from a Tagliabue Open Cup Tester, and shall include any other combustible liquids now used for aircraft fuels.

1.34 – General Aviation (GA): All phases of aviation other than military aviation, scheduled, non-scheduled and regulated air carrier operations.

1.35 – Hazardous Materials: A substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property when stored, transported, or used in commerce as defined by the United States Department of Transportation or the Environmental Protection Agency (EPA).

1.36 – High Power Maintenance Run-Ups: An increase of engine RPM to a high power setting that is for testing an engine or aircraft components and aircraft systems.

1.37 – Limousine: Any vehicle that carries persons for hire holding a Luxury Limousine Permit from the PUC.

1.38 – Low Power Maintenance Run-Ups: An increase of engine RPM to a low setting that is of short duration to test an engine or aircraft system, such as a leak check of components or filters.

1.39 – Motor Vehicle: Every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

1.40 – Motorcycle: Every motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground but excluding a tractor.

1.41 – Movement Area: Runways, taxiways, associated safety areas, and other areas of an airport which are used for taxiing or hover taxiing, air taxiing, takeoff and landing of aircraft, exclusive of loading ramps, maintenance ramps and aircraft parking areas.

1.42 – National Fire Protection Association (NFPA): A national organization, which promulgates fire protection codes and standards.

1.43 – Non-Movement Area: Aircraft parking areas, ramps, and service roads related to movement of aircraft and vehicles under the jurisdiction of the Airport.

1.44 – Operating Directives: An immediate written order issued by the Director regarding procedures to insure handling, policing, and protection of the public while at the Airport and to insure compliance with all federal, state, and local laws, ordinances and regulations.

1.45 – Person: Every natural person and every firm, association, partnership, corporation, society or other organization.

1.46 – Police Officer: Every sheriff or sheriff's deputy; village or township marshal; officer of the police department of any city, village, or township; any officer of the Colorado State Police; and law enforcement officers of the federal government.

1.47 – Preflight Run-Ups: An increase of engine RPM that is of short duration to check magneto's, cycle propellers, check carburetor heat and other required checks prior to flight.

1.48 – Ramp: An improved surface area reserved exclusively for the parking and taxiing of aircraft and aircraft servicing equipment.

1.49 – Restricted Areas: Areas which are closed to the general public, excluding airport access roads to private facilities. Those areas are defined as areas that are used to perform the everyday activities and operations of the Airport. These areas include, but are not limited to, the AOA, SIDA, baggage claim service drive, and airport access roads. These areas are restricted to use by authorized personnel only.

1.50 – Rules and Regulations: "Rules and Regulations" as used herein mean this Durango-La Plata County Airport Rules and Regulations Ordinance.

1.51 – Runway: An improved surfaced area reserved exclusively for the landing and taking off of aircraft.

1.52 – Secured Area: That portion of the AOA where air carriers with a TSA approved security plan enplanes and deplanes passengers, sort and load baggage, and any adjacent areas not separated by security measures.

1.53 – Security Identification Display Area (SIDA): That portion of the AOA requiring each person to continuously display on the outermost garment an Airport-approved ID media unless said individual is accompanied by an Airport-approved escort.

1.54 – Shall and May: “Shall” is mandatory and “may” is permissive.

1.55 – Signatory Airlines: Those airlines providing Air Transportation to and from the Airport that have executed substantially similar agreements with the Airport covering the use and occupancy of facilities at the Airport.

1.56 – Solicitation: The act of asking for or trying to obtain something from someone.

1.57 – Sterile Area: A portion of the airport that provides passengers access to boarding aircraft, to which access is controlled by the TSA through screening of passengers and property.

1.58 – Taxicab, Taxi, or Cab: Any vehicle that carries persons for fare, determined by a meter, and that is appropriately licensed to provide taxi service by the PUC.

1.59 – Taxiway: An improved surfaced area used primarily by aircraft to proceed to and from ramp and runway areas.

1.60 – Tenant: A person, or company and its employees who are renting space and are providing services and/or products at the Durango-La Plata County Airport.

1.61 – Tenses: The present tense includes the past and future tenses; and the future, the present.

1.62 – Transportation Security Administration (TSA): The governmental body responsible for the security of the transportation systems and facilities in the country, including airports.

1.63 – Vehicle: Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

1.64 – Vendor: A person or representative of a company who, on a regular basis, provides products and/or services.

SECTION 2 – GENERAL

2.01 AUTHORITY

The Durango-La Plata County Airport is co-owned by the City of Durango and La Plata County, with the City of Durango assuming all operational and administrative functions of the Airport.

The Durango-La Plata County Airport Rules and Regulations (“Rules and Regulations”) are promulgated under the authority of Colorado Revised Statutes Section 41-4-102, Section 41-4-106 and Section 41-3-102, which grant the Durango-La Plata County Airport (“Airport”) through the City of Durango, La Plata County and the Director of Aviation (“Director”) the power to regulate the use of the Durango-La Plata County Airport.

The privilege of using the Airport and any and all facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof. The City of Durango and La Plata County reserve the right to claim immunity from liability in connection with its operation of the Airport and to assert any other defense available, including without limitation immunity or defenses pursuant to the Colorado Governmental Immunity Act, Colorado Revised Statutes Section 24.10.101 et seq., as the same may be amended from time to time.

All applicable provisions of the laws of the United States, the City of Durango, and La Plata County now in existence or hereafter promulgated, are hereby adopted as part of the Rules and Regulations of the Airport.

The Rules and Regulations herein cancel and supersede all previous Rules and Regulations governing use of the Airport.

The invalidation of any specific rule or regulation shall not affect the validity of the remainder of the Rules and Regulations.

2.02 PURPOSE

The Rules and Regulations contained herein are established to serve as a policy for the safe and efficient operations of the Durango-La Plata County Airport, located in Durango, Colorado.

The Airport recognizes the jurisdiction of the federal government, delegated to the Federal Aviation Administration, concerning the licensing and regulation of pilots, air carriers and aircraft; and concerning the navigable airspace. Nothing herein is intended to assert jurisdiction by the Airport over matters under the exclusive jurisdiction of the federal government, and the Rules and Regulations hereof shall be interpreted consistent with this purpose.

2.03 CONFLICT WITH OTHER AUTHORITY

Should any part of these Rules and Regulations conflict with federal, state or local law then such federal, state or local law will take precedence. The Rules and Regulations promulgated herein shall in no way supersede or abrogate regulations set forth in 49 CFR Part 1540 (Civil Aviation Security), 49 CFR Part 1542 (Airport Security) or 14 CFR Part 139 (Certification and Operations of Land Airport). If any provision of these Rules and Regulations, or the application thereof to any person or circumstances is held invalid, the remainder of the Rules and Regulations shall not be affected thereby.

2.04 GENERAL DUTIES AND POWERS OF THE DURANGO-LA PLATA COUNTY AIRPORT

The Durango-La Plata County Airport through its Director, is charged with planning, promoting, extending, owning, maintaining, acquiring, purchasing, constructing, improving, enlarging, and operating

the Airport and all publicly owned airports and airport facilities hereinafter established to be operating within the territorial jurisdiction of the Durango-La Plata County Airport.

2.05 GENERAL DUTIES AND POWERS OF THE DIRECTOR

The Director is charged with the administration, operation, planning, and development of the Airport and related facilities, appurtenances and improvements thereto and of any other aviation related facilities so assigned to the Airport. The Director has the authority to designate areas of the Airport which are to be Air Operations Areas (“AOA”), Restricted Areas and Secured Areas. Furthermore, the Director is authorized to regulate the conduct of persons within the AOA, Restricted Areas, Secured Areas and other areas of the Airport, as necessary for the safety and welfare of persons, for the protection of property or for the efficient operation or security of the Airport. The Director has the authorization and empowerment to issue written operating procedures and directives pursuant to Section 10 hereof in order to implement the provisions and these Airport Rules and Regulations, to ensure compliance with all federal, state and local laws, ordinances, and regulations; to maintain a safe and efficient Airport for use by the public; and to perform other duties as may be necessary for the betterment of the Airport.

The Director or their authorized representative at all times has the authority to take such action as may be necessary in the handling of the conduct, and management of the public in attendance at the Airport.

The Director may waive any or all portions of these Rules and Regulations should the Director decide that waiving said Rules and Regulations would be in the best interest of the Durango-La Plata County Airport, but only to the extent that the Director determines that any such waiver will not derogate the safety and efficiency of Airport Operations.

2.06 EMERGENCY ACTIONS

When an emergency exists at the Airport, the Director or their authorized representative shall be empowered to take that action which within their discretion and judgement is necessary or desirable to protect health, welfare, and safety of persons and property and to facilitate the operation of the Airport. During such an emergency the Director or their authorized representative may suspend these Rules and Regulations, or any part of them, at their discretion and judgement and may in addition issue such oral orders, rules, and regulations as may be necessary.

2.07 ADMINISTRATION

The Director has primary responsibility for the interpretation and application of the Rules and Regulations and is authorized to issue citations, directives and interpretive guidance in the conformity with the Rules and Regulations. The Rules and Regulations and summaries of the Rules and Regulations or portions thereof shall be made available upon request in electronic or hard copy format.

The City Attorney and City employees assigned to the Airport are authorized to assist in the application and implementation of the Rules and Regulations, principally through communications with Airport users on the content and proper interpretation of the Rules and Regulations.

Law enforcement officers of the La Plata County Sheriff’s Office as well as the Southern Ute Police Department or any responding mutual aid law enforcement agencies with jurisdiction are authorized to detain and remove individuals for violation of the Rules and Regulations, as provided herein, state law, federal law or other provisions of the La Plata County Code and City of Durango Municipal Code.

2.08 APPLICABILITY

Any permission granted by the Director or their authorized representative, directly or indirectly, expressly or by implication, to any person or persons to enter or use the Airport or any portion thereof including but not limited to: (aircraft operations, crew members, passengers, spectators, sightseers, private and

commercial vehicles, officers and employees, lessees, sub lessees, and permittees, other persons occupying space on the Airport, and all other persons whosoever) are conditioned upon compliance with these Rules and Regulations herein; and entry upon or into the Airport by a person shall be deemed to constitute an agreement to comply with said Rules and Regulations.

2.09 REMOVAL FROM AIRPORT PREMISES

The Director or their authorized representative may declare any person to be in trespass (see section 4.03) and remove or eject from the Airport premises any person who knowingly, willfully or continuously violates any part of these Rules and Regulations herein prescribed, or any order of instruction issued by or under the authority of the Director or their authorized representative. In every case where practicable, the violator shall be informed of the violation he or she has committed and shall be requested to leave the Airport premises peacefully. Upon the failure of the violator to explain or excuse his or her violation to the satisfaction of the Director or their authorized representative, or in the alternative to leave peacefully, such direct action may be used by the Director or their authorized representative as required to obtain compliance with the direction that the violator leave the Airport premises.

2.10 HANGAR CONSTRUCTION APPROVAL

All improvements, alterations and additions, including the plans and specifications therefor, shall conform in all respects to the applicable statutes, ordinances, building codes, rules and regulations of the Federal Aviation Administration, the United States, State of Colorado, and La Plata County, as such may be amended from time to time, and such other authority as may have jurisdiction over any improvements, alterations or additions. Additionally, all hangar construction must comply with the Standards for Development of Non-Commercial Aircraft Hangars. Lessor's approval of such improvements shall not constitute a representation or warranty as to such conformity, which shall remain the responsibility of the Lessee. In addition, no hangar shall be constructed without the written approval from the Director.

2.11 TENANT CONSTRUCTION APPROVAL

No person, firm, corporation, utility company, tenant or entity shall undertake any form of construction or repair activities on the Airport, including but not limited to constructing, enlarging, altering, repairing, moving, demolishing, changing the occupancy of property, installing, erecting, digging, pouring concrete, or any other construction or repair work without prior written approval from the Director.

2.12 LOST AND FOUND

The Durango-La Plata County Airport offers a lost and found service, available to all tenants, to give efficient public service. The centralized lost and found is located in the Airport Administration Office on the second floor of the terminal building.

- a. No person shall willfully abandon any personal property on the Airport
- b. Unattended items are subject to search and/or screening. The Airport and its employees will not be held liable for any damage, shortage or missing items.
- c. The Airport will hold lost items for sixty (60) days before donating or disposing of them.
- d. Nothing in Section 2.12 shall be construed to deny the right of Airport tenants to maintain "lost and found" services for property of their patrons, invitees or employees.

2.13 LAWFUL NON-CONFORMING USES

It is the policy of the Durango-La Plata County Airport that these Rules and Regulations shall take immediate effect and shall apply to all persons using the Airport on and after the effective date hereof. Except for safety or security requirements, and unless waived under Section 13.03, any use or activity authorized by written operating agreement, contract or lease in existence on the effective date hereof that does not conform to these Rules and Regulations may be continued as a lawful non-conforming use until the earliest to occur of the following:

- a. Expiration of the initial term of the lease or contract, exclusive of any options or renewals; or
- b. Failure to operate any of the authorized activities for a period of sixty (60) continuous days; or
- c. Any material changes in the type, size, or character of the authorized activities; or
- d. Substantial new construction or remodeling of the leasehold improvements; or
- e. Transfer, assignment, subletting or subcontracting of all or any portion of the leasehold or authorized activities.

SECTION 3 – SECURITY

3.01 GENERAL SECURITY PROVISIONS

The following provisions govern Airport Security at the Durango-La Plata County Airport. Transportation Security Administration (TSA) directed security changes, enhancements, and or measures as implemented by the Airport supersede these Rules and Regulations. Airport employees, Airport tenants and their employees, and other Airport users desiring to maintain security access privileges will be advised and held accountable for any TSA security changes, until these Rules and Regulations are formally amended.

Distribution, disclosure and availability of Sensitive Security Information contained in the Airport Security Plan and other documents will be restricted under 49 CFR Parts 15 and 1520. No part of their records may be released to persons without a “need to know”, as defined in 49 CFR Parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other actions. For United States government agencies, public release is governed by 5 U.S.C 552 and 49 CFR Parts 15 and 1520.

As prescribed in 49 CFR 1540 Civil Aviation Security and 49 CFR 1542 Airport Security, the Airport has the overall responsibility for security at the Durango-La Plata County Airport detailed in the TSA approved Airport Security Plan (ASP):

- a. Airport Security Procedures are established and approved by TSA to ensure Airport compliance with the Airport Security Plan as required by the Transportation Security Administration Regulations.
- b. The TSA has primary responsibility for the screening of passengers and property at the Airport. The TSA is not responsible for the implementation and enforcement of the Rules and Regulations.
- c. The local airport liaison with TSA is through the Airport Security Coordinator (TSA established position) who is trained and certified by TSA. The Airport Security Coordinator (ASC) is responsible for the effective implementation and enforcement of Airport security regulations, the Airport Security Plan, all TSA directives, measures and enhancements, and security procedures on the Airport, in compliance with TSA regulations.
- d. As part of the Airport Security Plan, TSA requires the Airport to have systems and procedures in place to control access to the secured areas of the Airport. The implementation of these access control measures universally involves the issuance of a security access badge that permits the badge holder to access operationally needed vehicle gates and secure access pedestrian doors.
- e. The application process to receive a security access badge requires a criminal history records check (fingerprint submission), a Security Threat Assessment, and training as prescribed by the Airport Security Coordinator that includes Airport Security Rules and Regulations.
- f. The Durango-La Plata County Airport is obligated to deny issuance of or revoke any existing security access badge and unescorted access privileges when the Airport makes an informed determination the security badge holder would pose a risk to the security and/or safety of the Airport, Airport employees, or Airport passengers.
- g. Each Airport tenant and applicable employees shall be responsible for the compliance of Airport Security Rules and Regulations within its leased areas and the security of their parked aircraft, assigned aircraft parking areas and ground vehicle operations and parking. This includes the establishment of suitable means to prevent or deter, to the extent practicable, unauthorized access to restricted areas of the Airport, where unauthorized access could result in a compromise of security and safety. All incidents or questions should be reported to the Airport Operations Department at 970-759-4342.

3.02 SECURITY AREA ACCESS CONTROLS

The Airport has established a system for identifying people having an operational need to be on the Air Operations Area (AOA) and/or within the secured areas of the Airport. All people in these areas must have Airport issued identification, or another form of identification approved by the Airport. The Airport ARFF/Operations Department is responsible for the control of badges, the maintenance of records on the other forms of acceptable identification, and the issuance and retrieval of all badges allowing access to the AOA and secured areas.

Airport tenants who have vehicle or pedestrian access points to the AOA must ensure that these access points are either kept locked or under continuous access control when being utilized. All doors and gates providing direct access to the AOA and secured areas must be provided with automated gate control, keypad access, or lock and key systems. As directed by the TSA and the Airport Security Plan, restricted area signage stating "Airport Security Area No Trespassing Violators Will Be Prosecuted" must be placed.

Failure to control access to the Airport AOA and secured areas will result in security violations by the offending person or organization. If a violation of TSA or ASP Regulations should occur as the result of the actions or inaction of a tenant, tenant employee, or another person authorized access by the tenant, and such action, or inaction, results in the imposition of a fine or penalty on the Airport, the tenant or otherwise authorized employer responsible for the violation shall be required to reimburse the Airport for the amount of the fine or penalty, together with any legal costs incurred as a result.

3.03 AIRPORT ISSUED IDENTIFICATION

All people employed by the Airport, or its tenants or contractors, including air carrier employees, who have unescorted access to any area on the Airport controlled for security reasons shall have completed an application for the appropriate badge, paid all fees, pass a criminal history records check, and a Security Threat Assessment before an Airport Security Badge is issued. GA Badge applicants will only need to complete an application for the GA Badge, pay all fees, and pass a Security Threat Assessment.

- a. Applicants for an Airport Security Badge with unescorted access must successfully complete the required training administered by the Airport.
- b. Security Identification Display Area (SIDA) badges must be continuously displayed on the outermost garment, above the waist and below the neck.
- c. General Aviation (GA) badges are not required to be worn on the outermost garment, however GA badge holders must be in possession of the badge and be ready to display the badge upon request or challenge.
- d. All badges and applicable keys remain the property of the Airport and must be returned when no longer needed or when the employee terminates employment. Lost or stolen badges and keys must be reported immediately to Airport ARFF/Operations at 970-759-4342. A fee is charged for replacement and non-returned badges and keys.

3.04 OTHER FORMS OF AIRPORT APPROVED IDENTIFICATION

TSA Regulations and the Airport Security Plan permit the Airport to recognize forms of identification not directly issued from the Airport. All forms of identification must be approved by the Airport. The following are other forms of identification recognized by the Airport:

- a. Uniformed air carrier flight crew members working within the immediate vicinity of their assigned aircraft.
- b. Recognized U.S. Federal Agency issued badges.
- c. Federal, state and local law enforcement officers displaying emblems of authority.
- d. Emergency response personnel from within a 60 mile radius of the Airport when officially responding to calls and emergencies.

3.05 BADGE FEES

For current badge fees please refer to the most current Airport Schedule of Rates and Charges.

3.06 PENALTIES FOR VIOLATIONS

Airport employees and Airport tenants having approved security access are responsible for compliance with TSA Security Regulations in accordance with 49 CFR 1542 Airport Security. Any violation of Security Rules and Regulations will be determined upon by the Airport. Furthermore, dependent on the severity of the violation, the Airport reserves the sole and final right to deny or revoke the airport issued access badge. Security violations may also result in fines and/or civil penalties issued by the TSA to the offending individual or organization.

3.07 DISQUALIFYING OFFENSES

Applications for security access privileges will be denied to persons found to have been convicted, or found not guilty by reason of insanity, as prescribed in 49 CFR 1542 Airport Security Section 209 Paragraph d of any of the offenses listed on the Criminal History Records Check (CHRC) application within the last ten years before the date of the individual's application for unescorted access, or while the individual has unescorted access. The conviction of any of these offenses by current Airport Security Badge Holders will result in the permanent revocation of the airport issued badge and all unescorted access privileges.

3.08 UNATTENDED BAGGAGE OR ARTICLES

Unattended baggage and/or articles are prohibited in all areas of the Airport. If unattended baggage and/or articles are found, they are subject to search and may be confiscated by Durango-La Plata County Airport Personnel or TSA personnel and may be destroyed.

3.09 POSSESSION OF FIREARMS AND WEAPONS

Except as allowed by state law or otherwise permitted below, all firearms and weapons are prohibited at the airport.

- a. Firearms or weapons properly encased for shipment in accordance with federal and airline requirements are permitted.
- b. Possession of a firearm or weapon within the designated Sterile, SIDA, and AOA areas without prior written approval from the Airport Operations Department or the Director is prohibited.
- c. No person shall discharge any firearm or weapon on the Airport except in the performance of official duties requiring discharge thereof.

3.10 BYPASSING, OR ATTEMPTING TO BYPASS

Bypassing or attempting to bypass security screening by the TSA or Airport is prohibited. Any person failing to submit to a form of screening, searching, or inspection mandated by the TSA; not complying with screening procedures or instructions from screening personnel may be subject to penalties defined in Section 3.06 herein this document.

3.11 INTERFERENCE WITH PASSENGER SCREENING

No person shall intentionally interfere with, disrupt, or delay the process of passenger screening conducted in accordance with any federal, state or local regulation or procedure, which is being carried out by any federal, state or local agency or contractor.

3.12 ESCORT PROCEDURES

In accordance with the Transportation Security Administration (TSA) Security Directives, the Airport has established procedures for persons without unescorted access authority to be escorted while in/on the

Sterile Area, Secured/SIDA, and AOA of the Durango-La Plata County Airport. Escort means that the person being escorted must remain within the span of control of the escort.

Airport Escort Requirements:

In Sterile Area

- a. The individual has completed training on DRO escort procedures regarding Sterile Areas, Secured/SIDA, and/or AOA.
- b. Only SIDA and Concessionaire badge holders are allowed to escort in the Sterile Area.
- c. The escort ratio in the Sterile Area is one (1) authorized escort per six (6) escorted non-badged individuals (1:6).

In Secured Area/SIDA

- a. The individual has completed training on DRO escort procedures regarding Sterile Areas, Secured/SIDA, and/or AOA.
- b. Only SIDA badge holders are allowed to escort in the Secured Area/SIDA.
- c. The escort ratio in the Secured Area/SIDA is one (1) authorized escort per six (6) escorted non-badged individuals (1:6).

In AOA

- a. The individual has completed training on DRO escort procedures regarding Sterile Areas, Secured/SIDA, and/or AOA.
- b. SIDA badge holders may escort in the AOA including the Secured Area/SIDA.
- c. GA badge holders may only escort in the AOA in and around their leased premises excluding the Secured Area/SIDA.
- d. The escort ratio in the AOA is one (1) authorized escort per ten (10) escorted non-badged individuals (1:10).

Motor Vehicle Escorts

- a. The individual has completed training on DRO escort procedures regarding Sterile Areas, Secured/SIDA, and/or AOA.
- b. The individual has completed Driver Training for the designated area (Movement or Non-Movement Area).
- c. The motor vehicle escort ratio is one (1) authorized escort per three (3) escorted vehicles in the movement areas and one (1) authorized escort per six (6) escorted vehicles in the non-movement areas.

Airport Escort Procedures:

- a. Escorted individuals must be continuously accompanied, monitored, and controlled while within the Sterile, Secured/SIDA, and AOA Areas in a manner sufficient to identify whether the escorted individual(s) engages in activities other than those for which escorted access was granted.
- b. At any time, the Airport Operations Department or the TSA may require additional escorts or a reduction of the number of escorted individuals to ensure the integrity of the Sterile, Secured/SIDA, and AOA Areas are properly maintained.
- c. If an individual(s) is escorted into the Sterile Areas, Secured/SIDA, or AOA through a controlled access point by a properly authorized person, the person that provided access must remain with the escorted individual(s) until they exit the Sterile Areas, Secured/SIDA, and AOA.
- d. The escorting individual is responsible for ensuring access portals and/or vehicle gates are secured following ingress or egress.

- e. If a person that is under escort becomes uncooperative, missing, or engages in activities other than those for which escorted, the Airport Operations Department must be contacted at 970-759-4342 immediately.
- f. Under no circumstance may a ticketed passenger be escorted to bypass a TSA passenger screening checkpoint.
- g. Any contractor or vendor entering the Sterile Area, Secured/SIDA, or AOA with tools and equipment must have the tools and equipment vetted.
 - i. Any tools and equipment brought into the Sterile Area, Secured/SIDA, or AOA must be inventoried.
- h. No contractor, vendor, tenant, or Airport employee who have previously had a badge revoked and/or have been banned from the Durango-La Plata County Airport may be escorted into the Sterile Area, Secured/SIDA, or AOA.
- i. Failure to abide by the regulations listed above is a violation of the U.S. Department of Homeland Security, Transportation Security Administration Security Directives and could result in the suspension or revocation of airport security access and/or escort privileges.

SECTION 4 – SAFETY AND STANDARDS OF CONDUCT

4.01 GENERAL

All persons using the Airport or any facilities on the Airport shall exercise the utmost care to guard against injury to persons and/or property.

All persons using the Airport or any facilities on the Airport shall comply with all federal, state and local laws and any rules and regulations of the Federal Aviation Administration as well as any Rules and Regulations set forth by the Airport.

4.02 COMPLIANCE WITH SIGNS

All persons shall observe and obey all posted signs, fences, and barricades prohibiting entry upon an Air Operations Area (AOA), or Secured Areas or governing the activities and demeanor of the public while on the Airport, and while operating an aircraft or other equipment.

4.03 TRESPASSING

Any person or persons who fail to leave the Airport, or a specified area thereof; or any person or persons who knowingly or willingly violate these Rules and Regulations, or who refuse to comply therewith, after proper request to do so by an authorized representative of the Airport shall be regarded as trespassing and shall be subject to removal from and denial of access to the Airport for such period of time as may be specified by the Director or their authorized representative. No unauthorized person shall travel upon the Airport other than on roads, designated walking areas, or other right of ways provided for such specific purpose.

4.04 PUBLIC CONDUCT

- a. No person or persons singly or in association with others shall by their conduct or by congregating with others prevent any other person or persons lawfully entitled thereto from the use and enjoyment of the Airport and its facilities or any part thereof, or prevent any other person or persons lawfully entitled thereto from passage from place to place, or through entrances, exits, or passageways on the Airport. It shall be unlawful for any person to remain in or on any public area, place, or facility at the Airport, in such a manner as to hinder or impede their orderly passage in or through the normal or the customary use of such area, place, or facility by persons or vehicles entitled to such passage or use.
- b. No person may destroy, injure, deface, or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other property on the Airport.
 - i. No person shall alter, add to, or erect any building or sign on the Airport or make any excavation on the Airport without prior written approval from the Director.
 - ii. Any person causing or being responsible for such injury, destruction, damage, or disturbance shall report such damage to the Airport and be held liable for the full amount of the damage.

4.05 DISORDERLY CONDUCT

It shall be unlawful, and punishable as provided in state law, for any person to be a disorderly person within the properties owned by or under the control of the Durango-La Plata County Airport.

4.06 PARENTAL RESPONSIBILITY

- a. No parent, guardian or other person having charge, guardianship, custody or control of any minor under seventeen (17) years of age shall encourage, knowingly permit or by inefficient control allow the minor to violate a provision of these Rules and Regulations. Proof that the minor was

convicted of violating these Rules and Regulations shall be prima facie evidence that the minor's parent or guardian allowed or encouraged the minor to violate such section.

SECTION 5 – AIR OPERATIONS AREA REGULATIONS

5.01 COMPLIANCE WITH REGULATIONS

No person shall operate any aircraft to, from, or on the Airport, or service, repair or maintain any aircraft, or conduct any aircraft operations on or from the Airport, except in conformity with the current Federal Aviation Regulations including but not limited to Part 91, Part 121, Part 135, and Part 139 as promulgated by the Administrator of the FAA, TSA Regulations and in conformity with all other applicable law, including these Rules and Regulations. It shall be the responsibility of all persons, firms, and corporations operating on the Airport to acquaint themselves, their employees, pilots, instructors, and students with Federal Aviation Regulations and all Airport Rules and Regulations contained herein.

a. **Air Operations Area Restrictions**

Subject to any specific requirements and limitations of the Federal Aviation Administration or Colorado Department of Transportation, the Airport has complete authority and control over the Air Operations Area including but not limited to the runways, taxiways, and other paved areas including complete authority and control over all use thereof by all persons.

b. **Denial of Use**

The Director or their authorized representative shall have the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to deny the use of the Airport or any portion thereof to any specified class of aircraft or to any individual or group, when such action is considered to be necessary or desirable to avoid endangering persons or property and to be consistent with the safe and efficient operation of the Airport.

c. **NOTAMS**

The Airport has primary responsibility for issuing Notices to Airmen (NOTAMS) in accordance with FAR Part 139, advising Airport users of runway, taxiway or apron closures or other conditions affecting the safe and efficient operation of the Airport. NOTAMS will be distributed and disseminated to users and tenants by means of electronic transmission and/or hand delivery as appropriate.

d. **Radio Communications**

No person shall operate an aircraft or a vehicle (on the Movement Area) at the Airport when such aircraft or vehicle is not equipped with a properly functioning two way radio capable of communicating with other aircraft and operators in the area, unless coordinated with and approved by Airport Operations.

e. **Pedestrians on Ramp Areas**

Except for personnel whose duties and responsibilities require them to be on foot or in the Air Operations Area, no organization shall permit an employee or any other person to cross or traverse the ramp to or from the Airport restricted areas.

f. **Prohibitions**

Parachute jumping over or onto the Airport is prohibited unless written approval has been obtained from the Director or their authorized representative.

Operating drones over or onto the Airport is prohibited unless written approval has been obtained from the Director or their authorized representative.

Ballooning, operating, or flying balloons over or onto the Airport is prohibited unless written approval has been obtained from the Director or their authorized representative.

Banner towing over or onto the Airport is prohibited unless written approval has been obtained from the Director or their authorized representative.

5.02 AIRCRAFT REGULATIONS

a. Certification of Aircraft

All aircraft operating at the Airport shall meet all applicable federal regulations relevant to the operation of that aircraft.

b. Licensing of Pilots

No person shall operate, or permit to be operated, any civil aircraft to, upon, or from the Airport unless done so in accordance with current FAA licensing and certification standards. However, this section does not apply to the ground operation of aircraft by aircraft maintenance personnel, nor in the event of an in-flight emergency.

c. Negligent Operations and Liability for Damage

No person shall operate aircraft or vehicles at the Airport in a careless manner or in disregard of the rights and safety of others.

- i. The aircraft owner, pilot, agent, or their authorized representative agrees to exempt, release, indemnify and hold harmless the Airport, its Director, and its employees for any and all liability for any damage which may be suffered by any aircraft and its equipment, and for bodily injury or death.
- ii. Any person damaging, injuring, or destroying Airport property either by accident or otherwise shall be liable for the restoration of the property damaged or destroyed. Any person who witnesses such action shall report it to Airport Operations at 970-759-4342.
- iii. All persons using the Airport shall be held liable for any property damage caused by their own carelessness and negligence and the carelessness and negligence of their agents and employees. Any person liable for such damage agrees to save and hold harmless the Airport, its Director, and its employees from claims, liabilities, and causes of action of every kind, character, and nature and from all costs and fees (including attorney's fees) connected therewith, and from the expenses of the investigation thereof.

d. Tampering with Aircraft

Except as authorized or permitted pursuant to federal law, state law, federal or state regulation, and this ordinance, or otherwise authorized or permitted by rules adopted by the Durango-La Plata County Airport, no person shall interfere or tamper with any aircraft, or put in motion such aircraft, or use or remove any aircraft, aircraft parts, instruments, or tools, without positive evidence of permission of the owner thereof. Any tenant may move an aircraft from location to location on the tenant's owned property which movement shall not be considered a violation of this section.

e. Disabled Aircraft

In the event of an aircraft under an emergency, the Airport's Aircraft Rescue Firefighters (ARFF) will be on scene as well as Airport Operations personnel to conduct emergency efforts. The owner or operator of the aircraft under the emergency or involved in an accident shall contact ARFF/Operations immediately. Airport ARFF/Operations personnel are responsible for organizing and conducting the recovery activities. Aircraft accidents on runways and taxiways shall be removed from such areas as soon as conditions warrant and governmental approvals are obtained. All costs incurred for such removal shall be borne by the owner or operator of the aircraft involved. Runways or taxiways upon which an accident or incident has occurred shall be opened to aircraft traffic only after the removal of the aircraft and all resulting debris to the

satisfaction of the Airport Operations Department. The owner or operator of the aircraft involved in the accident will exempt, release, indemnify and hold harmless the Durango-La Plata County Airport including its employees from any and all loss, liability, claims, demands, actions, or causes of action whatsoever arising out of any property damage, personal injury, or any other loss, damage, or injury that may occur as a result of the removal of aircraft from runways and taxiways whether or not caused by the act, omission, negligence or other fault of the Airport or its employees, or other cause.

f. **Aircraft Accidents**

The pilot or operator of any aircraft involved in an accident on the Airport causing the following, but not limited to: bodily injury or property damage, shall in addition to all other reports required by other agencies, be required to make a prompt and complete report concerning said accident to the office of the Director of Aviation. When a written report of an accident is required by Federal Aviation Regulations, a copy of such report may be submitted to the Director in lieu of the report above. In either instance, the report shall be filed with the Director within forty-eight (48) hours from the time of the accident.

g. **Derelict Aircraft**

No person shall park or store any aircraft in an obviously non-flyable condition on Airport property, including leased premises.

No person shall store or retain aircraft parts or components being held as inventory anywhere on the Airport, other than in a completely enclosed building, or in a manner approved by the Director.

Whenever any aircraft is parked, stored, or left in non-flyable condition on the Airport in violation of the provisions of this section, the Airport shall so notify the owner or operator thereof by certified or registered mail, requiring removal of said aircraft within fifteen (15) days of receipt of such notice, or if the owner or operator be unknown or cannot be found, the Airport shall conspicuously post and affix such notice to the said aircraft, requiring removal of said aircraft within fifteen (15) days from date of posting. Upon failure of the owner or operator of the said aircraft to remove said aircraft within the period provided, the Airport shall cause the removal of such aircraft from the Airport. All costs incurred by the Airport in removal of any aircraft as set forth herein shall be recoverable against the owner or operator thereof.

h. **Securing Aircraft**

No person shall leave an aircraft unattended on any area of the Airport, including leased premises, unless properly locked and secured. Securing of aircraft shall be the sole responsibility of the owner or operator of said aircraft.

i. **Operating Aircraft Engine**

No aircraft engine shall be run at the Airport unless under the direction of a pilot or certified Airframe and Power Plant Mechanic (A&P) qualified to run the engines of that particular type of aircraft and unless blocks have been placed in front of the wheels or the aircraft has set adequate parking brakes.

No person may run an engine of an aircraft parked on the Airport in a manner that could cause injury to persons or damage to any other property or endanger the safety of the operation on the Airport.

j. **Run-ups**

Low powered and pre-flight run-ups may be made at the designated run-up area near the departure end of Runway 03, on Taxiway Alpha and at the departure end for Runway 21, as well as along the full length of Taxiway Alpha. High-powered run-ups, including maintenance run-ups, may only be performed at the designated run-up area near the departure end of Runway 03 or may be coordinated with Airport Operations for a different specified location.

k. **Helicopter Operations**

Except for in emergencies, no landing or take-off of helicopters shall be made except on designated Airport runways, taxiways, or aprons, without express written approval from the Director or their authorized representative. Helicopter operations shall not be operated within close proximity to other aircraft or structures to where operations could cause damage.

5.03 VEHICLE AND PERSONNEL REGULATIONS

No persons shall operate or cause to be operated or park any vehicle on the AOA of the Airport unless such operation is directly related to an aviation activity on the Airport, to the business of the Airport or to the business of an Airport tenant and such vehicle is registered in accordance with Section 5.03 herein.

a. **Vehicles and Personnel on the Movement Areas**

Vehicles and Personnel authorized by the Director, to operate in the Movement Areas of the Airport are limited to those vehicles and those personnel necessary for airport and aviation operations.

Vehicles and Personnel operating in the Movement Areas must have the following:

- i. Unicom/CTAF Radio;
- ii. Flashing Beacon (during daylight operation this may be substituted by a three foot square flag consisting of nine squares of alternate aviation orange and white);
- iii. Company logos/decals must be located on both sides of the vehicle;
- iv. Personnel must have a reflective safety vest on at all times while conducting essential job functions outside of a vehicle in the Movement Areas.

Vehicles authorized to operate in the Movement Areas unescorted include, but are not limited to:

- i. Airport owned or operated vehicles;
- ii. FAA Airway Facility vehicles authorized for maintenance of FAA equipment;
- iii. Authorized construction vehicles;
- iv. Other individuals who need access to the Movement Areas are at the discretion of the Director.

b. **Vehicles and Personnel on the Non-Movement Areas**

Vehicles and Personnel operating in the Non-Movement Areas must have the following equipped:

- i. Company logos/decals must be located on both sides of the vehicle;
- ii. Personnel must have a reflective safety vest on at all times while conducting essential job functions outside of a vehicle in the Non-Movement Areas.

General Aviation (GA) tenants and users who are accessing their aircraft, or their leased premises, on the North or the South GA ramp may operate a personal vehicle to and from their tie-down or hangar. GA tenants are permitted to drive on the Non-Movement Areas only and are prohibited from entering the Movement Areas and SIDA Area. GA tenants are not required to wear a reflective safety vest while accessing their aircraft or leased premises.

c. **Driving Rules and Regulations**

Persons operating motorized equipment and vehicles on the Durango-La Plata County Airport, outside of specific tenant leasehold boundaries, must conform to the vehicle operating requirements detailed in these Rules and Regulations.

Minimum requirements for operating equipment on the AOA in Restricted Areas of the Airport, are as follows:

- i. Possess a valid driver's license;
- ii. Vehicle to be operated must possess the required insurance;
- iii. Driver must complete the applicable Airfield Non-Movement or Movement Area Driver's training sponsored by the Airport ARFF/Operations Department;
- iv. Persons authorized, desiring to escort a non-permitted vehicle on the AOA or in Restricted Areas of the Airport, are required to ensure that the unregistered driver possesses a valid driver's license and minimum insurance coverage.

Airfield Driving Rules:

- i. Pedestrians and aircraft shall have the right of way at all times over vehicular traffic;
- ii. No person under the influence of alcohol or a controlled substance shall operate a motor vehicle or motored equipment on the Airport;
- iii. During active loading or unloading of an aircraft no vehicle will be permitted to drive between a parked aircraft and the Terminal Building or under the wings, tail, or nose section of such aircraft, except those vehicles servicing the aircraft;
- iv. Any vehicles coming from outside the AOA authorized to enter the SIDA Area are required to be inspected by Airport Operations;
- v. All personnel entering the AOA must ensure that automated gates close behind them before leaving the gate unattended.

d. **Operations Near Aircraft**

No person, other than the operator of an authorized aircraft servicing vehicle, shall operate a vehicle on the AOA so as to pass within fifteen (15) feet of a parked aircraft or, in the case of an aircraft being loaded or unloaded at ground level, between such aircraft and the Terminal Building while passengers are enplaning or deplaning.

e. **Right-of-Way**

An aircraft in motion shall, at all times, have the right-of-way. Pedestrians shall, at all times, have the right-of-way over vehicles. No motor vehicle, equipment, or apparatus shall be placed on any roadway, driveway, hangar ramp, or other area in such a manner as to obstruct the passage of emergency or snow removal equipment.

f. **Designated Vehicular Routes**

All vehicles operating on the AOA shall follow the designated service routes as established by the Airport.

g. **Speed Limits**

No person shall operate any vehicle on the non-movement areas of the AOA at a speed in excess of fifteen (15) miles per hour, or in excess of five (5) miles per hour when in the vicinity of an aircraft, unless otherwise posted or authorized by the Director.

h. **Motor Vehicle Accidents**

Any person operating a vehicle on the AOA who is involved in an accident shall notify Airport Operations at 970-759-4342 immediately and wait for their response.

i. **Tugs and Trailers**

No person or organization may operate a tug, trailer, or other vehicle towing a train of baggage or cargo carts in excess of four (4) carts on the AOA unless specifically authorized by the Director or as a part of a lease or a commercial operating agreement with the Airport.

j. **Parking on the AOA**

No person shall park any vehicle or other motorized equipment on the AOA within designated No Parking Zones or within fifteen (15) feet of any fire hydrant or other fire control apparatus.

- i. No person shall park a vehicle or other motorized equipment on the AOA so as to interfere with or prevent the passage or movement of aircraft or other vehicles.
- ii. In the event of a vehicular breakdown or other mechanical failure on the AOA, Airport Operations shall be notified immediately by the vehicle operator. If the vehicle should present a safety hazard, the vehicle shall be removed from that area within fifteen (15) minutes of the time the vehicle operator is notified that a hazard exists.
- iii. The Airport shall have the right to remove any vehicle posing a threat or risk to safety on the restricted area, such removal being at the sole risk and expense of the owner and/or operator of said vehicle.
- iv. In the event of a vehicle removal, the owner shall be subsequently notified if possible.

k. **Contractor and Access Use**

No person shall gain access to and egress from the site of construction in a vehicle or crane belonging to or under the supervision of a contractor doing business at the Airport other than by routes and through gates designated by the Director and only during such periods of time designated by the Director.

- i. No person having responsibility therefore shall allow a vehicle or crane belonging to or under the supervision of a contractor doing business at the Airport, to be parked in a position or location where it constitutes an actual or potential hazard to aircraft or other vehicles unless approved in advance by the Director or their authorized representative.
- ii. When a contractor leaves a vehicle or crane in a designated location overnight, the vehicle or crane shall be suitably marked and lighted and cranes shall be lowered to their lowest height.

5.04 THROUGH THE FENCE OPERATIONS

The Durango-La Plata County Airport does not have any existing Through the Fence Operations. Consistent with the FAA's Final Policy on Through the Fence Access to Commercial Service Airports from a Residential Property, the Airport shall not permit Residential Through the Fence Operations. Proposed Commercial Through the Fence Operations will require a formal application for consideration, which shall be evaluated to ensure compliance with all applicable FAA advisory circulars, policy, and grant assurances.

5.05 NON-AERONAUTICAL PROPERTY STORAGE

No tenant, lessee or sub lessee, in use of a hangar, T-hangar or similar structure on the Airport shall use said structure for the storage of vehicles or property not related to the use, operation or maintenance of aircraft, without the prior written approval from the Director. This regulation shall include but is not limited to the storage of automobiles, recreational vehicles, boats, and non-airworthy aircraft. This regulation shall not preclude the storage of ground vehicles on a temporary basis while the occupant is traveling in an aircraft stored in the structure. At a minimum, an applicant shall demonstrate to the Director that the area to be used is excess to the person's reasonable needs for aeronautical use of the structure and will not derogate the safe and efficient use of the structure for aeronautical activities.

The Director or their authorized representative has the right for inspection to ensure compliance with this regulation, unless explicitly precluded by a lease, license, contract, or other agreement.

Any prohibited items shall be removed upon reasonable notice by the Director, and, if not removed as ordered, shall be subject to removal by the Airport with all costs submitted to the faulting party.

SECTION 6 – AIRPORT BUSINESS OPERATIONS

6.01 USE OF THE AIRPORT

The Durango-La Plata County Airport operates in full compliance with numerous state and federal regulations; specifically those pertaining to airport safety, security, environmental, and those controlling the use of the Airport property and revenues.

No person or organization shall do business on the Airport or use the Airport premises for commerce or as a base for governmental business or private aviation business, without a Commercial Operating Agreement approved by the Director. The use of Airport property for Non-Aeronautical Uses is not permitted without Airport and FAA approval.

Permission by the Director or their authorized representative, expressly or by implication, to enter upon or use the Airport or any part thereof, (including airlines, fixed base operators, aircraft owners, operators, pilots, crew members, mechanics, servicemen and passengers, spectators, sightseers, officers and employees of airlines, agents and employees of sales agencies, flight operators, lessees and other persons occupying space at the Airport, persons doing business with the Airport, its lessees, sub lessees, and permittees and all other persons whosoever), shall be conditioned upon compliance with the Durango-La Plata County Airport Rules and Regulations.

6.02 COMMERCIAL ACTIVITY

Any person or organization wishing to engage in commercial or business (for profit or non-profit) activity upon the Airport, or upon any land acquired for use in connection with the Airport, or upon or from any buildings, structures, land, parking areas, walkways, roadways, or other facilities used or operated in connection with the Airport shall make application in writing and secure a Commercial Operating Agreement from the Director and shall pay the fees and charges prescribed for such use(s) as may be established from time to time by the Airport. Commercial or business activity may be granted by the Director through other documents, including:

- a. Long term building or ground site lease agreement.
- b. Separate Commercial Operating Agreement document, where the perspective operator's facility requirements are being met through other arrangements.

Solicitation on the Durango-La Plata County Airport property is prohibited except when a tenant is within their leased premises.

6.03 NON-DISCRIMINATION

A fair and reasonable opportunity, without discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities to engage in selected commercial activities, or to use the Airport as a base for other business activities, subject to applicable Minimum Standards and requirements as may be established and amended from time to time by the Airport.

The Airport, through its Minimum Standards, attempts to maintain an even playing field in which all commercial operators of similar classification or aeronautical activity are to conduct business on a fair and equal basis for the benefit of the aviation public. In developing these Rules and Regulations and Minimum Standards, the Airport intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition.

Commercial operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory

prices for each unit or service, provided that the operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers. No commercial operator shall exclude from employment, in participation, access to, benefits of its operations, or otherwise discriminate against persons on the ground of race, color, national origin, handicap, age, sex, sexual orientation or veteran status. Commercial operators shall be responsible for compliance with any applicable federal, state, and local rule, regulation, ordinance or law regarding nondiscrimination.

6.04 AIRPORT RATES AND CHARGES

The Airport has expended significant levels of funding to develop and maintain the facilities necessary to provide transportation and related services for the general public, and to enable commercial operators (non-profit or for profit) to conduct business on Airport property. The operation of the Airport is funded through user fees established through the Airport's Rates and Charges Ordinance which is revised from time to time. User fees are established for each class of Airport user, and/or each category of Airport use. Commercial operators authorized to provide multiple aeronautical or non-aeronautical services to the public, including airlines, are obligated to pay the specific fees associated with each approved commercial service that are in effect at the time of the activity. All users of Airport facilities and services are required to pay the appropriate fees and charges currently in effect for each of their particular Airport uses and/or activities. The Durango-La Plata County Airport's Rates and Charges Ordinance is located in the Airport Administration Office.

6.05 INDEMNITY AND INSURANCE

a. **Indemnification**

Perspective commercial operators or operators using the Airport as a base for governmental / private aviation business, agree to exempt, release, indemnify and hold harmless the Airport including its employees from any and all loss, liability, claims, demands, actions, or causes of action whatsoever arising out of any property damage, personal injury, or any other loss, damage, or injury that may occur whether or not caused by the act, omission, negligence or other fault of the Airport or its employees, or other cause.

The operator, or based governmental / private aviation business users, also agree to exempt, release, indemnify and hold harmless the Airport including its employees, from and against all liability from any claims and actions and all expenses incidental to the investigation and defense thereof, in any way arising from or based upon the violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the operators agents, employees, licensees, successors and assigns, or those under its control. The operator shall not be liable for any claims and actions and expenses incidental to the investigation and defense thereof, in any way arising from or based upon violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Airport, its employees, or those under its control.

b. **Commercial Liability Insurance Requirements**

Commercial Liability Insurance Requirements set by the Airport can be found in the Durango-La Plata County Airport's most current Minimum Standards for Commercial Aeronautical Activities document.

c. **Non-Commercial Liability Insurance Requirements**

Governmental or private aviation users who lease property from the Airport shall demonstrate that they possess comprehensive aircraft and general premises liability insurance against claims occurring in or about the leasehold premises, with the City of Durango and La Plata County listed as additional insured, affording a minimum protection of One Million Dollars (\$1,000,000)

combined single limit and Two million dollars (\$2,000,000) aggregate coverage with respect to both personal injury and property damage. Higher levels of insurance may be required through lease agreements depending upon the specific use of Airport property and determined risk exposure to the Airport. Organizations who report to be self-insured must provide a letter or other form of certification, acceptable to the Airport, attesting to such coverage.

d. Automobile Insurance

For commercial vehicles operating at or on areas of the Airport: Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than One Million Dollars (\$1,000,000) each occurrence and Two Million Dollars (\$2,000,000) aggregate with respect to each of owned, hired and/or non-owned vehicles assigned to or used in performance of the services. The policy shall contain a severability of interests provision. Higher levels of insurance may be required through lease agreements depending upon the specific use of Airport property and determined risk exposure to the Airport.

e. Certificates of Insurance

Certificates of Insurance evidencing the minimum requirements of this section, and the naming of the City of Durango and La Plata County as additional insured, must be provided, and maintained in force, to the Airport by the lessee.

Statutory Worker's Compensation insurance; and any other policies of insurance may also be required by the Airport.

The above mentioned insurance amounts and types of insurance shall be reviewed from time to time by the Airport and may be adjusted by the Airport if the Airport reasonably determines such adjustments are necessary to protect the Airport's interests. The operator shall furnish the Airport, as evidence that such insurance is in force, a certified copy of the insurance certificate including the City of Durango and La Plata County as additional insured before commercial operations may commence or a leasehold is occupied. Said policies shall be in a form and content satisfactory to the Airport and shall provide for thirty (30) days written notice to the Airport prior to the cancellation of or any material change in such policies. Organizations that purport to be self-insured must provide a letter or other form of certification attesting to such coverage that is satisfactory to the Airport.

f. Adjustment of Insurance Limits and Effective Dates

Minimum insurance requirements may be adjusted periodically by the Airport, in accordance with the City of Durango and La Plata County policies, to keep insurance requirements up to date with current industry standards. With the adoption of adjusted minimum insurance limits by the Airport, including those contained in these Rules and Regulations, all Airport users and leaseholders shall have six (6) months from the day of adoption to demonstrate compliance with the new minimum insurance requirements as they relate to their approved use of Airport property.

6.06 USE OF AIRPORT PROPERTY AND BUILDING USE REQUIREMENTS

Use of Airport property, much of which is purchased with federal grant funds, is governed by numerous federal regulations. Use of Airport property is restricted to airport / aviation related purposes only. The use of buildings constructed on Airport property must remain consistent with this restriction. Similarly, the use of Airport property for commercial purposes is subject to additional restrictions regarding non-discrimination, reasonable rates and charges and other requirements related to offering services to the public in accordance with federal guidelines. In accepting grant funds the Airport has agreed to ensure

that it, and all Airport users, comply with these various regulatory requirements. Accordingly, this directive is issued to assist the Airport, leaseholders and building owners, in ensuring compliance with:

- FAA Order 5190.6B, Airport Compliance Requirements (9-30-2009)
- FAA Airport Sponsor Assurances, (3-2014)

6.07 MAINTENANCE OF BUILDINGS AND GROUNDS

Generally, in accordance with the terms of the lease agreement, a building owner (operator or leaseholder) shall maintain the leased premises at all times in a safe, neat and clean condition. The operator shall repair all damage to the building and ground site; shall maintain repair and/or replace all equipment, including any building's structural components and the roof; and shall paint the buildings as necessary to ensure that the leased site remains attractive to the public visiting the Airport.

In the event the terms of the lease agreement do not specifically address the maintenance of buildings and grounds, a building owner or leaseholder shall be responsible for and perform all building and ground site maintenance, including but not limited to:

- a. Janitorial services, providing janitorial supplies, window washing, rubbish, and trash removal.
- b. Supply and replacement of light bulbs in and on all buildings, obstruction lights and replacement of all glass in or on the outside of the building, including plate glass.
- c. Cleaning of stoppage in plumbing fixtures, drain lines and septic system to the first manhole outside the premises.
- d. Replacement of floor coverings.
- e. Maintenance of all building and overhead doors and door operating systems including weather stripping and glass replacement.
- f. Building interior and exterior maintenance, including painting, repairing and replacement.
- g. Repair or replacement of equipment and utilities to include electrical, mechanical and plumbing in all buildings, including but not limited to air conditioning and heating equipment.
- h. The operator shall be responsible for all snow removal on the premises and auto parking areas if any in its use. The operator shall do so in a manner which does not interfere with Airport Operations or damage property.
- i. The operator shall perform all maintenance on premises or operator-constructed structures, pavements and equipment and utilities to the point where connected to the main source of supply or the first manhole outside of the premises or to the utility corridor.
- j. All repairs may be made without the Airport's consent as long as said repairs meet all applicable code requirements and do not materially alter the infrastructure or appearance of the building.
- k. The operator is responsible for maintaining electric loads within the designed capacity of the system. Prior to any change desired by the operator in the electrical loading which would exceed such capacity, written approval shall be obtained by the Director.
- l. The operator shall provide and maintain hand fire extinguishers for the interior of all buildings, shop parking, storage and ramp areas in accordance with Section 8.05 of these Airport Rules and Regulations and all other applicable fire / safety codes.
- m. The operator shall maintain all landscaping and grounds as originally approved and installed, to include, but not limited to, the mowing of grass, trimming of bushes, and watering of trees.

According to Section 2.09 and Section 2.10 of these Airport Rules and Regulations no tenant or hangar owner shall undertake any form of construction, alteration, addition, including the plans and specifications of any building or hangar without prior written approval from the Director or their authorized representative.

6.08 ANNUAL BUILDING AND GROUND SITE INSPECTIONS

The Director or their designated representative, shall have, at any time, with prior notice, the full and unrestricted right to enter any leased or unleased airport premises for the purpose of periodic inspection for fire / safety protection; building maintenance; and to confirm compliance with NFPA Standard 409 (Aircraft Hangars) as well as all other local building fire codes, the Airport Rules and Regulations, and compliance with the terms of the lease agreement. Airport ARFF/Operations will maintain a copy of the applicable standards and fire / safety codes for hangar owner review.

Building inspections at the Durango-La Plata County Airport will be administered as follows:

- a. Building inspections may be scheduled and conducted at least once annually by Airport ARFF/Operations personnel with the assistance of Airport Maintenance personnel as necessary.
- b. T-Hangar owners will be expected to arrange for access to each of the rental hangar spaces in their building.
- c. The inspecting Airport ARFF/Operations personnel will submit a report to the Fire Chief. After review, the Fire Chief will either (1) notify building owners of the modifications to the building or grounds necessary to ensure compliance or (2) advise the owner that they are in compliance with no concerns identified.
- d. Building owners who disagree with the Fire Chief's assessment may contact the Airport Operations Manager and request reconsideration.
- e. Building owners who disagree with the assessment of the Airport Operations Manager may contact the Director and request reconsideration.
- f. In accordance with the Durango-La Plata County Airport Rules and Regulations, the Director is charged with the ultimate enforcement of Airport Rules and Regulations, and lease requirements. Accordingly, the ultimate determination of the Director shall be communicated in writing to the affected tenant. All decisions from the Director are final and will not be reconsidered.
- g. Building owners shall be given a reasonable period of time, depending on the seriousness of the identified concerns, to make the necessary corrections or modifications. When possible, such time frames shall be mutually agreed upon between the building owner and Airport personnel. In the event that corrections are not achieved within the time allotted, the following dispositions are available to the Airport:
 - i. The building owner may be contacted to determine if an extension of time is warranted,
 - ii. The building owner may be sent a letter advising that the owner is in default of their lease agreement,
 - iii. The building owner may be issued a citation for specific violations,
 - iv. Ultimately, if identified maintenance or violations are not corrected, after thirty (30) days from receipt of written notice, the Airport shall have the right to enter upon the premises and make necessary corrections or perform the necessary maintenance, the cost of which shall be borne by the hangar owner as additional rent, which shall be paid by the building owner to the Airport within ten (10) days after invoiced, or
 - v. Any and/or all of the above, depending on the circumstances.
- h. The building owner, or hangar lessee, may submit appeals regarding fire codes, building codes, or violations of other federal, state, and local laws or regulations but this must be submitted to the appropriate authority having jurisdiction.

SECTION 7 – NON-COMMERCIAL ACTIVITIES/FIRST AMENDMENT ACTIVITIES

From time to time, individuals and groups seek to engage in activities implicating the First Amendment, such as distribution of flyers, brochures, pamphlets, books, or other printed or written material expressing opinions and ideas in various forms (“First Amendment Activities” or “Activities”) at the Airport.

To ensure the safe, orderly and efficient operation of the Airport, while allowing such Activities on the Airport premises, it is necessary that such Activities be subject to reasonable time, place and manner regulations.

Such regulations are especially necessary given that the Airport is not a public forum and is not only among the region’s busiest but also relatively space-constrained inside the terminal and on adjacent sidewalks and driveways, but also must meet the security demands imposed by the post-9/11 environment.

Permission by the Airport or an authorized representative thereof, expressly or by implication, to enter upon or use the Airport or any airport facilities, for non-commercial purpose shall be conditioned upon compliance with the Airport Rules and Regulations. No person shall distribute flyers, brochures, pamphlets, books, or other printed or written material in or upon public areas not occupied by a Lessee of buildings, grounds, roads, walks, approaches, or any other property known as the Durango-La Plata County Airport without a permit and prior written approval from the Director.

7.01 TYPES OF FIRST AMENDMENT ACTIVITIES COVERED BY THESE REGULATIONS

- a. “Distribution” means and includes:
 - i. The distribution of materials, including but not limited to leaflets, pamphlets, flyers, books, photos, or any other written or printed material, for the expression of ideas and opinions; provided, however, the distribution of commercial materials or sales or attempted sales of goods or services of any kind shall not be treated as a First Amendment Activity but instead shall be subject to the license or concession for advertising at the Airport.
- b. “Solicitation” means and includes:
 - i. The solicitation of funds on behalf of not-for-profit organizations for charitable, patriotic, political, social justice or religious purposes; or the solicitation of petition signatures or votes on behalf of not-for-profit organizations for charitable, patriotic, political, social justice or religious purposes.
 - ii. The receipt of funds shall not take place on Airport property. Receipt of funds shall mean cash, checks, credit card transactions, or any other exchange of items for value. Donation envelopes to be mailed to another address may be distributed by the Permittee.
- c. “Demonstration” means and includes:
 - i. A gathering of persons for the purpose of expressing a group opinion to observers through the use of speech, signs and/or expressive conduct; provided, however, the expression of a message for commercial purposes shall not be treated as a First Amendment Activity.
- d. “Survey” means and includes:
 - i. Conducting surveys on behalf of not-for-profit organizations for charitable, patriotic, political, social justice, religious, or educational purposes.

7.02 PURPOSE OF REGULATING FIRST AMENDMENT ACTIVITIES

- a. To ensure the free and orderly flow of pedestrian traffic into and through the Airport and of the vehicular traffic outside of the terminal;

- b. To protect persons using the Airport from repeated communications or encounters that is or might be perceived as harassment or intimidation;
- c. To protect travelers from being an unwilling captive audience;
- d. To maintain security by restricting the activities allowed hereunder to public-use, non-secured areas in the Airport and by implementing additional restrictions where necessitated by increased security threats;
- e. To accommodate the requests of persons and groups to engage in First Amendment Activities by providing designated areas within the Airport;
- f. To resolve conflicts between different persons and groups who may otherwise arrive with the intent to use the same areas at the same time for competing interests; and
- g. To protect the integrity of the Airport's contractual relationships with concessionaires and lessees at the Airport.

7.03 PERMIT REQUIRED TO ENGAGE IN FIRST AMENDMENT ACTIVITIES

- a. Any persons or groups seeking to engage in Distribution, Solicitation, Demonstration, or Survey at the Airport must first obtain a written permit from the Director or their authorized representative. To obtain a permit, the applicant shall ensure the Airport has received a written permit application no later than two weeks before the date requested for the activity. A shorter time period may be considered under extenuating circumstances. The application shall be found on a form on the Airport's website at www.flydurango.com and can also be provided by the Airport, which shall set forth the location where such permit application shall be filed. The application shall contain the following:
 - i. If application is on behalf of an individual, provide the full name, mailing address, telephone number and email address ("contact information") of the person who will conduct proposed activity; if the application is for a group, then provide name and contact information of the representative for each organization sponsoring and/or conducting the proposed activity.
 - ii. The full name, mailing address, telephone number and email address of the person who will supervise and be responsible for the conduct of the proposed activities ("supervisor") if application is for a group.
 - iii. A brief description of the proposed activities, including method of communication and which type of permit is requested, whether for distribution, solicitation, demonstration, or survey.
 - iv. Dates and times of the proposed activities; provided that a permit will not be issued for a period in excess of thirty (30) days.
 - v. The number of people who will participate in each proposed activity.
 - vi. Where a permit for solicitation is requested, the application must include as an attachment reliable documentary evidence of the not-for-profit status of the organization sponsoring and/or conducting the solicitation.
- b. Within two weeks after the Airport receives a completed permit application, the Director or their authorized representative shall issue the permit or provide a written response explaining the reasons for any denial. A shorter time period may be considered under extenuating circumstances. The two weeks for the decision of the Director or their authorized representative on the permit application does not begin to run until the permit application is received with all required information. Reasons for denial shall be limited to the following:
 - i. Non-compliance with the permit application requirements set forth in subsection 7.03a above. If an applicant files another application to comply with requirements, the three business day review period shall start over.
 - ii. Insufficient space available in the areas designated for First Amendment Activities at the time(s) requested, in which case the Airport shall offer the applicant, in writing, a

substitute date(s) or time(s) for the permit and/or shall issue a permit for a smaller number of persons or a permit allowing participation by a limited number of persons at any given time.

- iii. Any alert issued by the United States Department of Homeland Security, with regard to security conditions for operations at the Airport. In such cases, based on the totality of the security situation, including the availability of security resources in light of increased demands and requirements by the federal government, the Director or their authorized representative may deny a permit request in its entirety and/or designate alternate sites for the conduct of those activities outside the core area of the Airport. Where a permit is denied in its entirety, the Airport, where feasible, shall designate a location for the posting of written information as an alternative means of disseminating information covered by the permit request.
- iv. Failure to comply with prior permits.
- v. In the event of an emergency or unforeseen circumstances that might adversely affect the efficient transit of passengers or affect the security, health and safety of passengers and Airport workers.

7.04 PERMIT DENIAL APPEAL PROCESS

Any person whose permit request is denied in full or in part may appeal the decision to the Director by means of a letter stating the grounds therefore, within five (5) business days of receiving a response from the Director or their authorized representative.

The Director or their authorized representative shall review the initial permit decision and the appeal, and shall issue a written decision affirming the denial or challenged limitation, or granting or modifying the permit requested, within five (5) business days of receipt of such appeal. This decision shall be sent by email to the supervisor of the proposed activity at the address provided on the application, and shall be effective upon such service. It shall constitute a final decision of the Airport.

7.05 PERMITTED LOCATIONS AND LIMITATIONS ON NUMBERS OF PARTICIPANTS FOR FIRST AMENDMENT ACTIVITIES

All Distribution, Solicitation, Demonstration and Survey activities shall be limited to their designated areas and limited in the number of participants as set forth in this Section 7.05 of these Rules and Regulations.

- a. Distribution, Solicitation, and Survey activities:
 - i. The Director or their authorized representative shall designate areas in and around the Airport's terminal building where permitted Distribution, Solicitation, and Survey activities may be located as set forth and depicted on the Airport's plans. Up to two (2) persons may engage in permitted activity at any one designated area at any one time. Any person engaged in Distribution, Solicitation, or Survey activities must wear a permit badge, displayed above the waist, at all times while engaged in distribution or survey. Any lost or stolen badges must be immediately reported to the Airport upon discovery that the badge is missing.
- b. Demonstration activities:
 - i. The Director or their authorized representative shall designate areas where permitted demonstrations may be located as set forth and depicted on the Airport's plans. Up to fifty (50) persons may engage in permitted activity in the North Parking Island at any one time. Up to twenty-five (25) persons may engage in permitted activity in the South Parking Island at any one time. For all permitted areas, upon demonstration completion, applicant shall be responsible for cleaning up and restoring the area to its original condition.

- c. Each permit shall specify the designated area in which the particular activity may take place; provided that the Director or their authorized representative may move such permitted activities from one designated area to another upon written notice to the applicant/permit holder, when, in the judgment of the Director or their authorized representative, such relocations are or become necessary to the safe and efficient operation of the Airport.

7.06 LABOR-RELATED ACTIVITIES

- a. Generally, labor-related activity shall not be treated as a separate permit category. If labor-related activity takes the form of Distribution, Survey, Solicitation or Demonstration, all of the provisions of Section 7.01 through Section 7.05, above, and Section 7.07 through Section 7.11, below, shall apply – except as provided for in Subsections 7.06b, 7.06c, and 7.06d below.
- b. Employers may permit employees, their representatives or others to undertake Distribution, Survey, Solicitation, or Demonstration in the employer’s leased area, subject to the provisions of Section 7.08.
- c. Subject to the provisions of Section 7.08, one or more employees of an employer doing business at the Airport may engage in conversations with other employees regarding matters of mutual benefit of other employees of the employer without providing notice and without first obtaining a permit in any location as long as the conduct in that location does not interfere with Airport operations or pose a safety or security concern.
- d. Subject to the provisions of Section 7.08, any person may discuss wages, benefits, or terms and conditions of employment with any employee of an employer doing business at the Airport without providing notice and without first obtaining a permit in any location even if the activity involves a distribution of material, as long as such distribution is associated with the conversation about wages, benefits or terms and conditions of employment.

7.07 OFF-LIMITS AREAS

Under no circumstances shall any Distribution, Solicitation, Survey, or Demonstration take place in any of the following locations:

- a. In any secured area;
- b. Beyond the passenger security screening checkpoints through which passengers and visitors are required to pass when moving toward an aircraft departure gate, or within fifty (50) feet of any security screening checkpoint;
- c. In any restroom facilities, elevators, escalators, stairways, terminal doors, vestibules, or within ten (10) feet thereof;
- d. Within ten (10) feet of the entrance to or exit from any area leased by an Airline or concessionaire or other business;
- e. On paved portions of streets, roadways, driveways, or any drive lanes within the parking areas;
- f. In any area used by a concessionaire, Airline or other business under a lease, contract, or other agreement with the Airport, except with the express permission of the concessionaire or lessee;
- g. Within ten (10) feet of any person waiting in line or any person loading or unloading luggage;
- h. At any ticket or baggage check-in counter;
- i. In any parking area, except designated areas adjacent to the parking areas.

The Director or their authorized representative is authorized to exercise his/her discretion to revise the above list in the interest of protecting the security, health, and safety of passengers and workers and when necessary to ensure the free flow of passengers and the efficient operation of the Airport on an emergency basis.

7.08 RULES GOVERNING CONDUCT OF PERMITTED ACTIVITIES

No person or group, while conducting Activities governed by these Regulations, shall:

- a. Harass, intimidate, threaten or invade the privacy rights of any person;
- b. Physically or verbally obstruct, delay or interfere with the free movement of any person at the Airport;
- c. Use sound or voice amplifying apparatus;
- d. Use or place upon Airport premises, tables, stands, chairs, or other structures without express written permission. No permanent structures will be permitted;
- e. Store placards, boxes, or supplies on Airport premises;
- f. Obstruct, delay, or interfere with any vehicle;
- g. State or represent that he or she or the organization is a representative or otherwise affiliated with the Airport;
- h. Fail to wear the required identification when required by the Airport;
- i. Carry any banners or signs that are posted on poles or sticks of any type or that exceed the following size limitation: banners or signs may be held by a person or worn on an individual's person so long as such banners or signs do not protrude beyond the person's front or back or above the person's head or exceed the person's body width;
- j. Violate any federal, state, or local law or regulation;
- k. Destroy, damage, or deface Airport property;
- l. Incite others to violence or other criminal activity or engage in any activity that jeopardizes the health, safety, or security of customers or workers at the Airport.

7.09 EMERGENCY CLOSURE OR SUSPENSION

- a. The Director or their authorized representative may order the emergency closure of the Airport, or any portion thereof, on account of emergency security, health, or safety conditions, catastrophe or disaster, unusually congested or extreme weather conditions, or government orders. Upon such order, all persons holding permits under these Regulations shall immediately cease all activities thereunder for the duration of the emergency closure.
- b. When the federal government declares an alert issued by the United States Department of Homeland Security with regard to security conditions for operations at the Airport, the Director or their authorized representative may suspend First Amendment Activities in their entirety or limit the size and scope of such Activities and/or designate a location for the posting of written information as an alternate means of disseminating the information covered by the permit request. The Director or their authorized representative will take into account the totality of circumstances relating to security, including the availability of security resources at the Airport in light of increased demands and requirements by the federal government.

7.10 VIOLATIONS

- a. For purposes of this Section 7.10, a "violation" shall mean one or more of the following:
 - i. A false or misleading material statement or omission on a permit application;
 - ii. Engaging in any of the activities covered by these Regulations in a location outside the area designated in the permit;
 - iii. Engaging in any of the activities covered by these Regulations without a valid permit;
 - iv. Violating any of the rules governing conduct set forth in Section 7.08 of these Regulations;
 - v. Failing to cease or alter activities, even if covered by a permit, during an emergency or increased security threat, as required in Section 7.09 of these Regulations.
- b. The occurrence of any violation shall result in:
 - i. Immediate temporary suspension of the permit; and
 - ii. Institution of proceedings for the revocation of the permit.

Depending on the circumstances, the Director or their authorized representative may refrain from suspending or instituting proceedings to revoke the permit.

- c. Two (2) or more violations by any person participating as part of a group or in his/her individual capacity, may, at the discretion of the Director or their authorized representative, become the basis for denial of future permit applications. However, depending on the egregiousness of a violation, the Director or their authorized representative may deny a permit application after only one (1) violation.
- d. In addition to the other remedies in this Section 7.10, the Director or their authorized representative may apply to a court of competent jurisdiction for injunctive relief barring any group or individual who has violated these Regulations or the terms of a permit, or has otherwise engaged in or expressed an intent to engage in activities that have the potential to impair or interfere with security or the orderly and efficient use of Airport property for the Airport's travel and transportation functions, from engaging in future Activities at the Airport.
- e. The remedies described in this Section 7.10 are in addition to the Airport's remedies at common law and under criminal statutes. Any person who engages in First Amendment Activities in off-limits areas or locations outside the area designated in a permit, and any person who engages in First Amendment Activities without a valid permit or who violates these Rules, may be subject to arrest for trespass if such person refuses to leave when requested to do so by Airport personnel or law enforcement.

7.11 PERMIT REVOCATION HEARING PROCESS

- a. Within three (3) business days of a permit suspension under subsection 7.10.b above and/or where the Director or their authorized representative has determined that a permit should be revoked, the Airport shall provide notice by email to: (a) the supervisor or person(s) otherwise responsible for the conduct of activities under the permit; and (b) the person(s) who allegedly committed the violation. Such notice shall reference the permit, permit status, and the nature of the violation. Such notice shall also state that a hearing on the temporary suspension and/or proposed revocation will take place before a hearing officer who shall be designated by the Director. No person who has been involved in any aspect of citing the permit holder for a violation, and no person who has been involved in any aspect of the decision to suspend or revoke the permit, may serve as a hearing officer.
- b. At the hearing, the Airport shall present evidence, including from one (1) or more witnesses with personal knowledge of the alleged violation. The supervisor or other person responsible for the conduct of activities under the permit, or his/her counsel or designee, may do some or all of the following at the hearing:
 - i. Present documentary evidence and/or witness testimony related to the alleged violation;
 - ii. Cross examine any witness called by the Airport.

Strict rules of evidence shall not apply. All testimony shall be recorded. The Director or their authorized representative shall preserve the recorded testimony and copies of all documents related to the hearing. To revoke a permit, the Airport must show, by a preponderance of the evidence that the alleged violation occurred. If the supervisor or other person responsible for the conduct of activities under the permit fails to appear for a hearing without having received prior permission from the hearing officer to reschedule the hearing, the permit holder and persons who allegedly committed the violation will be considered in default and the hearing officer may revoke the permit.

- c. Within five (5) business days following the hearing, the hearing officer shall issue a written decision stating whether the permit is revoked. If a permit is revoked, the decision shall state the grounds for revocation. If the decision is that there was insufficient evidence for a permit revocation, the suspension of the permit shall be dissolved and the permit reinstated. This decision shall be effective upon sending it by email to the supervisor or other person responsible

for the conduct of activities under the permit to the address provided at the time of the application for the permit. If the permit holder or persons associated with the permit holder engage in First Amendment Activity after the decision is issued, as an alternative to sending the decision by email, the Airport may serve a copy of the decision on the persons engaging in the First Amendment Activity. In that event, the decision shall be effective upon hand delivery to those persons. The decision issued by the hearing officer shall constitute the final decision of the Airport for purposes of a permit holder's ability to appeal to court.

SECTION 8 – FIRE PREVENTION

8.01 SMOKING

No person may smoke or carry lighted cigars, cigarettes, pipes, matches, or any open flame in or upon any area of the Airport within fifty (50) feet of hangars, fuel storage areas, fuel loading situations, fuel handling vehicles, aircraft being fueled or having fuel drained or in any other place where smoking is specifically prohibited by signs. Smoking inside Airport facilities is prohibited. Smoking anywhere on the AOA is prohibited.

8.02 OPEN FLAMES

No person shall start an open fire at any place on the Airport without permission from the Fire Chief. Welding in shop areas or areas designated by the Fire Chief is permitted provided all safety precautions are observed and welding equipment is operated by experienced and qualified personnel.

8.03 GOOD HOUSEKEEPING

Good housekeeping will be required at all times by tenants and occupants of all buildings and hangars, both in their assigned areas and during aircraft maintenance operations. Areas surrounding fire extinguishers and sprinkler risers shall be kept clear at all times, and all premises shall be kept clean and clear of all rubbish, junk, debris, old aircraft and vehicles, and any other unsightly objects. If after warning by the Director, the area is not cleaned, cleaning will be ordered by the Director and all costs will be billed to the tenant or person.

8.04 FLAMMABLE MATERIAL

No person shall store flammable material or equipment, use flammable liquids or gases, or maintain their premises in such a condition as to violate La Plata County fire codes or any Rules herein. Flammable liquids having a flash point below 110 degrees Fahrenheit shall at all times be kept in and used from approved safety cans and stored in acceptable metal cabinets, in quantity not to exceed twenty-five (25) gallons. Transfer of flammable liquids from original containers to safety cans shall be done outside of buildings in a safe location. Areas surrounding storage or flammable material shall be kept clear of all flammable and combustible material.

8.05 EXTINGUISHERS

Tenants of all hangars and airport buildings shall provide suitable fire extinguishers and equipment which shall be kept in good working order as determined by the Fire Chief or their designated representative and not tampered with or used for any purpose other than firefighting or fire prevention. Extinguishers shall be inspected at least every twelve (12) months by qualified personnel. Tags showing the date of the last such inspection shall be left attached to each unit.

8.06 FIRE CODE COMPLIANCE

Tenants and all persons occupying Airport buildings are required to comply with applicable fire regulations adopted by La Plata County. All buildings are located within the Durango Fire Protection District and are under the jurisdiction of the Durango Fire Marshal.

8.07 PERIODIC INSPECTIONS

All premises on the Airport will be subject to periodic safety inspections. These inspections shall be made by the Fire Chief or their designated representative. The Fire Marshal will conduct routine life safety inspections on all commercial buildings. Recommendations and infractions will be reported to the tenants or persons involved for corrective action.

8.08 AIRCRAFT FUELING OPERATIONS

Fuelers shall observe and comply with all applicable federal, state, and local laws, ordinances, rules and regulations concerning the storage, handling, and dispensing of aviation fuel at the Airport. All persons, Tenants, employees, and agencies involved in fueling operations shall abide by the following:

- a. No aircraft shall be fueled, or defueled, while inside any building or structure unless the Airport has given prior approval.
- b. No aircraft shall be fueled, or defueled, while one or more of its engines are running except when accomplished under appropriate and safe procedures approved by the FAA.
- c. No air carrier aircraft shall be fueled or defueled while passengers are on board, unless a passenger loading ramp is in place at the cabin door, the door is in the open position, and an attendant is present at or near the door.
- d. Trained personnel shall be present during the entire fueling operation of an air carrier aircraft in accordance with FAA requirements, currently at 14 C.F.R. Section 139.321.
- e. No person shall engage in aircraft fueling or de-fueling operations without adequate fire extinguishing equipment readily accessible at the point of fueling.
- f. No person shall start the engine of an aircraft on the Airport if there is any gasoline or other volatile fluid on the ground within the vicinity of the aircraft.
- g. All fuel dispensing equipment, hoses, funnels or apparatus used in fueling or defueling shall be maintained in good condition and be properly grounded, in accordance with FAA and NFPA guidelines, and in compliance with the Federal Water Pollution Control Act.

A person or organization owning aircraft shall be permitted, personally or using the organization's employees, to fuel their own aircraft in accordance with the Airport Rules and Regulations. Self-fueling activities accomplished through the use of a mobile fueler must have approval from the Airport. Prior to its first use on airport property, a mobile fueler must be inspected by the Fire Chief or designee to ensure compliance with NFPA 407 Standard for Aircraft Fuel Servicing and current edition of FAA Advisory Circular 150/5230-4 Aircraft Fuel Storage, Handling, Training, and Dispensing on Airports. The aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel private aircraft.

Further, the Airport prohibits the use of a "CO-OP" (an organization formed by several aircraft owners for the purpose of self-fueling) as a single aircraft owner for the purpose of self-fueling. Self-fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. The operator's fuels may not be sold, given, or ownership otherwise transferred, to other aviation operators.

SECTION 9 – ENVIRONMENTAL MANAGEMENT

Federal Regulations provide the basis for environmental provisions contained in these Rules and Regulations. Specific attention is given to the Airport's obligations to comply with FAR Part 139 and Federal / State regulations as well as permit compliance and inspection requirements. The Airport Environmental Department is responsible for the management and control of the Airport's Environmental Regulations and Standards.

9.01 WILDLIFE MANGEMENT

- a. No person shall feed, approach, disturb, frighten, hunt, trap, capture, wound, kill, or disturb the habitat of any wild bird, reptile, fish, amphibian, or invertebrate anywhere within the Airport. This prohibition shall not apply to action taken by Airport personnel, public officials or their employees or agents within the scope of their authorized duties, to protect public health and safety.
- b. No person shall create an attractant for rodents, birds, or wildlife by leaving food or debris in any open or exposed area.
- c. No person shall feed or do any other act to encourage the congregation of birds, rodents, or other animals on the Airport.
- d. The placement of any device to feed any wild bird, mammal, reptile, fish, amphibian, or invertebrate on the Airport is prohibited.
- e. It is the responsibility of the tenant to maintain their leasehold areas in a manner that does not promote wildlife hazards and prevents wildlife from entering the AOA.

9.02 SERVICE ANIMALS AND PETS

- a. No person shall enter the airport terminal building with a domestic animal, unless such animal is to be or has been transported by air or such animal is a service animal and is kept restrained by leash or otherwise confined so as to be completely under control other than (1) physically impaired person with a service animal; and (2) other animals under the control of authorized handlers and present at the Airport as authorized and approved by the Director.
- b. No person shall, either willfully or through failure to exercise due care or control, permit any animal to urinate or defecate upon the sidewalks of the Airport or upon the floor or carpet of the terminal building or any other building used in common by the public located on the Airport. Persons who fail to abide by this rule will have their animal banned from the Airport property.
- c. The Airport has made necessary arrangements for a Service Animal Relief Area (SARA) located north of the terminal building with signs to guide service animal owners and traveling pet owners.
- d. Pets brought within the AOA must be kept on a leash at all times while inside the AOA. Animal Control Officers may be notified to remove problem animals if necessary. Pet owners who fail to maintain control of their animals, or whose animals pose a threat to public safety and health, may be forbidden from bringing their animals within the AOA.
- e. Any person bringing a pet or other animal on the Airport agrees to indemnify fully, defend, save and hold harmless the Airport, its officers, agents and employees from and against all losses, damages, claims, liabilities, and causes of action of every kind or character and nature, as well as costs and fees, including reasonable attorney fees connected therewith and expenses of the investigation thereof based upon or arising out of damages or injuries to persons or their property caused by the negligence of such a person or animal.

9.03 LITTER AND REFUSE

- a. No person shall place, discharge, or deposit in any manner, papers, trash, rubbish, food wastes or other refuse anywhere on the Airport, except in Airport-approved receptacles and other such places prescribed by the Director.

- b. All outdoor trash receptacles at the Airport shall have lids that can be securely fastened to prevent wind from dispersing the content of such receptacles. All receptacles must be kept closed except when depositing trash in the receptacles or the receptacles are being serviced.
- c. Stored or transported litter or garbage must be in tied plastic bags or sealed containers.

9.04 STORM WATER POLLUTION PREVENTION PLAN

- a. All persons or entities operating or conducting any activity or business upon the Airport shall comply with the Airport Storm Water Pollution Prevention Plan (SWPPP) and any revision thereto. A copy of the Airport SWPPP is on file in the Airport Environmental Department Office and also available at flydurango.com. A tenant may choose to operate under a separate individual SWPPP, but must coordinate the individual plan with the Airport SWPPP and be approved by the Airport Environmental Department.

9.05 DEICING OPERATIONS

- a. All aircraft deicing operations occurring at the Airport must be performed on an Airport approved deicing location.
- b. All commercial traffic deicing at the terminal, to the extent possible, must be performed at the primary deicing location. Deicing may occur at the secondary deicing location if commercial traffic will be delayed due to other deicing operations occurring at the primary location. Notification must be made to Airport ARFF/Operations at 970-759-4342 prior to the use of the secondary deicing location.
- c. All purposeful non-aircraft deicing releases, such as those for training and equipment maintenance, must be reported to Airport ARFF/Operations at 970-759-4342 prior to deicing fluid discharge.
- d. Each lessee that conducts aircraft deicing operations must track and record the use of aircraft deicing fluids on a monthly basis and report this use to the Airport Environmental Department by the tenth (10th) day of the following month. The monthly report must include total gallons of diluted Type I and Type IV deicing fluid applied during the previous month, as well as inventories of Type I and Type IV concentrate on hand at the time of submission.

9.06 ENVIRONMENTAL POLLUTION AND SANITATION

- a. No person shall dispose of any fill, building or construction materials, or any other discarded waste materials on Airport property except as approved in writing by the Airport Environmental Department or the Director. No liquids or other contaminants of any kind shall be placed in storm drains at the Airport which will damage such drains or will result in environmental pollution passing through such drains.
- b. No person shall clean, paint, wet wash, polish, or otherwise maintain an aircraft, vehicle, or ground equipment, other than in areas approved and in the manner designated by the Airport Environmental Department or the Director.
- c. No person shall perform aircraft, vehicle, or equipment washing (dry or wet) without an aircraft or vehicle washing plan that has been approved by the Airport Environmental Department or the Director.
- d. Any solid or liquid material which is spilled at the Airport shall be cleaned up immediately by the person or entity responsible for such spill in a manner acceptable to the Director. The person or entity responsible for the spill shall report it immediately to the Airport Environmental Department at 970-382-6061, or to Airport Operations at 970-759-4342. All costs for the cleanup shall be the sole responsibility of the person or entity responsible.
- e. No refuse, trash, or other materials shall be burned at the Airport.
- f. No person shall in violation of applicable law, cause any smoke, dust, fumes, gaseous matter or particulate to be emitted into the atmosphere or be carried by the atmosphere.

9.07 HAZARDOUS MATERIALS

- a. No person shall violate any applicable federal, state, or local law pertaining to the handling, use, generation, storage, treatment, release, potential release, disposal, discharge, sampling, reporting, or recordkeeping of any hazardous substance, hazardous material, hazardous waste, waste oil, or waste water. Each of the terms “hazardous substance,” “hazardous material,” “hazardous waste,” “waste oil,” or “waste water” as used in this regulation shall mean the same as the term means in the aforementioned applicable law in which it is used.
- b. No person shall, without prior written permission from the Director, keep, transport, handle, or store at, in or upon the Airport any cargo of explosives or other hazardous articles which is barred from loading in, or for transportation by, civil aircraft in the United States of America under applicable law. Compliance with said applicable law shall not constitute or be construed to constitute a waiver of the required notice or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the Airport.
- c. No person may offer, and no person may knowingly accept, any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with all provisions of applicable law.
- d. Any person engaged in transportation of hazardous articles shall have designated personnel at the Airport authorized and responsible for receiving and handling such shipments.
- e. Any person engaged in the transportation of hazardous articles shall provide storage and facilities which reasonably ensure against unauthorized access, or exposure to persons and against damage to shipments while at the Airport.
- f. Each person or entity shall be liable and responsible under this section for any acts or omissions made in violation of this section by any of its employees, agents, consultants, contractors, subtenants or invitees.

9.08 CONTROL OF CONTAINMENTS AND SPILLS

- a. No person shall allow fuel, oil, hydraulic fluid, any other petroleum based product, or any other contaminant, including detergents, to leak or spill onto any Airport surface.
- b. No fuel, grease, oil, flammable liquids, or contaminants of any kind, including detergents used to wash aircraft or other surfaces, shall be allowed to flow into or be placed in any storm drain, sewer system or open water areas without a separator or unless connected to an industrial waste system in which certain constituents such as heavy metals in the waste system are restricted.
- c. No person shall allow any solid or liquid to be discharged to any exterior drain, inlet, manhole, or other storm sewer connection without first obtaining written approval from the Airport Environmental Department or the Director to do so.
- d. Chemicals must be stored in a manner to minimize the potential for spills to reach any drains. Chemicals shall be stored inside bulk chemical storage drums and must be placed within spill pallets to contain spills and releases. To the greatest extent possible, all chemical containers should be stored indoors to prevent contact with storm water.
- e. All Airport businesses, tenants, subtenants, and/or contractors must maintain a supply of absorbents, containment dikes, and/or other spill containment and clean up equipment onsite at all times. Such containment and cleanup equipment must be suitable for the contaminants used onsite and maintained in sufficient quantities to control a reasonable expected spill or release from routine operations.

9.09 SPILL OR RELEASE NOTIFICATION AND CLEANUP

- a. Airport businesses, tenants, subtenants, and/or contractors must immediately report all fuel, motor oil, and hazardous material spills of any volume to Airport ARFF/Operations at 970-759-4342.

- b. Airport businesses, tenants, subtenants, and/or contractors causing the spill or release of any chemical are responsible for the containment and cleanup of the spill or release, including all associated costs which may occur due to the cleanup.
- c. Airport Environmental Department personnel may respond to a spill if it overwhelms the responsible party's ability to contain and clean up the spill. In such a case, the business, tenant, subtenant, and/or contractor causing the spill will incur a fee for any personnel, containment, clean up, and/or disposal costs borne by the Airport as a consequence of the spill.
- d. All external notifications to regulatory agencies shall be coordinated through the Director via the Airport Environmental Department; however, all Airport businesses, tenants, subtenants, and/or contractors are responsible for making all notifications required by the federal, state, and local regulations for releases resulting from their operations.

9.10 POTABLE WATER

- a. No person shall uncover, alter, disturb, make any connection to, make an opening into, or backfill prior to the inspection of the Water System without written authorization from the Airport Environmental Department. Unauthorized uses of or tampering with the Airport systems include, but are not limited to, change in customer's equipment, an unauthorized turn-on or turn-off of water service or a water main, burying valve boxes and/or manholes, preventing access to the meters by, for example, parking a vehicles over or otherwise blocking or preventing access to meters or valves, unmetered water use, and modifying any water meter.
- b. No contamination or pollution of the potable public water supply shall enter the water system through a connection between the potable water system and a non-potable system or container, or by means of backflow from the customer's system. Violations of this provision may result in a suspension of service.
- c. The customer shall notify the Airport if the customer's water meter appears to be operating inaccurately, The Airport also may examine metered usage data and conduct tests to determine possible meter inaccuracy. If any meter inaccuracy is suspected to be due to a broken meter or a defect in the meter, the Airport shall pursue repair or replacement of said meter at the Airport's expense. If the need to repair or replace the meter is the result of negligence or tampering by the customer, the cost for the meter repair or replacement shall be the responsibility of the customer and will be added to the customer's service charge bill.
- d. The repair of leaks, breaks, and general maintenance of the water service of the customer's side of the water meter shall be the responsibility of the customer. If the Airport becomes aware of any related problem, the customer shall be given notice that the water service is in need of repair. The customer shall institute repair or maintenance immediately. If satisfactory progress toward repairing the water service has not been made in a timely manner, or the Airport determines that environmental or property damage is being caused, the Airport shall shut off the water service until repaired.
- e. No non-emergency personnel shall operate Airport valves or fire hydrants without prior written authorization by the Airport Environmental Department, Fire Chief, or the Director.
- f. The Airport reserves the right to enact restrictions on potable water use during times of severe water shortage, whether by drought or operational necessity. Violations of water restrictions enacted by the Airport may result in a suspension of service.

9.11 SANITARY SEWER

- a. No person shall discharge or cause to be discharged any of the following described water or wastes into the Airport Sewer System:
 - i. Storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water, unpolluted industrial process waters, or any other unpolluted water.

- ii. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - iii. Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any Airport system, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.
 - iv. Any waters or wastes having a pH outside of the range 6.5 to 9.0 SU, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the Waste Water Treatment Facility.
 - v. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other deleterious effects on the Airport Sewer System and interference with the proper operations of the Waste Water Treatment Facilities such as, but not limited to: garbage, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, grease, oil, wood, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- b. All non-domestic waste water not explicitly prohibited above must be evaluated and approved by the Airport Environmental Department for suitability before it is discharged into the Airport Sanitary Sewer.

9.12 UNLEADED FUEL PUMP

The Durango-La Plata County Airport owns and operates a fuel pump for the use of Airport owned vehicles and tenant vehicles operating on Airport grounds. All tenants and users of the unleaded fuel pump shall understand the current fuel prices at the Airport. All tenants and users accept all costs associated with the distribution of fuel. All tenants and users of the unleaded fuel pump shall abide by these regulations set forth in this section.

- a. In the event of a pump malfunction causing a fuel spill, flow from the Unleaded Tank can be stopped by pressing the red emergency stop button on the perimeter fence adjacent to the Unleaded Fuel Pump. Airport ARFF/Operations must be notified immediately of any fuel spills at 970-759-4342. The person who experienced the fuel spill must wait until the arrival of Airport personnel before leaving the Unleaded Fuel Pump.

9.13 UNLEADED FUEL KEYS

- a. To request a new unleaded fuel key, tenants should obtain a fuel key request form from the Airport Environmental Department or Airport Administration. Once the form is completed and signed by the appropriate signatory of the requesting agency, unleaded fuel keys will be issued to tenants at a cost of \$10 per key. The tenant is responsible for all fuel keys issued to its employees.
- b. Lost or stolen fuel keys must be reported to the Airport Environmental Department at 970-382-6061 or Airport ARFF/Operations at 970-759-4342 as soon as possible. Lost or stolen keys will be deactivated at the unleaded fuel pumps as soon as they are reported to the Airport to prevent unauthorized transactions. The Airport is not responsible for any unauthorized transactions billed to tenants as a result of a lost or stolen fuel key.

SECTION 10 – OPERATING DIRECTIVES

The Director is authorized and empowered to issue written operating procedures and directives in order to implement the provisions of the Durango-La Plata County Airport Rules and Regulations Ordinance, and as necessary to ensure compliance with all federal, state, and local laws, ordinances, and regulations and to maintain a safe, secure and efficient Airport for use by the public.

SECTION 11 – PENALTIES

11.01 VIOLATIONS

- a. Any violation of these Rules and Regulations by an Airport business, tenant, subtenant, consultant, agent, and/or contractor could result in a civil fine with an amount determined by the Director.
- b. Any violation of these Rules and Regulations shall be deemed a nuisance per se, permitting the Airport to take such action in any court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.
- c. Any violation of these Rules and Regulations that is deemed to be a crime will be reported and acted upon by Law Enforcement Officials with the proper jurisdiction.

11.02 FINES AGAINST THE AIRPORT

- a. Any person who violates any of these Rules and Regulations, any environmental law, or the Airport's Security Plan which results in a fine or penalty being assessed against the Airport, by any federal, state, or local governmental agency shall be, at a minimum, fully liable for the payment, reimbursement, restitution of such fine, or penalty after notice and opportunity to participate in the defense of such a fine or penalty.

SECTION 12 – LA PLATA COUNTY TRAFFIC CODE

These traffic code regulations regarding parking and vehicular traffic at the Durango-La Plata County Airport are on file in the county clerk and recorder's office.

La Plata County Code – Sec. 14-31. Use of airport; parking and vehicular traffic

Cross reference – Airport Commission, § 2-111 et seq.; public places, Ch. 38.

State Law reference – Aeronautics; Aircraft and Airports, C.R.S. § 41-1-101 et seq

SECTION 13 – OTHER

13.01 SAVINGS CLAUSE

- a. All proceedings and all rights and liabilities existing, or incurred at the time these Rules and Regulations take effect are saved and may be consummated according to the law in effect when they are commenced. These Rules and Regulations shall not be construed to affect any prosecution pending or initiated before the effective date of these Rules and Regulations for an offense committed before that effective date.

13.02 SEVERABILITY

- a. If any section, paragraph, clause, phrase or part of these Rules and Regulations are held invalid by any court of competent jurisdiction, or by any agency, department or commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions of these Rules and Regulations, and the application of those provisions to any person or circumstances shall not be affected thereby.