

ANDREWS-MURPHY AIRPORT  
OPERATIONS PLAN

## RULES AND REGULATIONS

BE IT RESOLVED by the Board of Commissioners of Cherokee County, located in the County of Cherokee and in the State of North Carolina, that the rules and regulations governing Andrews-Murphy Airport, as hereinafter more particularly set out, be and are hereby approved by the said Board of County Commissioners.

### SECTION 1

1. Unless from the context a different meaning is apparent as used in these regulations, the terms hereinafter used shall be defined as follows:

"Owner" shall mean the Board of Commissioners of Cherokee County. "Airport" shall mean the Andrews-Murphy Airport. "Airport Manager" shall mean the officer or representative of the Commission having immediate charge of the Airport. "Person" shall mean an individual, partnership, firm, association or corporation. "FAA" shall mean the Federal Aviation Administration.

### SECTION 2

2.1 The Airport Manager shall at all times have authority to take such action as may be necessary in the handling, conduct and management of the public in attendance at the Airport and enforce these regulations. If any contingencies not specifically covered by these rules and regulations the Airport Manager shall be authorized to make such rules and orders and render such decisions as to him may seem proper.

## SECTION 3

### General Regulations

3.1 The Owner has the right to and does hereby regulate all commercial enterprises using the Airport as a basis of operation, whether such operation is aeronautical or nonaeronautical in nature. No commercial operation of any kind or type shall be conducted on the Airport unless specifically authorized by the Owner.

3.2 A flying club is recognized as a plan for the joint ownership of aircraft and the fair distribution of the cost of maintaining and operating such aircraft. Such operation is not considered to be commercial in nature when so operated. Neither is flight instruction by club members for other members considered to be commercial in nature so long as there is no profit or for-hire motive involved in the operation. In all cases the Owner will determine if the operation of a flying club or other such organization is commercial. If determined to be commercial, the club shall conform to the requirements set forth herein for commercial fixed base operators.

3.3 The use of the Airport or any of its facilities in any manner shall create an obligation on the part of the user thereof to obey all the regulations herein provided and adopted by the Owner.

The privilege of using the Airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user thereof, and he shall release and hold harmless and

indemnify the Owner, its officers and employees from any liability of loss resulting from such use, as well as claims of third persons to using the Airport.

The privilege of using the Airport shall be upon the further condition that any person, persons, corporations, co-partnership, or others desiring to use the name, shall furnish a policy of indemnity against personal injury and property damage in such sum as the Owner shall require.

3.4 Any person violating any of the Airport rules and regulations may be deprived of the use of the Airport facilities for such period of time as may be necessary to be effective.

3.5 No person shall solicit funds for any purpose and no signs, advertisements or circulars may be posted or distributed at the Airport without permission of the Owner.

3.6 Garbage, refuse and other waste material shall be placed in receptacles provided for such purpose by the person, and no person shall destroy, remove or disturb in any way buildings, signs, equipment, markers or other property on the Airport.

#### SECTION 4

##### Motor Vehicle Regulations

4.1 Unless authorized by the Airport Manager, no highway or automotive vehicle shall be operated on the Airport except on roadways, parking areas, etc., that are specifically designated for such vehicles. Such vehicles shall be parked in the manner

prescribed by the Airport Manager while on the Airport and as indicated by posted signs.

4.2 Fixed Base Operator customers shall park in areas designated by the Airport Manager.

4.3 When aircraft are parked on the ramp or apron for the purpose of loading or unloading, no vehicle shall be driven between the aircraft and the loading gate or fence.

4.4 All vehicles operating within the landing area shall be painted a bright yellow, international orange, or display an international orange and white checkered flag of not less than three feet square, with one foot square.

4.5 Every accident involving injury or property damage shall be reported to Airport Manager.

4.6 No persons shall operate any vehicle in a careless manner or negligent manner or in disregard for the safety of others, or in excess of posted speed traffic signs. All persons are required to carry liability insurance on all vehicles.

## SECTION 5

### Aircraft Operations Regulations

5.1 The air traffic rules and aircraft operations regulations of the FAA as in effect and all additions thereto are made a part of these airport rules and regulations as fully as if set forth herein.

5.2 Aircraft shall not be parked or taxied between the gasoline pumps and flight operations area.

5.3 Aircraft engines shall be started and run up only in the places designated for such purposes. At no time shall engines be run up when hangars, shops, airplanes, or any buildings or persons are in the path of the propeller stream and/or jet exhaust.

5.4 No aircraft shall be parked, stored, or repaired at the Airport except in the areas designated for such use.

5.5 At the direction of the Airport Manager, the operator, owner, or pilot of any aircraft on the Airport shall move the aircraft from the place where it is parked or stored, to any other place designated on the Airport. If the operator refuses to comply with the directions, the Owner, through the Airport Manager, may tow the aircraft to such place, at the operator's expense and without liability for damage that may result from such moving.

5.6 In the event of an accident, the Owner, through the Airport Manager, may move damaged aircraft from the landing areas, ramps, aprons, or other areas at the expense of the owner and without liability for damage resulting from such moving.

5.7 The pilot of an aircraft involved in an accident on or near the Airport causing personal injury or property damage, shall report to the Airport Manager. In the event that he is unable to do so, the owner of the aircraft or his agent shall make such report.

5.8 Airport property damaged or destroyed by an accident or otherwise shall be paid for by parties responsible.

5.9 The Airport Manager shall have the authority to detain any aircraft for non-payment of any charges due.

5.10 No person shall taxi an aircraft until he has ascertained by visual inspection of the area that there will be no danger of collision with any person or object in the immediate area.

5.11 Aircraft shall be taxied at a safe and reasonable speed with due respect for other aircraft, persons or property.

5.12 All take-offs and landings shall be confined to the runways and all movement of aircraft shall be confined to the hard surface areas.

5.13 No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft, or persons being personally conducted by airport attendants shall be permitted to enter the landing area proper, taxi space, or aprons. However, this does not give any person or persons so excepted the privilege of unrestricted use of the Airports. These privileges are confined to the necessary use of these spaces in connection with the flights, inspections and routine duties.

## SECTION 6

### Rules for Aircraft Fueling Operations

6.1 No aircraft shall be fueled or drained while the aircraft engine is running or while the aircraft is in a hangar or an enclosed area.

6.2 During all fuel operations the aircraft shall be grounded by an approved method.

6.3 Smoking or lighting of an open flame shall be prohibited within fifty feet of any fueling operation.

6.4 Fueling operations shall be conducted and fuel trucks shall be parked at least fifty feet from any hangar or building.

6.5 All fuel dispensing equipment shall be of a modern design and shall be kept in a safe and non-leaking condition.

## SECTION 7

### Fire Regulations

7.1 Smoking or lighting of an open flame is prohibited at places with posted signs, within fifty feet of any aircraft and within fifty feet of hangars, fuel trucks, or fuel loading stations, and tank farms.

7.2 No person shall start an open fire any place on the Airport without permission of the Airport Manager.

7.3 No person shall store material or equipment, use inflammable liquids or gases, or allow their premises to become in such conditions so as to violate, in any manner, the fire code in force in the area of the airport.

7.4 Tenants of all hangars and buildings shall provide suitable fire extinguishers and equipment and they shall be kept in good condition as recommended by the Fire Chief and inspected at least every twelve months by trained personnel.

7.5 Tenants and persons are required to keep their premises clean and clear of all rubbish, junk, debris, old aircraft and



vehicles, and any other unsightly objects. If after warning by the Airport Manager the area is not cleaned, cleaning will be done by the Airport Manager and billed to the tenant or person.

### SECTION 8

#### Regulations Governing Minimum Requirements for all Fixed Base Operations

8.1 All fixed base operations at the Airport shall be full-time, progressive business enterprises, with manned office facility at the Airport during all business hours.

8.2 Fixed Base Operators will be required to furnish the Owner a Performance Bond commensurate with the construction required under the minimum standards of services to be performed.

8.3 All construction required herein shall be in accordance with design and construction standards established by the Owner for the facility involved.

8.4 The Owner shall determine substantial conformance to the standards for Fixed Base Operators. No Fixed Base Operator shall be allowed to operate on the Airport without a fully executed lease agreement with the Owner.

8.5 Fixed Base Operators must show financial solvency and business ability to the satisfaction of the Owner.

8.6 The minimum liability insurance which a Fixed Base Operator shall carry is \$100,000 to \$300,000 for bodily injury and \$50,000 for property damage.

8.7 Fixed Base Operators providing sale of aviation petroleum products and hangar rental must meet the minimum

standards as shown herein and provide all the services and meet all the requirements listed below in Sections 8.9 through 8.11.

8.8 Fixed Base Operators providing services in Sections 8.12 through 8.14 must meet the established standards for the given service but may not engage in sale of aviation petroleum products or hangar rental without complying with Section 8.7 as shown above.

8.9 Sale of Aviation Petroleum Products. To provide this service, the Fixed Base Operator must provide and maintain 700 square feet of office, lounge and restrooms, which may be an adjunct to other structures and facilities as shown in Section 8.11.

8.10 Air Services. Ramp services shall be provided for time during daylight hours by the Fixed Base Operator.

8.11 Aircraft Maintenance and Repairs. The Fixed Base Operator shall lease from the Owner or construct and maintain at least a 3000 square foot hangar properly equipped, and try to provide the services of at least one full-time FAA certified A&P mechanic, and as many properly FAA certified personnel as may be required to perform all various aircraft maintenance and repairs in accordance with all rules and regulations and directions of the FAA and other governmental bodies having jurisdiction thereof.

8.12 Aircraft Sales. The Fixed Base Operator selling aircraft shall provide and maintain a minimum of 5000 square feet

of hangar, showroom and office space. This shall be a full-time, progressive business operation, providing sales facilities and sales personnel during normal daily business hours.

8.13 Flight Instruction, Charter Service, Aircraft Rental. The Fixed Base Operator may engage in flight instruction, charter service and/or aircraft rental (any one or all of these services), provided that the Fixed Base Operator shall provide a minimum of two aircraft at the Airport and the Fixed Base Operator must make suitable arrangements for hangaring and/or parking of his aircraft at the Airport. The Fixed Base Operator must provide only properly certified instructors and pilots with ratings and qualifications as required by the FAA in the performance of all operations outlined in this paragraph.

8.14 Miscellaneous operations such as radio and instrument repairs, serial advertising, crop dusting and other aeronautical activities not hereinbefore provided for may be conducted by any person, firm or corporation upon application to and approval of the Owner. Reasonable terms and conditions for the privilege of engaging in these various services will be established by the Owner commensurate with the nature and scope of the activities involved.

8.15 Definition of Terms. The term "Fixed Base Operator(s)" and/or "Fixed Base Operations" as used herein is hereby defined as any person, firm or corporation entering into any one or all of the above ad described in Section 8.1 through 8.4 and Section 8.7 through 8.14.

8.16 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

8.17 Minimum Standards for hangars, and other buildings to be constructed on the Airport. Hangars shall contain a minimum of 5000 square feet of floor space in the hangar. Buildings shall be fireproofed and of metal or masonry construction, properly designed doors at both ends, stressed in accordance with the national building code, floor and ramps of concrete or properly compacted subgrade of sufficient designed load strength to sustain all typed of aircraft which it is planned to have use the facility.

An area of 700 square feet of office space, restrooms and lounge which may be an adjunct to other buildings, must also be fireproofed and of steel or masonry construction.

Adopted this the 19th day of November, 1990.

(CORPORATE SEAL)

ATTEST:

Robert L. Lacey  
Clerk, Board of Commissioners

CHEROKEE COUNTY

BY: Albert J. Graws  
Chairman, Cherokee County  
Board of Commissioners

(CORPORATE SEAL)

ATTEST:

June J. Mills  
Secretary

ANDREWS-MURPHY AIRPORT

BY: Richard Davis  
President