

ARTICLE II

Rules and Regulations

[Adopted 8-7-1990; amended 3-18-2003]

§ 70-3. Definitions.

Unless the context otherwise indicates, the following words when used in any rule or regulation administered by the Maine Department of Transportation, Bureau of Aeronautics for the Town of Sanford shall have the following meanings:

AIRCRAFT — Any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment.

AIRMAN — Any individual who engages, as the person in command or as pilot, mechanic or member of the flight crew, in the navigation of aircraft while underway, and any individual who is directly in charge of the inspection, maintenance, overhauling, or repair of aircraft, aircraft engines, propellers, or appliances.

AIRPORT — The Sanford Seacoast Regional Airport as it now exists and as it may be expanded in the future, including all lands and roadways. [Amended 5-1-2012]

AIRPORT MANAGER — The Manager of the Sanford Seacoast Regional Airport as appointed by the Town Council. [Amended 2-5-2008; 5-1-2012]

FIXED BASE OPERATOR — Any person or company engaged in the business of the sale of aircraft, aircraft parts, fuel, and petroleum products, or rental of aircraft, flight instruction, and the rendition of any related service who or which has applied to the Town and received a license to operate on the Airport in accordance with the Minimum Operating Standards for Sanford Airport.

FSS — The Flight Service Station operated by the Federal Aviation Administration.

MINIMUM STANDARDS — Refers to the Minimum Operating Standards for Sanford Airport as approved by the Town and as amended in the future.

PERSON — Any individual, firm, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee or other similar representative thereof.

TOWN COUNCIL — The Town Council of the Town of Sanford, Maine. [Amended 2-5-2008]

§ 70-4. Rules and regulations established. [Amended 5-1-2012]

The Town of Sanford, Maine, hereby establishes rules and regulations controlling and governing the Sanford Seacoast Regional Airport. These rules and regulations shall supersede all prior rules and regulations governing the Sanford Seacoast Regional Airport and the amendments thereto which are repealed upon adoption of these rules and regulations, except the Minimum Operating Standards for Sanford Airport.

§ 70-3 § 70-5

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§70-1 PURPOSE

Sanford Seacoast Regional Airport (SFM or Airport) is municipally owned and operated by the City of Sanford, Maine as a Public General Aviation Reliever Airport. These Airport Rules and Regulations (hereinafter Rules) are intended to promote the safety, interest, and welfare of the public in general and in particular the operators, lessees, tenants, consumers, and users of SFM.

§ 70-5. Purpose; administration. [Amended 2-5-2008; 5-1-2012]

Commented [MAR1]: Moved to Appendix A; Updated to match FAA definitions

The following rules and regulations govern the administration, operation and use of the Sanford Seacoast Regional Airport. These rules are to be strictly administrated by the Town Council or by its duly appointed representative under the Council's control and responsibility.

§ 70-6. Scope. [Amended 2-5-2008]

All persons on the Airport shall be governed by these rules and regulations which are subject to change by Town Council action only. In any contingencies not covered by these rules and regulations, the Airport Manager upon direction and instruction of the Town Council is hereby authorized to establish on a pro forma basis such additional rules and regulations as may seem desirable and proper. The Airport Manager, or his duly authorized representative, and the Town Council shall deny the use of the Airport to any person who knowingly violates any rule or regulation herein established (or to be established prior to violation). Such person upon conviction shall be subject to such fines or other penalties as may be established by rules and regulations or state or federal law.

70-1.1 SCOPE

1. These Rules apply to all users, aeronautical and otherwise, of Airport property and are subject to change by City Council action only. The Rules are not all-inclusive and reinforce and emphasize federal, state, and local statutes, laws, ordinances, and regulations as well as leases and agreements that may apply. Individual Airport users must adhere to the applicable provisions of these Rules, as well as any applicable leases and agreements, and all pertinent federal, state, and local statutes, laws, ordinances, and regulations that may be applicable to their operations. In any case where a provision of the Rules and Regulations is found to be in conflict with any other provision of these regulations or in conflict with a provision of any zoning, building, fire, safety, health or other ordinance, code, rule, or regulation of the City of Sanford, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.
2. These Rules and Regulations are made part of the City of Sanford's ordinances under Chapter 70 Article II. Violations of the Rules may result in revocation of Airport access privileges, denial of use of the Airport, termination of leases or other agreements, and/or prosecution under applicable laws. Perpetration of violation(s) shall be considered as a factor in renewing or not renewing a violator's application or lease renewal. Use of Airport property without approval or in conflict with these Rules is considered a trespass.
3. In any contingencies not covered by these rules and regulations, the Airport Manager upon direction and instruction of the City Council is hereby authorized to establish on a pro forma basis such additional rules and regulations as may seem desirable and proper. The Airport Manager, or her duly authorized representative, and the City Council shall deny the use of the Airport to any person who knowingly violates any rule or regulation herein established (or to be established prior to violation). Such person upon conviction shall be subject to such fines or other penalties as may be established by rules and regulations or state or federal law.
4. These Rules may be amended as required through the legislative procedure of the City Council.

§ 70-7. Liability:

Any person using the Airport and its facilities shall do so at his/her own risk. The Town

of Sanford, Maine, will not assume any responsibility for loss, injury, damage, or death to persons or property caused by fire, theft, vandalism, flood, earthquakes, acts of God, the public enemy, or for any other reason.

§ 70-8. Police power.

All powers of the Maine State Police, York County Sheriff's Department, State of Maine Fish and Game Department and the Sanford Town Police extend to all areas of the Airport.

70-1.2 AUTHORITY, ADMINISTRATION AND POLICE POWER

1. These rules are to be strictly administrated by the City Council or by its duly appointed representatives under the Council's control and responsibility.
2. Nothing in these Rules is intended to preclude any authorized City personnel from taking other action authorized by law.
3. Authority of the Airport Manager. The Airport Manager, or her designee, shall have authority to interpret this article and require measures on any project, event or operation requiring a permit, written permission, or other activity on the Airport. The Airport Manager or her designee shall also have the authority to require any changes or revisions to operations including, but not limited to, requiring the presence of uniformed police officers, during the operation as changing conditions and safety concerns warrant. In certain situations, and at her discretion, the Airport Manager may also allow reduction or relaxation of some criteria described herein. Any such reduction or relaxation shall not relieve any fixed base operator, tenant, contractor, person or entity of their legal responsibilities to protect the public and any and all property from injury or damage. Failure by the fixed base operator, tenant, contractor, person or entity to provide such measures to the satisfaction of the Airport Manager may result in enforcement action as indicated herein.
4. All powers of the Maine State Police, York County Sheriff's Department, State of Maine Fish and Game Department and the City of Sanford Police Department extend to all areas of the Airport.

§70-2 GENERAL

70-2.1 COMPLIANCE AND RESPONSIBILITIES

1. By adoption and publication of these rules, all persons based at SFM will be deemed to have knowledge of the contents herein.
2. Entry upon/into the Airport by any person shall be deemed to constitute an agreement by such person to comply with and be governed by these rules. All persons employed on or using the Airport shall cooperate with the Airport Manager or her designated representatives to enforce these Rules.
3. Voiding of any particular rule or regulation contained herein shall not affect the validity of the remainder of these regulations.

§ 70-9. Report of accidents.

Any person involved in any accident at the Airport, whether it be personal, aircraft, or vehicular, shall make a written report of such accident to the Airport Manager as soon as possible. Such report shall be in addition to any report required by law.

§ 70-10. Safety rule.

No person shall do or omit to do any act if the doing or omission thereof endangers, or is likely to endanger, persons or property on the Airport.

Commented [MAR2]: Moved to 70-2.3

Commented [MAR3]: 70-1.2.4

Commented [MAR4]: Language mirrors existing ordinances for City departments such as Public Works Director

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§ 70-5 § 70-11

70-2.2 EMERGENCY PROCEDURES AND DIRECTIVES

1. Under emergency conditions, e.g., a natural disaster, the Airport Manager, or designated representative, is empowered to suspend these Rules, or any part thereof, including ordering persons to leave the Airport or portions of the Airport and prevent access to such areas for such time as may be necessary, and to issue such directives and take such actions as is necessary to protect life and property and ensure the safe operation of the Airport. Such directives and actions have the full power of regulation as long as the emergency exists.
2. In the event of an extreme threat, condition, or event, the Airport Manager shall have, ~~in her~~ discretion, and the authority to close the Airport in its entirety or any portion thereof to air traffic, to prohibit aircraft landing and/or taking off, and may delay or restrict any flight or other aircraft operation.
3. The Airport Manager may also, ~~in her~~ with discretion, temporarily close the Airport due to periods of adverse climatic conditions when such action is considered necessary and desirable to avoid endangering persons or property or when such action is required by Federal Regulations.
4. Under no circumstance shall an authorized Airport closure or restriction constitute grounds for reimbursement of any expense, loss of revenue, or damage incurred by any operator, lessee, or any other entity.

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§ 70-11. Conduct and use of Airport.

No person shall be intoxicated or disorderly, engage in any form of gambling or commit any act of nuisance at the Airport, nor shall any person omit or do any act if such act or omission endangers other persons or property.

§ 70-12. Airport property.

No person shall destroy or disturb any building, equipment or flora at the Airport, nor alter or erect any building or sign, nor abandon any personal property at the Airport, nor use or confiscate materials or property of others without the written consent of the Airport Manager or the Town Council.

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70-2.3 LIABILITY, FACILITIES AND PROPERTY

1. The City assumes no responsibility or liability for loss, injury or damage to persons or property on the airport or using airport facilities, including but not limited to fire, vandalism, wind, flood, earthquake, or collision damage, nor does it assume any liability by reason of injury to person or property while using the facilities of same.
2. Operational deficiencies regarding buildings, structures, equipment, utilities, or other property owned by the City shall be reported to the Airport Manager so that repairs, as necessary, may be made in a timely manner.
3. Any person causing, or liable for, any damage to airport property, shall be required to pay the City on demand the full cost of repairs to the damaged property. Any person failing to comply with these rules may be refused the use of the airport. (Tenants, lessees and users shall be held fully responsible for all damage to buildings, equipment, real property and appurtenances in the ownership of the Airport caused by negligence, abuse or carelessness on the part of their employees, servants, agents, or customers.

70-2.4 OTHER LAWS

All applicable provisions of Federal Aviation Regulations (FAR), federal, state, and local regulations, laws, statutes, and/or ordinances now in existence or hereafter promulgated are hereby adopted as part of the Rules for SFM.

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§ 70-13. Damage to Airport property.

~~Any person liable for causing damage to Airport property shall be required to pay full amount of such damage upon demand of the Airport Manager and/or the Town Council. Any person failing to do so may be deprived of the use of the Airport and its facilities until full reimbursement has been made. tenants, lessees and grantees shall be held fully responsible for all damage to buildings, equipment, real property and appurtenances in the ownership of the Airport caused by negligence, abuse or carelessness on the part of their employees, servants, agents, or customers. Any damage to, or malfunctioning of, buildings, structures, utilities, or other Airport property shall be reported at once to the Airport Manager.~~

Commented [MAR8]: 70-2.3.3

70-2.5 ENTRY UPON AND USE OF AIRPORT:

1. The airport shall be conducted as a public air facility for the promotion and accommodation of civil aviation and associated activities.
2. Entry into SFM property shall be through designated gates by authorized persons only. Authorization is granted by the Airport Manager or her designee through the completion of a form, verified identification, and, if applicable, payment of a fee or deposit for a gate card.
3. All SFM users shall observe and obey all posted signs, fences, and barricades regarding activities and demeanor while on the Airport.
4. Use of any SFM facility for other than authorized purposes is prohibited.
5. Nothing herein contained shall be construed to limit the use of any area of the Airport by its employees, approved contractors, or to prevent law enforcement or fire department personnel from acting in their official capacity.
6. No camping is permitted on SFM without written permission of the Airport Manager.

70-2.6 ACCESS TO THE AIRPORT OPERATIONS AREA

1. No person may, without authorization of the Airport Manager, walk or drive on the SFM Airport Operations Area (AOA) which includes runways and taxiways except:
 - a. Persons under the direct supervision of a an airport employee;
 - b. Persons or entities and their employees performing aeronautical activities;
 - c. Emergency vehicles during an emergency.
2. Except for the period of operation during entry/exit, all ground vehicle gates will be secured. Vehicle operators using an Airport gate shall ensure the gate closes prior to leaving the vicinity. Should a vehicle operator observe any suspicious vehicles or persons gain (or attempt to gain) access to the airside, they shall notify the Airport Manager immediately and notify law enforcement if appropriate.
3. Persons who have been provided an Airport access device (card or remote) or access code for the purpose of obtaining access to the Airport shall use only Airport issued devices and shall not duplicate or otherwise distribute or disseminate the same to any other person unless the Airport Manager provides written permission.
4. It shall be the responsibility of a tenant, lessee, or contractor to restrict persons or vehicles to their exclusive use area or leasehold and to establish operating procedures for them, reviewed by the Airport Manager for appropriateness.

5. No person shall assist an unauthorized individual in accessing the AOA.
6. The Airport Manager or any other authority responsible for the operation and safety of the Airport is hereby authorized to take appropriate action to ensure the Airport is safeguarded at all times, including the temporary override of gates, closers and locks of damaged or otherwise found inoperable gates and/or doors, or the placement of blockades or other types of barriers of fencing material as needed should the gate or fence be found unsecured or the Airport safety is at risk of being breach or the privilege of access onto the Airport is, in the discretion of the Airport Manager, being abused. Such safeguards, when taken, shall be clearly posted and not removed by the tenant, off-Airport property owner, business operator or any other person until expressly authorized by the Airport Manager.

70-2.7 ANIMALS

1. Animals, including service animals, are permitted on Airport property only when under the direct control of their owners/handlers. Any waste must be properly collected and removed by the animal's owner/handler immediately.
 - a. Any person found violating 70-2.7.1 may have his/ her privilege of bringing an animal onto Airport property revoked.
2. No person shall commit any act to encourage the presence or congregation of birds or other animals on the Airport.

70-2.8 CARGO, MATERIAL STORAGE, AND ABANDONED PROPERTY

1. Unless otherwise provided for by lease or other contractual agreement, no person, firm, partnership, or corporation, shall use any area of the Airport, including buildings, either privately owned or publicly owned, for the storage of non-aeronautical related cargo, equipment, or any other property without written permission of the Airport Manager.
2. Any property, aircraft, or vehicle determined to be abandoned, disabled, or which creates an operations problem, nuisance, security or safety hazard, or which otherwise is placed in an illegal, improper, or unauthorized manner, will be removed, stored, and/or disposed of at the owner's expense. The City shall not be liable for any damage to the property or loss or diminution of value that may be caused by the act of removal.
3. Any unauthorized aircraft or vehicle which has been parked in any unauthorized space may be removed or caused to be removed.

Commented [SB9]: This seems to be quite common – enforceability and or verification? Removed the old Section 70-16 semi-annual hangar inspections. Should the ability to inspect be preserved in this Amendment?

Commented [MAR10R9]: Ability to inspect is preserved in the Minimum Standards for persons and entities who lease on the Airport. It is also restated in every lease agreement.

Commented [MAR11]: 70-2.9

§ 70-14. Weapons, firearms and explosives.

No person, except those duly authorized by law, shall carry any weapon, firearm, or explosive on the Airport, except encased sporting guns for air shipment.

70-2.9 FIREARMS AND WEAPONS

Firearms are allowed on SFM only as permitted by local, state and federal statutes.

70-2.10 ADVERTISING, COMMERCIAL SPEECH, AND SIGNAGE

1. No person shall post, circulate, distribute, or display written or printed materials or signs on Airport property, fencing or facilities without prior written permission from the Airport Manager.
2. Airport signage or any signage in public areas of the Airport must meet specifications of City codes and obtain all necessary permits.

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§ 70-15. Restricted areas.

No person shall enter upon the air operating areas, utility and service areas, or any

~~other areas designated as restricted except persons authorized by the Airport Manager or passengers under appropriate supervision while enplaning or deplaning.~~

Commented [MAR12]: 70-2.5 and 2.6

~~**§ 70-16. Inspections.**~~

~~All hangars and other buildings or structures on Town-owned land at the Airport shall be subject to semiannual inspections, both exterior and interior, by the Airport Manager, or his designee, and the Town's regular code enforcement inspection team to determine compliance with all applicable laws and codes, requirements of applicable Airport rules and regulations, and specific lease agreement requirements.~~

Commented [MAR13]: No longer required by FAA; authorization to inspect buildings contained in individual lease agreements and Minimum Standards Article III

~~A:~~

~~1. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).~~

~~2. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).~~

~~§ 70-11 § 70-16~~

~~:3~~

~~**§ 70-17. Structural or decorative changes to Airport facilities.**~~

~~No person, tenant, lessee or grantee shall make any alterations of any nature to any building, ramp, or other space nor erect any structure on the Airport without prior written permission from the Airport Manager or the Town Council, except as may be authorized in existing contracts or leases.~~

Commented [MAR14]: 70-2.10

~~**§ 70-18. Storage.**~~

~~No person, tenant, lessee, or grantee shall store or stock material or equipment in such manner as to constitute a hazard to personnel or property; therefore, written permission must be obtained from the Airport Manager or the Town Council. The following information must be included on the request form: how, what, when, where and how long.~~

Commented [MAR15]: 70-2.8

~~**§ 70-19. Smoking.**~~

~~No person shall smoke on the ramp, in any hangar or shop, service area, fuel storage area or in any area where smoking is specifically prohibited, or within 50 feet of any fueling operation, unless in locations approved in writing by the Airport Manager.~~

Commented [MAR16]: 70-4.2

~~**§70-3 AERONAUTICAL OPERATIONS**~~

~~**70-3.1 COMPLIANCE WITH ORDERS**~~

~~All aeronautical activities at SFM shall be conducted in compliance with applicable Federal Aviation Regulations (FARs), federal and Maine statutes, and local ordinances, these Rules and Regulations, Minimum Standards, and directives/resolutions, as currently written or as may be amended from time to time.~~

Commented [SB17]: Should discuss preserving the No Smoking as a fire safety plan for the Airport?

~~**70-3.2 HOLD HARMLESS**~~

~~The aircraft owner, pilot, agent, or his or her duly authorized representative agrees to release, discharge and hold harmless the City, its City Council, the Airport, and its employees of and from liability for any damage which may be suffered by any aircraft and its equipment, and for personal injury or death. The use of the Airport and related facilities shall constitute acceptance of the terms of this provision, these Rules and other Airport procedures and operating directives.~~

Commented [MAR18R17]: Yes, included in 70-4.2

~~**70-3.3 NEGLIGENT OPERATIONS PROHIBITED**~~

- ~~1. Aircraft operators shall not land, take off, taxi, or park an aircraft on any area that has been restricted to a maximum weight bearing capacity of less than the weight of the aircraft. It shall be the aircraft owner's responsibility to repair any damage to the Airport's runways, taxiways, or aprons caused by excessive aircraft weight loading.~~

2. No person shall operate any equipment or device on the Airport that will interfere with any aircraft radio communication frequency or any aircraft navigational aid.

70-3.4 AIRCRAFT ACCIDENTS/INCIDENTS, AIRWORTHY, DISABLED, AND DERELICT AIRCRAFT

1. The owner or operator of any aircraft involved in an accident or incident on the Airport resulting in any injury or death or damage to property shall immediately notify the appropriate emergency response agencies, the Airport Manager, and other governmental agencies as applicable.
2. Disabled aircraft shall be removed from runways and/or taxiways as quickly as practical.
3. Disabled and derelict aircraft shall not be permitted on the tie-down or ramp areas unless in response to an emergency and with written approval of the Airport Manager.
4. If the owner of an aircraft fails for any reason to remove a disabled or derelict aircraft from the Airport property as may be requested, the Airport Manager may cause the removal and storage or disposal of such disabled or derelict aircraft at the sole expense of the owner.
5. Persons should remain clear and away from all Airport emergencies unless authorized by law or otherwise requested or with consent of the Airport Manager.
6. The pilot or owner of an aircraft involved in an accident or incident shall be responsible for all costs associated with the accident or incident, including but not limited to: wreckage removal/disposal, environmental cleanup, and repair or replacement of property.

70-3.5 REPORTING OF INCURSIONS AND SURFACE INCIDENTS CAUSED BY A PILOT DEVIATION

If any person operating an aircraft causes an incursion, as defined by the FAA, that pilot shall contact the Airport Manager to make a full report listing the reason and cause of the incursion and any other information requested.

70-3.6 AIRPORT OPERATIONAL AREA RESTRICTIONS

1. Unless contrary to federal regulations and/or grant assurances, the City shall have the authority to restrict the use of the Airport with respect to, but not limited to, the following:
 - a. Experimental Flights (Advance notification to Airport Manager of first flight);
 - b. Equipment Demonstration;
 - c. Air Shows;
 - d. Parachute Operations;
 - e. Banner Towing Operations;
 - f. Aircraft Type;
 - g. Special Events.
2. Application for any of the uses in 70-3.6.1 shall be made in writing in a manner prescribed by the Airport Manager. Prior written approval in the form of a Special Event Permit is required.
3. No kites, model airplanes, rockets, tethered unmanned balloons, or other objects constituting a hazard to aircraft operations shall be operated on the Airport without prior written approval from the Airport Manager.
4. Unmanned Aerial Vehicles (UAVs) shall only be operated with the prior written notice to the Airport Manager and in accordance with FARs.

70-3.7 AIRCRAFT PARKING

1. No person shall use any area of the Airport for parking and/or storage of aircraft without the written permission of the Airport Manager. If any person uses unauthorized areas for aircraft parking, the aircraft may be removed by or at the direction of City, at the risk and expense of the owner, without liability for damage that may arise from or out of such removal or storage.
2. All aircraft parking shall take place in designated parking areas. No person shall leave an aircraft parked and unattended on the Airport unless it is in a hangar or properly locked and secured with either wheel chocks and/or tie-down ropes. Owners of such aircraft shall be held responsible for any damage resulting from failure to properly comply with this provision.
3. No person shall interfere or tamper with any aircraft.
4. No person shall enter an aircraft without the consent of the owner or representative in-charge.
5. Articles left in aircraft are the sole responsibility of the aircraft owner/operator. The City is not responsible for theft or vandalism of said articles.

70-3.8 STARTING AND RUNNING AIRCRAFT ENGINES

1. No aircraft engine will be started or operated inside or taxied from/into any hangar or under the roofline of a hangar, whether said hangar is enclosed or not. This shall not be construed as prohibiting the use of tractors, with approved exhaust systems, operated for the purpose of moving aircraft within any hangar.
2. Starting an aircraft when there is any flammable liquid on the ground in the immediate vicinity is prohibited.
3. No person shall start the engine of any aircraft without the owner's/operator's consent.
4. No person may run an engine of an aircraft parked on the Airport in a manner that propeller or jet blast could cause injury to persons, damage to any other property, or in any way hinder safe operations. In no case will the operator of an aircraft block any runway, taxiway, or taxi lane while conducting any maintenance/repair run-up.
5. Auxiliary Power Unit (APU) use is permitted to enable an expedited start up. For noise abatement and emissions reduction:
 - a. Request external power (GPU) whenever possible; and,
 - b. Limit APU use to the minimum required for preflight/ postflight; and,
 - c. Turn off bleed air for air conditioning to reduce APU noise and emissions; and,
 - d. Request alternative parking if extended APU use is required.

70-3.9 AIRCRAFT OPERATIONS

1. No person shall land an aircraft upon, fly an aircraft from, or conduct any other aircraft operations on or from the airport other than in conformity with the current Federal Aviation Administration rules and regulations.
2. No person shall land or takeoff in an aircraft at the airport unless he/she is licensed by the Federal Aviation Administration to operate that particular type and class of aircraft.
3. No aircraft shall be operated on the surface of any part of the airport in a careless or negligent manner or in disregard of the rights and safety of others, or without due caution and circumspection, or at a speed or in a manner which endangers, or is likely to endanger persons or property, or while the pilot, or

any other person aboard controlling any part of the operation thereof, is under the influence of intoxicating liquor, hallucinogenic substances, or any drug affecting his individual's senses, or if such aircraft is so constructed, equipped, or loaded as to endanger or be likely to endanger persons or property.

4. No aircraft shall be taxied, towed, or otherwise moved on the airport in a careless or negligent manner or in disregard of the rights and safety of others or without due caution and circumspection, or in a manner which endangers persons or property, and at a speed that cannot ensure complete control at all times.

5. No aircraft shall be taxied, towed or otherwise moved on any airport surface except upon designated taxiways, ramps and aprons, unless otherwise restricted; and, without first ascertaining by visual inspection that it is safe to proceed without danger of collision with persons or property.

70-3.10 REPAIRING AND MAINTAINING AIRCRAFT

1. Aircraft owners are permitted to perform self maintenance such as fueling at an approved fuel farm, washing, repair, or other service on their owned based aircraft utilizing their own equipment and their own employees, as outlined in FAR Part 43 "Maintenance, Preventative Maintenance, Rebuilding and Alteration" and/or as identified in provisions of written agreement provided there is no attempt to perform such services for others for compensation without satisfying the requirements of the Minimum Standards.

2. An aircraft owner may hire an individual to provide, under the direction and supervision of the aircraft owner, services only on the owner's based aircraft as long as that person hired has satisfied the requirements of the Minimum Standards and provided that such right is conditioned upon compliance with these regulations and all applicable laws. Such services may also be provided by a direct employee of the aircraft owner.

3. Aircraft maintenance or repair is permitted only on paved areas of the Airport or in hangars properly equipped for the performance of such maintenance per local ordinances and Fire Code.

70-3.11 WASHING OF AIRCRAFT

1. Washing of aircraft must be done without the use of soaps, solvents or degreasers unless the materials are biodegradable. Runoff shall be collected and properly disposed of in accordance with all federal, state, and local law. Aircraft washing shall follow all guidelines as expressed in the Airport's Storm Water Pollution Prevention Plan.

2. Aircraft may be washed inside a hangar if the hangar is equipped with a drain that drains to the sanitary sewer and as long as the washing of that aircraft in the hangar does not cause flooding to an adjacent hangar.

§ 70-20. Business or commercial activity.

No personnel shall engage in any business or commercial activity of any nature on the premises of the Airport except with the written approval of the Airport Manager and under such terms and conditions as may be prescribed by the Minimum Operating Standards for Sanford Airport. No soliciting of any nature may be conducted without written permission of the Airport Manager.

§ 70-21. Operation of motorized equipment.

Commented [MAR19]: Redundant; Contained in Article III Minimum Standards

Commented [MAR20]: 70-6

~~No person shall operate motorized equipment on the Airport operating areas unless operated in accordance with the following restrictions:~~

~~Such inspections shall be conducted approximately May 1 and November 1 of each year. The Airport Manager, or his designee, shall cause a letter to be sent to the owner and/or tenant of each such hangar, building or structure approximately one month in advance reminding them of the upcoming inspection, provided that failure to send or receive the letter shall not be grounds to deny the inspection. If necessary, given the security issues surrounding the Airport, the Airport Manager, or his designee, shall be authorized to break any locks or other obstructions blocking inspection without cost or expense to the Town, but, if that is necessary, he shall cause the same to be locked after the inspection and so notify the hangar or building owner so that a key can be provided.~~

~~B.~~

~~3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).~~

~~4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1).~~

~~§ 70-16 § 70-21~~

~~:4~~

~~§ 70-22. Parking.~~

~~No person shall park a vehicle on the Airport premises unless authorized by the Airport Manager and then only in the areas specifically established for parking in the manner and for the amount of time prescribed by signs, lines or other means.~~

~~§ 70-23. Towing regulations.~~

~~The Airport Manager may remove any vehicle which is disabled, abandoned, or parked in violation of these rules and regulations, or which presents an operational problem, at the owner's expense and without liability on behalf of the Town of Sanford.~~

~~§ 70-24. Regulations.~~

~~No vehicle shall be operated on or along a ramp, taxiway, or runway except by persons authorized by the Airport Manager under conditions he may prescribe except lights, flags.~~

~~A.~~

~~Only vehicles authorized by the Airport Manager may park within the air operating area, and when parking adjacent to a runway on Airport property, all vehicles must park at least 200 feet to the outside, unless such runway is officially closed by the Airport Manager or maintenance requirements dictate otherwise.~~

~~B.~~

~~C. If a license is required by law, the vehicle shall be so licensed.~~

~~No person shall operate a vehicle in a reckless or negligent manner, or without caution, or in a manner which endangers, or is likely to endanger, persons or property.~~

~~D.~~

~~Pedestrians and aircraft shall at all times have the right of way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft whenever possible.~~

~~E.~~

~~No person shall operate a vehicle in excess of speed limits prescribed by signs located in appropriate areas.~~

~~F.~~

~~No person shall operate or cause to operate any type of recreation or off the road~~

Commented [MAR21]: 70-6.5

Commented [MAR22]: 70-6.5

Commented [MAR23]: 70.6

~~vehicle (reference to but not limited to bicycles, motorbikes, snowmobiles, go-carts, dune buggies, etc.) on air operating areas except as directed in writing by the Airport Manager or the Town Council.~~

~~G.~~

~~Aeronautical activities. All aircraft operations shall be conducted in conformity with the current regulations and directives of the Federal Aviation Administration, the Civil Aeronautics Board, the Maine Department of Transportation, and, to the extent applicable, with the orders issued by the Town Council and the Airport Manager.~~

~~A.~~

~~5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).~~

~~6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).~~

~~§ 70-21 § 70-24~~

~~5~~

§70-4 FIRE, SAFETY AND ENVIRONMENT

70-4.1 GENERAL

1. All persons using the Airport shall exercise the utmost care to guard against fire and injury to persons and property.
2. Any fire causing damage, regardless of the size of the fire or whether or not the fire has been extinguished, shall be reported immediately to the Sanford Fire Department as well as the Airport Manager.

70-4.2 SMOKING

1. Smoking or carrying lighted smoking materials or striking matches or other incendiary devices, such as lighters, are not permitted:
 - a. Within 50 feet of parked aircraft and fuel carriers not in motion; within 100 feet of aircraft being fueled or de-fueled, a fuel storage facility, or a flammable liquid spill;
 - b. In any area on the Airport where smoking is prohibited by the City or leaseholder by means of posted signs;
 - c. In any hangar, shop, or other building in which flammable liquids are stored or used, except in cases where specifically approved smoking areas have been designated for that purpose.

70-4.3 FIRE EXTINGUISHERS

- a. All tenants or lessees of hangars, aircraft maintenance buildings or shop facilities shall maintain the quantity, size and type of readily accessible, operable fire extinguisher(s) that shall conform to applicable NFPA standards. Current inspection tags shall be left attached to each unit.
- b. No person shall tamper with any fire extinguisher equipment at the Airport or use the same for any purpose other than firefighting or fire prevention.

3.04 STORAGE OF MATERIALS:

- a. No operator, tenant, or lessee on the Airport shall keep, store, stack, box, bag, or stock material or equipment in such a manner as to create foreign objects or debris (FOD), constitutes a hazard to persons or property, obstructs any operation, or in such a manner as to create any unsightly appearance.

3.05 HAZARDOUS WASTE AND MATERIALS:

- a. No person shall store, keep, handle, use, disperse, discharge, or transport at, in, or upon the Airport any hazardous materials in contravention of any regulatory measures.

b. An approved fuel container shall be used at all times. Secondary containment shall be utilized where required.

c. No person shall use volatile or flammable substances for cleaning hangar floors, hangars or other buildings on the Airport. Cleaning agents shall meet all federal, state, and local codes, regulations, and permit requirements.

d. All petroleum products, dopes, paints, solvents, acids, or any other hazardous waste shall be disposed of off the Airport and in compliance with all applicable regulatory measures and shall not be dumped or run into drains, on ramp aprons, catch basins, ditches, sewer systems, storm drains, or elsewhere on the Airport.

e. No person shall store, keep, handle, use, dispose of, or transport at, in, or upon the Airport any Class A, Class B, or Class C explosives or Class A poison, as defined in the Federal Motor Carrier Safety Administration regulation for transportation of explosives and other dangerous articles, and other poisonous substances, solid, liquid, or gas, compressed gas, and/or radioactive article, substance, or material at such time or place or in such manner or condition that may, or may be likely, to unreasonably endanger persons or property.

3.06 SANITATION AND ENVIRONMENTAL POLLUTION:

a. Each person while on Airport property shall conduct his/her activities so as to not cause environmental pollution or unsanitary conditions. No garbage, empty boxes, crates, rubbish, trash, papers, refuse, and/or other litter of any kind shall be placed, discharged, or deposited on the Airport, including cigarettes, cigars, and matches, except in receptacles specifically provided for such purpose.

b. Any person who experiences overflow or spillage of oil, grease, fuel, or similar contaminants anywhere on the Airport is responsible and shall take appropriate action in the control, containment, clean up, disposal, and rehabilitation of such hazardous spill in accordance with the Airport's Spill Prevention Control and Countermeasure Plan (SPCCP). Failure to take appropriate action to clean the area shall result in the City providing the cleanup at the expense of the responsible party. If the responsibility for the spill cannot be promptly determined, the leaseholder will be held responsible for the cleanup.

3.10 HEATING EQUIPMENT:

a. All heating equipment and fuel burning appliances installed or used on the Airport shall comply with the requirements of the State of Maine and the requirements set forth by the City's Codes.

b. Space heaters may be utilized when attended in hangars so long as the heater has a clear radius of 10 feet from aircraft, or any other object, and fire prevention/safety measures are observed.

Closing of the field. Whenever the Airport Manager or the Town Council believe Airport facilities to be unsafe for landing or takeoffs, it shall be within their authority to close the Airport.

B.

Refusal of use of the Airport. The Airport Manager or the Town Council may restrict any flight or other operation at the Airport and may refuse takeoff clearance to any aircraft for any reason they believe justifiable in the interest of public safety and welfare.

C.

Careless or negligent operation. No person shall operate any aircraft while under the influence of intoxicants, narcotics, or other drugs, or operate an aircraft in a manner

Commented [SB24]: Seems there should be a reference to UL approved for the application type of heater or other applicable standard/s

Commented [MAR25]: Redundant; covered by 3.10.a.

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Commented [MAR27]: Problematic with FAA regulations; technically cannot restrict aeronautical use of a public use airport ex. skydivers

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to endanger life or property.

D.

Aircraft equipment. No aircraft may land or take off unless it is equipped with brakes or other means of preventing movement on the ground.

E.

Disabled aircraft. All disabled aircraft and parts thereof at the Airport shall be removed promptly by the owner after official notice by appropriate authorities. The Airport Manager or authorized representative shall have the right, without any liability for loss or damage which may result therefrom, to cause the immediate removal of a disabled aircraft or part thereof to a safe place on the Airport, at the owner's expense, whenever the aircraft constitutes a hazard to persons or property. The Airport Manager may cause any such aircraft or part thereof not removed by the owner to be removed from the Airport at the owner's expense without liability for any loss, provided that he shall have first given seven days' written notice of his intention to do so, directed to the owner's last known address.

F.

Demonstrations. No experimental flights or parachute jumping shall be permitted unless authorized by the Airport Manager and the Federal Aviation Administration.

G.

Engine run-up. No engine run-up shall be conducted which will constitute a hazard or nuisance to other aircraft, persons, or property.

H.

Starting aircraft engines. No aircraft shall be started or run unless a qualified airman is in the aircraft and at the controls. Landing gear must be adequately blocked or braked to prevent inadvertent movement of the aircraft. Adequate fire extinguishers must be available.

I.

Taxiing and moving aircraft. No aircraft shall be taxied into or out of a hangar. All taxiing must be done at safe and reasonable speeds.

J.

Parking the aircraft. No person shall park aircraft in any area other than that designated by the Airport Manager.

K.

Repair of aircraft. No person shall repair aircraft, aircraft engines, or related apparatus in any area other than that designated by the Airport Manager.

L.

§ 70-24 § 70-24

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Commented [MAR28]: 70-2.3.3 and 70-3.3

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Commented [SB30]: Redundant? – addressed in earlier Section

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Commented [MAR31]: 70-3.4

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Commented [MAR32]: 70-3.6 adds other special categories as well and sets up method to obtain permission through Special Event Permit

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§70-5 FUELING OPERATIONS

5.01 GENERAL:

a. All fuel handled on the Airport shall be treated with due caution and prudent attention with regard to the safety of others so as not to endanger persons or property.

b. All aircraft fueling operations, including self-fueling, shall be in accordance with NFPA 407 "Standards for Aircraft Fuel Servicing."

c. No aircraft shall be fueled or drained of fuel while within the confines of any building, hangar, or enclosed space.

d. Fueling of aircraft is allowed only on paved surfaces.

e. In accordance with FAA Order 5190.6B "Airports Compliance Handbook," any person self-fueling with their own equipment requires authorization and permission from the Airport Manager confirming compliance with all orders, procedures, standards, and these Rules regarding fueling operations.

f. Airport tenants involved in fueling operations, including those self-fueling, shall maintain an adequate supply of fuel absorbent materials readily available for use in the event of a fuel spill.

g. No person shall engage in aircraft fueling or de-fueling without readily accessible, adequate, operational fire extinguishing equipment at the point of fueling.

h. Aircraft being fueled shall be positioned so that aircraft fuel system vents or fuel tank openings are not closer than 25 feet from any building, hangar, or service building.

i. During fueling operations, no person shall use any material or equipment that is likely to cause a spark or ignition within 100 feet of such aircraft or vehicle.

j. No aircraft shall be fueled or de-fueled while passengers are on board unless a passenger boarding device is in place at the cabin door of the aircraft, the door is open, and a flight crew member or ground person is at or near the cabin door.

k. Fueling or de-fueling operations on the Airport shall not be conducted during periods of dangerous thunderstorm activity or if an electrical storm is observed in the immediate vicinity of the Airport.

l. Should a fire occur during the fueling of an aircraft, fueling shall be discontinued, all emergency valves and dome covers shall be shut down, and the Fire Department shall be notified immediately.

m. Any malfunction or irregularity detected on or within the aircraft being refueled or de-fueled shall be brought to the attention of the fueling operator immediately.

5.02 STATIC BONDING:

a. Each hose, funnel, or apparatus used in fueling or de-fueling aircraft, including self-fueling, shall be maintained in good condition and be properly bonded.

5.03 LIABILITY:

a. The fueling operator, tenant, or lessee shall be solely responsible for any violation incident to or in connection with fueling, storage facilities, equipment, operations, and training. The City assumes no liability or responsibility for violations of any applicable fueling requirements and procedures.

b. The operator, tenant, or lessee shall reimburse the Airport for any fines, legal, or court costs, incurred by SFM for such violations.

§ 70-25. Hours of service.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-26. Lease or contract.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-27. Facilities for the public.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-28. Construction requirements.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-29. Bond.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-30. Financial ability.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-31. Insurance.

See the Minimum Operating Standards for the Sanford Airport.

§ 70-32. Personnel and equipment.

See the Minimum Operating Standards for the Sanford Airport.

Commented [MAR38]: Contained in Minimum Standards

§70-6 MOTOR VEHICLES

6.01 GENERAL

a. All motor vehicles and their operators on the Airport shall comply fully with the State of Maine motor vehicle laws as amended, these Rules, and instructions issued by law enforcement personnel.

b. Unless otherwise provided herein, the City shall have the authority to establish regulations regarding motor vehicle traffic and control on SFM.

c. The Airport Manager may tow, remove, or cause to be removed from the Airport any vehicle that is disabled, abandoned, and/or parked in violation of these Rules at the vehicle operator's risk and expense and without liability for damage that may result from such removal if the vehicle creates a safety hazard or interferes with Airport operations.

d. Any person causing death or injury on the Airport or damage to Airport property as a result of a motor vehicle accident or incident shall report the accident or incident immediately to the Sanford Police Department as well as the Airport Manager. Such persons shall be responsible to the City for any damages to City property.

e. Use of recreational all-terrain vehicles, mini-bikes, go-carts, dune buggies, horses, roller blades, roller skates, skateboards, etc is not permitted on the Airport.

f. Use of bicycles for transportation between buildings is permitted only directly within hangar areas and at the bicycle operator's own risk.

6.02 LICENSING AND INSURANCE

a. No person shall operate a motor vehicle or motorized ground equipment on the Airport without a valid license appropriate for the vehicle being operated.

b. All vehicles entering Airport property are required to have at least the minimum amount of insurance as required by State of Maine statutes.

6.03 VEHICLE OPERATIONS WITHIN AIRPORT OPERATIONS AREA

a. No person shall operate a motor vehicle of any kind on the Airport in a reckless manner, or in excess of the posted speed limit.

b. No motor vehicle shall be permitted on any portion of the AOA unless the Airport Manager has granted specific written permission to such vehicle's operator and such vehicle is utilized for, or in conjunction with, aeronautical activities.

c. Aircraft, and emergency vehicles shall at all times have right of way over vehicular traffic.

Commented [SB39]: Do we have posted speeds?

Commented [MAR40R39]: In some areas, particularly on entry gates and routes when construction is taking place, but not everywhere. Suggest installing them more consistently around the field.

6.04 VEHICLES CROSSING TAXIWAYS AND RUNWAYS

a. All motor vehicles operating on or across taxiways or runways shall have a functioning two-way radio (capable of communicating on UNICOM) and an operating yellow rotating flashing beacon, except when under escort by a motor vehicle properly authorized and equipped. During an emergency, blue/red flashing lights are acceptable for law enforcement and fire and rescue vehicles.

b. The installation of two-way radio and/or flashing beacon shall not be construed as license to operate a motor vehicle on the taxiways or runways without prior written permission of the Airport Manager.

c. Motor vehicles permitted to operate on the Airport will not proceed closer than 250 feet from the centerline of the runways nor across any of the runways prior to visually clearing for aircraft taking off or landing.

d. When parking adjacent to a runway, all motor vehicles must park at least 250 feet to the outside of the runway lights. Exceptions include operational, agricultural, and maintenance equipment engaged in working on runways.

e. Construction-related motor vehicles required to enter or work within the AOA, will be marked with an approved orange and white-checked flag for daytime operations or a yellow beacon for nighttime operations. Non two-way radio capable construction vehicles shall be escorted at all times while within the AOA by an Airport authorized vehicle or flagman equipped with two-way radio.

6.05 PARKING

a. Parking is permitted in the paved vehicle parking lot located at 199 Airport Road. Any ground vehicle improperly parked in the short term or long term public parking areas without written approval of the Airport Manager may be removed at the owner's expense.

b. No person may park in such a manner to obstruct a parking lot lane, driveway, roadway, Airport access gate, walkway, crosswalk, fire lane, runway, taxiway, taxi lane, and/or obstruct access to hangars, parked aircraft, and/or parked vehicles or create a hazard nor in a manner, which could interfere with, or create a hazard for aircraft operations.

c. The parking lot at 199 Airport Road is to be used by persons patronizing airport businesses and employees of those businesses. Persons leaving vehicles for extended periods of time while traveling to and from the Airport shall use the back row of parking or other areas as designated by the Airport Manager or her representative.

§ 70-33. Exceptions.

~~Where the terms of any bona fide contract, currently in force, conflict with those rules and regulations, the terms of the contract shall prevail but only until such contract expires or any terms therein are renegotiated, at which time any conflicting terms shall be revised so as to be consistent with those rules and regulations and with the Minimum Standards.~~

~~Fueling of aircraft. Aircraft fueling shall be conducted in accordance with accepted standards and requirements established by the National Fire Protection Association. No smoking will be permitted within 50 feet of the fueling area.~~

~~M.~~

~~Bomb or sabotage threat. Persons having knowledge of an aircraft carrying, or suspected of carrying, explosive materials shall notify the FAA FSS and the Airport Manager or his authorized representative immediately. All measures necessary to protect life and property will be invoked by the Airport Manager.~~

~~N.~~

~~§ 70-24 § 70-34~~

~~7.~~

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§ 70-34. Violations and penalties.

Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of these rules and regulations shall be punished by a fine of not more than \$100.

§ 70-35. Repealer; amendments.

These rules and regulations supersede all rules and regulations or parts of rules and regulations relative to the Airport, specifically except the Minimum Operating Standards for the Airport. Any additions, deletions and/or changes to these rules and regulations shall be completed through the legislative procedure of the Town Council, except as to the Minimum Operating Standards for the Airport.

7. Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I).

§ 70-34 § 70-35

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§70-7 VIOLATIONS AND PENALTIES

7.01 VIOLATIONS AND PENALTIES

- a. The Airport Manager may issue verbal or written violation notices to any persons who, in her discretion, violates any part of these Rules.
- b. Any violation of this section shall be a civil infraction subject to a fine of not less than \$250 nor more than \$1,000. Each violation shall be deemed a separate offense.
- c. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged property as well as reasonable attorney fees and costs. Prosecution shall be in the name of the municipality and shall be brought in the Maine District Court.

7.02 APPEAL PROCESS

- a. Anyone issued a written notice of violation who wishes to contest such issuance shall have ten (10) calendar days from such notice to provide a written statement to the Airport Manager explaining the occurrence and providing any other information or explanation concerning the alleged violation(s). The Airport Manager has ten (10) calendar days to respond to any request for review based upon information received from the alleged violator and, if applicable, may revise, amend, or rescind his original violation notice. However, should the Airport Manager, in her discretion, conclude that the alleged violation(s) poses a threat to the safety, health, and welfare of others, may temporarily revoke the violator's Airport privileges and/or temporarily suspend the Airport operations of the violator pending completion of such appeal.
- b. An alleged violator may file a written request of appeal to the City Manager within ten (10) calendar days of the Airport Manager's written decision. The City Manager, along with the City Attorney, and an appointee of the City Manager, who shall be a Department Director but not the Airport Manager, shall schedule a meeting to review and hear an appeal from the Airport Manager's decision. The Committee shall hear the appeal and have thirty (30) calendar days to issue a written opinion which shall be final and binding on the alleged violator.

Commented [MAR44]: 70-7; language written to match current ordinances for public works department

Commented [MAR45]: 70-1.1.4

Commented [SB46]: This is a new type of appeals panel and may muster conversations when the Council is reviewing for approval.

Commented [MAR47R46]: Worth addressing at that level. Perhaps there is another type of panel already in place that we can reference to keep things consistent. Request suggestions.