

ROSEBURG

REGIONAL AIRPORT

RULES AND REGULATIONS

Originally Adopted by the Roseburg City Council

on March 10, 1997, via Resolution No. 97-3;

Amended by Resolution No. 2011-09,

As adopted by the City Council on May 26, 2011

ROSEBURG REGIONAL AIRPORT RULES & REGULATIONS
TABLE OF CONTENTS

page

1. Scope.....	1	
1.1 Coverage.....	1	
1.2 Relation to Other Laws.....		1
1.3 Authority.....	1	
1.4 Posting of Rules.....		1
1.5 Adoption of Rules Not Grant of Right.....		1
1.6 Severability.....	1	
2. Definitions.....	1	
2.1 Aviation Activity.....	1	
2.2 Aircraft.....	1	
2.3 Airfield Area.....	2	
2.4 Airport.....	2	
2.5 Airport director.....	2	
2.6 Applicant.....	2	
2.7 Apron or Apron Area.....		2
2.8 City.....	2	
2.9 City Manager.....		2
2.10 Commercial Operation.....		2
2.11 Commercial Operator.....		2
2.12 FAA.....	2	
2.13 FAR.....	2	
2.14 Fire Chief.....	2	
2.15 Fueling.....	2	
2.16 Ground Transportation Activity.....		2
2.17 Hazardous Materials.....		3
2.18 Lessee.....	3	
2.19 Motor Vehicle.....		3
2.20 Movement Area.....		3
2.21 Owner.....	3	
2.22 Permit.....	3	

2.23	Permittee.....	3	
2.24	Person.....	3	
2.25	Public Area.....	3	
2.26	Roseburg UNICOM.....	3	
2.27	Rules.....	4	
2.28	Terminal Building or Airport Terminal.....		4
3.	Authority.....	4	
3.1	Airport director.....	4	
3.2	Airport Commission.....		4
	Rules of General Applicability.....	4	
4.1	Compliance With Federal Law.....		4
4.2	Permit Required.....	5	
4.3	Operation of Motor Vehicles.....	5	
4.4	Parking.....	5	
4.5	Removal of Motor Vehicles.....	6	
4.6	Limited Access Areas.....	6	
4.7	Animals.....	6	
4.8	Offensive Conduct.....	6	
4.9	Sanitation.....	6	
4.10	Firearms and Explosives.....	6	
4.11	Picketing, Demonstrations, Solicitations and Handbills.....	6	
4.12	Amplified Sound.....	8	
4.13	Interference with Operation of Aircraft.....		8
4.14	Lost Articles.....	8	
4.15	Use of Hazardous Materials and Environmental Law Compliance.....	8	
4.16	Fire Regulations (Article 24 UFC).....		9
4.17	Storage of Flammable, Combustible and Other Hazardous Materials.....	10	
4.18	Smoking.....	10	
4.19	Vending Machines and News Racks.....		10
5.	Rules of Limited Applicability.....	11	
5.1	Repair of Motor Vehicles.....	11	
5.2	Repair of Aircraft.....	11	
5.3	Use of Airfield Area.....	11	
5.4	Operation of Aircraft.....	11	
5.5	Fueling Aircraft.....	13	

6.	Permits - General Rules.....	17
6.1	Relationship of Permit or Lease to Rules.....	17
6.2	General Standards for all Permittees and Lessees.....	18
7.	Performance Standards for Particular Activities... 	21
7.1	Fueling and Oil Sales.....	21
7.2	Aircraft Engine and Accessory Maintenance and Repair.....	22
7.3	Aircraft Charter and Air Taxi.....	23
7.4	Aircraft Rental.....	23
7.5	Flight Instruction.....	24
8.	Ground Transportation Services.....	24
8.1	Authorized Activities.....	24
8.2	Permit Conditions.....	24
9.	Application for Permit.....	24
9.1	Application.....	24
9.2	Permit Fee.....	24
9.3	Review of Applications.....	24
9.4	Action on Application.....	25
9.5	Charges.....	25
9.6	Operating Agreements.....	26
10.	Revocation of Permit.....	26
10.1	Grounds for Revocation.....	26
10.2	Notice of Revocation.....	28
11.	Leases.....	28
11.1	Application.....	28
11.2	Application Fee.....	28
11.3	Processing Applications.....	28
11.4	Rents.....	28
12.	Penalties.....	28

12.1	Right to Remove.....	28
12.2	Penalty for Violation.....	29
12.3	Complaints.....	29
	Exhibit "A".....	30

ROSEBURG REGIONAL AIRPORT RULES AND REGULATIONS

1. SCOPE.

1.1 Coverage. These rules govern all persons on the Airport and users of the Airport. Any direct or indirect permission given to a person to enter upon or use the Airport is conditioned, unless otherwise agreed, upon compliance with these rules.

1.2 Relation to Other Laws. These rules do not amend, modify or supersede any provision of federal, state or local law. Insofar as possible, these rules shall be interpreted not to conflict with, but to supplement, federal, state or local law or any contract between the City of Roseburg and an Airport user. Other than to the extent that these rules have been incorporated into the terms of existing leases or contracts, these rules are not intended to modify other agreements.

1.3 Authority. These rules are adopted and can be amended under the authority of Section 3.22.080 of the Roseburg Municipal Code.

1.4 Posting of Rules. These rules shall be posted in the Airport lounge, in the office of the Airport director and on file in the office of the City Recorder. All Airport tenants shall be provided a copy of these rules. Nevertheless, these rules will be fully effective even if not posted or distributed.

1.5 Adoption of Rules Not Grant of Right. The adoption of these rules is not intended to, and shall not be construed to, grant any property right or expectation to any person. The City reserves the right to amend these rules and to limit or deny any person's use of the Airport as may be in the public's interest.

1.6 Severability. These rules are severable. If any part of these rules is invalidated by a court or agency, that invalidation shall not affect the validity of the remaining rules.

2. DEFINITIONS. As used herein, the following words and phrases mean:

2.1 Aviation or Aeronautical Activity: Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

2.2 Aircraft: Any device used, or intended to be used, for flight in the air, including, as designated by the FAA, ultralights, gliders and lighter than air vehicles.

2.3 Airfield Area: The areas at the Airport for taxiing, landing, taking off,

handling, servicing, loading and unloading of aircraft, including clear zones, runways, taxiways, ramps, aprons, roadways and all areas incident thereto.

2.4 Airport: The land and facilities known as Roseburg Regional Airport as defined by the March 1983 City of Roseburg Airport Park Survey recorded in the Douglas County Surveyor's Office, Map File #M95-68, A through G, on January 4, 1984.

2.5 Airport Director: The person appointed by or under the authority of the Roseburg City Manager to exercise the functions and authority described in Rule 3.1.

2.6 Applicant: A person applying for a permit or lease to conduct operations at the Airport, including any shareholder, partner, part owner or manager of such a person.

2.7 Apron or Apron Area: The area that is used for loading and unloading persons and cargo to and from an aircraft.

2.8 City: The City of Roseburg, Oregon.

2.9 City Manager: The City Manager for the City of Roseburg or the City Manager's designee.

2.10 Commercial Operation: Operation or service performed for compensation that is conducted on or based at the Airport, including, but not limited to, ground transportation activity. "Commercial Operation" does not include activities of any local, state or federal agency, including the military, or an isolated use of the airfield by an aircraft.

2.11 Commercial Operator: Any person engaged in a Commercial Operation.

2.12 FAA: The Federal Aviation Administration of the United States, or its successor agency.

2.13 FAR: The Federal Aviation Regulations.

2.14 Fire Chief: The Chief of the City of Roseburg Fire Department or the Fire Chief's designee.

2.15 Fueling: Fueling or refueling.

2.16 Ground Transportation Activity: The provision of transportation of persons or property on the Airport or based at the Airport to the general public, either as a courtesy to a patron by a hotel, a motel, off-Airport car rental agency or off-Airport parking lot operator, or for hire. "Ground Transportation Activity" does not include dropping off persons or property at the Airport.

2.17 Hazardous Materials: Materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, stored, disposed of, transported or otherwise handled. The term includes, but is not limited to, petroleum products, including crude oil or any fraction thereof that is a liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute) and any hazardous or toxic substance regulated under the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act or any other of the state, federal, or local laws relating to the protection of human health or the environment.

2.18 Lessee: Any person who is leasing property or space at the Airport from the City.

2.19 Motor Vehicle: Any non-aircraft device that carries persons or property and is self-propelled or designed for self-propulsion.

2.20 Movement Area: The runways, taxiways and other areas of the Airport which are utilized for taxiing, air taxiing, takeoff and landing of aircraft, exclusive of loading ramps and parking areas.

2.21 Owner: As used in connection with an aircraft, owner means a person who holds legal title to an aircraft. If the aircraft is the subject of a conditional sale or lease/option or if the mortgagor of the aircraft is entitled to possession, then the conditional vendor, lessor or mortgagor shall be deemed the owner for the purpose of these rules.

2.22 Permit: A written agreement or license issued by the City of Roseburg authorizing the holder to perform certain activities or operations at the Airport, including but not limited to, operating agreements.

2.23 Permittee: Any person holding a valid permit under these rules.

2.24 Person: Any individual, firm, partnership, corporation, company, association or political body.

2.25 Public Area: The area open to the public includes the public roads and sidewalks, the terminal lobby, lounge area, restrooms and places for public gathering, waiting and viewing.

2.26 Roseburg UNICOM: VHF 122.8 MC.

2.27 Rules: The Roseburg Regional Airport Rules and Regulations.

2.28 Terminal Building or Airport Terminal: The terminal building, when constructed or thereafter expanded or improved, including the sidewalks, roads and parking areas near the terminal building.

3. AUTHORITY.

3.1 Airport director. The Airport director is responsible for the operation of the Airport. Subject to direction by the City Manager, the Airport director is empowered to:

3.1.1 Oversee all operations at the Airport;

3.1.2 Take any action at the Airport necessary to protect and safeguard the public;

3.1.3 Regulate traffic and parking at the Airport and install and remove traffic control devices;

3.1.4 Cause the removal from the Airport of any person who violates any of these rules or an Airport director written directive, when that removal is necessary to insure the safe or orderly operation of the Airport;

3.1.5 Deny any future use of the Airport, except for air travel, to any person who violates any of these rules or an Airport director directive;

3.1.6 Initiate a NOTAM closing of the Airport or any part thereof through the FAA when unsafe conditions exist;

3.1.7 Administer and enforce these rules;

3.1.8 Perform any other duty that may be assigned by the City Manager.

3.2 Airport Commission. The composition and authority of the Airport Commission is governed by Chapter 2.14 of the Roseburg Municipal Code.

4. RULES OF GENERAL APPLICABILITY.

4.1 Compliance with Federal Law. All aviation activity and commercial operations at the Airport shall comply with the regulations and directives of the FAA and any other federal agency with jurisdiction over airports.

4.2 Permit or Lease Required. No person shall conduct commercial operations at the Airport, use the Airport as a base for the conduct of business or otherwise provide services or goods to travelers, customers, a permittee or a lessee at the Airport, without

first obtaining the proper permit or lease from the City Manager. The duty to obtain a permit or lease for supplying services or goods to a single permittee or lessee may be waived by the City Manager if the extent of the activity is not substantial. Subject permits and leases shall be issued and revoked under the procedures set out in Rules 9, 10 and 11.

4.3 Operation of Motor Vehicles. The operation of all motor vehicles at the Airport shall comply with:

4.3.1 State laws regarding motor vehicle operation, including the Oregon Vehicle Code, ORS Chapters 801 to 822;

4.3.2 City ordinances regarding motor vehicle operation (including the provisions of Title 8 of the Roseburg Municipal Code);

4.3.3 Orders, signals and directives of the Airport director;

4.3.4 Traffic control devices;

4.3.5 The following restrictions:

4.3.5.1 All motor vehicles except emergency vehicles responding to an alarm shall yield the right-of-way to an aircraft in motion;

4.3.5.2 When possible, aircraft should yield the right-of-way to emergency vehicles. Operators of emergency vehicles should use caution when approaching moving aircraft.

4.3.5.3 No motor vehicle used for hauling trash, dirt or any other wastes shall be operated unless the vehicle is constructed to prevent the contents from dropping, leaking or otherwise escaping.

4.4 Parking. All motor vehicles shall be parked in compliance with state law, local law (including the provisions of Title 8 of the Roseburg Municipal Code), restrictions posted on authorized signs, and the following:

4.4.1 No person shall park a motor vehicle in excess of the prescribed time limit for a particular parking area.

4.4.2 No person shall park a motor vehicle other than in areas established for parking or in a manner that obstructs or interferes with vehicular traffic.

4.4.3 Lessee's shall be allowed to park a motor vehicle in their leased hangar while tenant is flying the aircraft normally housed in the hangar.

4.5 Removal of Motor Vehicles. The Airport director may remove from any area of the Airport any motor vehicle that is disabled, abandoned or parked in violation of these rules, at the operator's expense and without liability for damage to the motor vehicle or its contents, which may result from the removal.

4.6 Limited Access Areas. No person shall use any part of the Airport in a manner contrary to posted official directives applicable to that area.

4.7 Animals. No person shall enter the Airport with a dog or other animal unless it is an on-duty dog or other animal trained to assist handicapped persons, is being used by a law enforcement agency, is leashed or properly confined or is confined to property leased to the person responsible for that dog or other animal.

4.8 Offensive Conduct. No person shall commit at the Airport any act made unlawful by Title 7 of the Roseburg Municipal Code.

4.9 Sanitation. No person shall dispose of refuse or waste material on the Airport except in receptacles provided for that purpose. No person shall bring refuse or waste material to the Airport for purposes of disposal at the Airport, except with written permission of the Airport director.

4.10 Firearms and Explosives. No person, except for duly appointed peace officers, members of the United States armed forces while on duty, persons licensed under state law to carry a concealed weapon or corrections officers, shall carry any firearms or explosives into the Airport terminal or airfield area without the written permission of the Airport director, except for properly packaged firearms or explosives for shipment onto or from an aircraft, or as expressly allowed by state law.

4.11 Picketing, Demonstrations, Solicitations and Handbills.

4.11.1 General Policies. The exercise of constitutional rights of expression and communication in public areas of the Airport shall not be restricted or infringed upon because of the content of the communication or identity of the speakers. No prior restraint of speech is permissible. It is necessary, however, to generally regulate speech activity on Airport property and articulate standards on permissible conduct in advance in order to deal with overcrowding. At all times when a restriction is imposed, the least restrictive alternative shall be required.

4.11.2 Prohibited Conduct. Any person may engage in speech-related activities on public areas of Airport property so long as the following restrictions are obeyed:

4.11.2.1 No violation of state or municipal criminal laws;

4.11.2.2 No intentional touching or making physical contact with

another person unless that person consents to such physical contact;

4.11.2.3 No use of placards, banners or signs made of wood, metal or other hard substances within the Airport;

4.11.2.4 No use of a table, counter or stand within the Airport without written authorization of the Airport director;

4.11.2.5 No impeding of pedestrian or vehicle access to any Airport facility.

4.11.3 Authorization of Airport director. The Airport director may request that persons engaging in speech activity within the Airport confine themselves to designated areas if the unrestricted presence of such persons causes serious public inconvenience in the operation of the Airport. Such determination shall be made after initially allowing the activity, but then finding that the activity's continuance causes blockage of or interference with any of the following: Airport entrances; car rental or other commercial activities; aircraft, automobile, limousine or bus boarding or unloading; aviation activity or the transaction of business at the Airport. The persons engaging in the interfering activity shall be requested to conduct such activities outside the Airport. Priority of use of the designated areas for speech-related activities shall be given to the person or group first requesting permission for such use in writing.

4.11.4 Limitations on Use of Sidewalk Area. No group of persons who are exercising free speech rights shall block the entrances to the Airport or to any buildings thereon.

4.11.5 Removal from Airport Property. Persons or organizations engaging in free speech activities shall be subject to arrest for trespass in the event they continue to violate these rules after the Airport director gives notice to cease and desist to any person engaging in the activity. Failure of the person receiving the notice to communicate the notice to other persons in that group shall not be a basis to set aside the notice.

4.11.6 Advance Notification. Advance notification to the Airport director of intent to picket, demonstrate, solicit or distribute printed material at the Airport is encouraged, but not required. Interested groups may wish to give advance notice where possible so that problems with interference with Airport activities can be resolved in advance.

4.12 Amplified Sound. No person may use voice amplification equipment without written authorization of the Airport director. Permission shall be granted if the Airport director receives a timely completed request for permission and finds that the activity can be done safely and without interfering with aviation activity at the Airport. Requests for

permission to use amplified sound shall be on a form provided by the Airport director and shall be filed at least 48 hours (excluding weekends and holidays) prior to the time for which amplified sound is requested. Notwithstanding the preceding sentences, if the Airport director finds the actual use of amplified sound is an unreasonable safety risk or if the actual use is not consistent with the application, the Airport director may withdraw permission to use amplified sound.

4.13 Interference with Operation of Aircraft. No person shall interfere with the operation of aircraft or start the engine of an aircraft without the consent of the aircraft's operator.

4.14 Lost Articles. Persons finding lost or mislaid articles shall turn such items in to the Airport director's office. Such property shall be disposed of as provided by Roseburg Municipal Code Chapter 3.16.

4.15 Use of Hazardous Materials and Environmental Law Compliance.

4.15.1 Except for material in the quantities listed in 4.16.1.9, any hazardous materials brought onto the Airport must be immediately reported to the Airport director. The report shall be made by delivering to the Airport director's office either a completed hazardous materials report form (available from the Airport director) or by delivering a copy of the cargo manifest (shipping paper). When requested, a person bringing hazardous materials onto the Airport shall provide the Airport director or the City Manager with the Material Safety Data Sheet for the hazardous material that person is bringing onto the Airport.

4.15.2 All persons shall comply with federal, state and City of Roseburg laws relating to the protection of human health and the environment, including laws and regulations pertaining to the use, storage and transportation of hazardous materials.

4.15.3 All persons shall exercise extreme care in handling hazardous materials. Each person using hazardous materials shall undertake any and all preventative, investigatory or remedial action as required by law, by order of a governmental agency with jurisdiction under the law, or which is necessary to prevent or minimize property damage or personal injury by release or exposure to hazardous materials. Any person causing or having knowledge of any release or spill of hazardous materials must immediately report such release or spill to the Airport director. In the event a person fails to perform any of these obligations, the City may, but is not required to, perform these obligations at the person's expense.

4.15.4 No person shall place any solid or pour any liquid other than water down floor drains, manholes or other sewer connections.

4.15.5 City reserves the right to prohibit any hazardous material from being

brought onto the Airport. In the event City prohibits a material from being brought onto the Airport, City will post a notice at the Airport director's office that the material is prohibited and will attempt to notify persons having such material on the Airport.

4.16 Fire Regulations (Oregon Fire Code).

4.16.1 The following actions are prohibited inside aircraft storage hangars per the Oregon Fire Code

4.16.1.1 Refueling of any aircraft (OFC 1104.1)

4.16.1.2 Welding or any other work involving open flames (OFC 1103.1)

4.16.1.3 Painting of aircraft other than self-service touch-up painting (OFC 1104.2)

4.16.1.4 Storage of combustible debris (OFC 1103.3)

4.16.1.5 Smoking, except in designated and approved smoking areas (OFC 1103.2)

4.16.1.6 Continued work or aircraft movement if a spill of a flammable or combustible liquid occurs (OFC 1104.4)

4.16.1.7 Cleaning aircraft or parts with Class 1A flammable liquids (OFC 1104.3)

4.16.1.8 Storage of flammable and combustible materials without proper containers (OFC 1103.6)

4.16.1.8.1 Limited amounts of flammable materials such as small spray paint cans that may be needed to support self-service maintenance requirements must be stored in Flammable Storage Cabinets meeting the requirements of OFC 3404.3.2

4.16.1.8.2 Oily rags and other waste products susceptible to spontaneous combustion must be disposed of in a metal, airtight, listed disposal container with an automatically closing lid. This container must be emptied daily (OFC 304.3.1)

4.16.1.9 Storage of *more than* 10 gallons of flammable or combustible liquids used for maintenance purposes or operation of equipment (OFC 3803.2)

NOTE: See Attachment A for classification and examples of

flammable and combustible liquids

4.16.1.10 Use of unvented heaters which utilize portable LPG tanks (OFC 3803.2)

4.16.1.11 The transferring or dispensing of flammable liquids from one container to another inside any hangar.

4.17 Fire Extinguishers. All hangars and repair areas shall have at least one currently tested 2A20BC fire extinguisher in a visible and accessible location for each 3000 square feet of floor area or portion thereof. Every towing vehicle, welding apparatus and fueling station will have a minimum of one currently tested 3A40BC extinguisher at all times. Every aircraft refueler shall have a minimum of two 2A20BC fire extinguishers, one mounted on each side of the refueler. Use of any fire extinguisher equipment under any circumstances shall be reported to the Airport Director and Fire Chief immediately after use.

NOTE: During scheduled inspections, the Roseburg Fire Department will only enforce Fire Code violations. If a Fire Department inspector notes anything other than a violation of the Oregon Fire Code, it may be reported to the Airport Director for follow-up.

4.18 Smoking. No person shall smoke or carry lighted cigarettes, cigars, pipes or any flame in or about any fuel storage area, stationary refueling vehicle, public landing area, public aircraft parking and storage area or any other area where smoking is prohibited by sign.

4.19 Vending Machines and News Racks. Vending machines and news racks that are to be placed outside of leaseholds may be located only in areas designated by the City Manager. In determining where to designate vending machine or news rack areas, the City Manager shall consider whether vending machines or news rack placement would interfere with pedestrian movement, compete with another permitted activity, foster political speech and any other factor the City Manager deems relevant. The City Manager may grant an exclusive concession to operate news racks outside of leaseholds. A permit is required to operate more than three vending machines within any leasehold. The operation of any vending machine or news rack, which requires money to operate, outside a leasehold is deemed a commercial activity and requires a permit under these rules. The Airport director may order removal of noncommercial vending machines or news racks if the operation of these machines creates excessive litter.

5. RULES OF LIMITED APPLICABILITY.

5.1 Repair of Motor Vehicles. No person shall repair motor vehicles at the Airport except for minor repairs necessary to remove the motor vehicle from the Airport or repairs made to motor vehicles within a hangar leased by the motor vehicle owner.

5.2 Repair of Aircraft.

5.2.1 Location for Repairs. No person shall repair aircraft at the Airport in areas not approved by the Airport director, except for minor repairs necessary to remove the aircraft from the Airport or to an approved area. Approved areas include hangars, leasehold areas (unless the lease provides otherwise) and tie-down areas. However, persons making repairs in tie-down spaces may not infringe on adjacent spaces. Use of tie-down space for major repairs is discouraged.

5.2.2 Permit Required. Only those persons working under a City of Roseburg permit will be authorized to perform aircraft maintenance for compensation at the Roseburg Regional Airport. This rule does not apply to mechanics who are full-time employees of an aircraft owner and who work only on aircraft owned by their employer, or to employees of the Fixed Based Operator.

5.3 Use of Airfield Area.

5.3.1 Motor Vehicles Prohibited from Runway and Taxiway. No motor vehicles shall be operated on the runway or taxiway without the prior approval of the Airport director.

5.3.2 Parking of Motor Vehicles . No motor vehicle shall be parked within ten feet from any fire hydrant.

5.4 Operation of Aircraft.

5.4.1 Permission Required for Certain Activities. No person, without prior written permission of the Airport director, shall at the Airport:

5.4.1.1 Engage in special aviation events or demonstrations;

5.4.1.2 Land, taxi or take off an aircraft having an actual gross weight over that indicated for the Airport in the FAA Airport Facility Directory.

5.4.2 Taxiing of Aircraft.

5.4.2.1 Aircraft shall use taxiways and paved areas when taxiing.

5.4.2.2 No aircraft shall move into or out of any hangar under its

own power.

5.4.3 Aircraft Parking.

5.4.3.1 Except for in designated tie-down areas, no person shall park or leave standing an aircraft at the Airport other than inside a hangar, unless it is firmly tied to the ground or chocked with wheel blocks or other approved devices.

5.4.3.2 Upon direction from the Airport director, the owner or person operating any aircraft shall move the aircraft from the place where it is parked or stored to a designated place; if the direction is not obeyed, the Airport director may tow said aircraft to the designated place at the owner's expense, or at the expense of the person operating the aircraft, without liability for damage to the aircraft or its contents which may result in the course of such moving.

5.4.3.3 All persons leasing space for aircraft storage, parking or tie-down shall furnish a list of such aircraft to the Airport director on request and shall notify the Airport director of any change to that list.

5.4.4 Disabled Aircraft. Aircraft owners, pilots or their agents shall be responsible for the prompt disposal of disabled aircraft and parts, unless required to delay that action pending an investigation of an accident. If any person abandons or otherwise neglects or refuses to move an aircraft, or any parts thereof, when directed by the Airport director, the aircraft or parts may be removed by the Airport director at the owner's or operator's expense without liability for damage which may result in the course of such removal.

5.4.5 Accident Reports. Persons involved in aircraft accidents occurring at the Airport shall immediately file an accident report which conforms with FAA regulations and requirements and shall provide a copy of the report to the Airport director. The report shall include: person's name; the names of all other persons involved (if known); addresses of all involved persons (if known); the identification number for any aircraft involved or, if the identification number is not available, any other information helpful to identifying the aircraft; where on the Airport the accident occurred; and the time and date of the accident. Reports may be made by placing a completed accident report form in the box provided next to the Airport director's office. As used herein, accident means any contact between an aircraft or part thereof with some other object (including people and animals) that results in damage to property of another, injury to another, causes the release of hazardous materials or leaves debris on City property. This does not eliminate any obligation a person may have to report accidents or incidents to any other agency.

5.4.6 Liability for Damage to Airport Property. Any and all Airport property destroyed, injured or damaged by accident or otherwise shall be paid for by the party or parties responsible for such destruction, injury or damage thereto.

5.4.7 Engine Testing. No person shall run the engine or engines of any aircraft at any location on the Airport in such a manner as to cause damage to other aircraft or property or in such a manner as to endanger the safety and operations of the Airport.

5.4.8 Use of Hard Surfaces. All fixed wing operations shall be confined to hard surfaces.

5.4.9 Recommended Procedures. All procedures must conform with FAA regulations and procedures, and it is recommended that:

5.4.9.1 Aircraft take-off from the end of the runway;

5.4.9.2 No turn after take-offs be made until the aircraft has reached 1350 MSL;

5.4.9.3 The standard patterns be left-hand for all runways;

5.4.9.4 Normal traffic patterns be at 1,000 feet above the airport.

5.4.9.5 All aircraft enter the traffic pattern at a 45 degree angle at the center of the downwind leg or on a crosswind or upwind entry; and

5.4.9.6 All aircraft should make at least two 90 degree turns of a traffic rectangle. The final approach leg should be at least one-quarter mile before landing.

5.4.10 Helicopter Ground Operation. The operation of helicopters shall be conducted in such a manner as to preclude any damage by the downwash to other aircraft on the Airport. When other aircraft are running up or taxiing in the immediate vicinity of helicopters which are on the ground with blades turning, the helicopter shall remain on the ground and the pilot shall keep the rotors in a flat pitch until the other aircraft has cleared the area.

5.5 Fueling Aircraft.

5.5.1 General Rules.

5.5.1.1 During the fueling of an aircraft a person shall not smoke

on any apron or within 50 feet of an aircraft.

5.5.1.2 Persons engaged in the fueling of aircraft shall exercise extreme caution to prevent spills. When a spill occurs, servicing will cease and spills will be removed or absorbed with suitable material. Any person causing or having knowledge of any release or spill of fuel in excess of one gallon must immediately report such release or spill to the Airport director.

5.5.1.3 No person shall start the engine or engines of any aircraft at the Airport when there is gasoline or any type of fuel on the ground under the aircraft. In the event of any fuel spill, no person shall start an aircraft engine in the area of the spillage until the spillage is cleaned up.

5.5.1.4 The City assumes no liability for improper fueling or use of wrong fuel by any private fuel provider at the Airport.

5.5.1.5 No person shall use any material or equipment during fueling operations which is likely to cause a spark or ignition.

5.5.1.6 Any person fueling an aircraft with gasoline from approved metal cans having a capacity of five gallons or less shall have one 10BC rated, U.L. approved, dry chemical fire extinguisher immediately available for use. Except as otherwise approved by the Fire Chief, during all other fueling operations in connection with any aircraft, there shall be not less than two 20BC rated, U.L. approved, dry chemical fire extinguishers immediately available for use.

5.5.1.7 No person shall perform or allow performance of any fueling activity when lightning is observed in the immediate vicinity of the Airport.

5.5.1.8 All fueling activities shall be conducted on hard surface areas only outside of hangars.

5.5.1.9 All hoses, funnels and appurtenances used in fueling operations shall be equipped with a grounding device to prevent ignition of volatile liquids. Furthermore, funnels shall be metal.

5.5.1.10 No person shall engage in fueling:

(a) When an aircraft is being warmed by an external engine heater;

(b) Inside a hangar or an enclosed area;

(c) While an aircraft radio transmitter or receiver is being operated or other electrical appliances are switched on;

(d) When there are people aboard the aircraft;

(e) From drums, small containers or similar items unless authorized by the Fire Chief.

5.5.2 Additional Rules Applicable to Fueling Operations Other Than From Five Gallon Cans and Bulk Plants.

5.5.2.1 Fuel storage and servicing equipment, including fuel servicing vehicles, fueling pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be U.L. approved where applicable, shall comply with state laws and regulations and shall be maintained in a non-leaking condition at all times.

5.5.2.2 A fuel servicing vehicle, including tank trucks and tank semi-trailers, when servicing an aircraft must be positioned so that it can be readily driven forward to an open area during an emergency.

5.5.2.3 Fuel servicing vehicles will proceed with caution on the apron.

5.5.2.4 Commercial fueling operation attendants shall be fully trained and competent to operate the emergency pump controls.

5.5.2.5 Prior to fueling an aircraft, the fuel dispensing equipment shall be bonded to the aircraft by use of a cable. The bond shall be maintained until the fuel connections have been removed. Notwithstanding the preceding sentences, when a funnel is used in aircraft refueling, it shall be kept in contact with the filler neck as well as the fueling nozzle spout or the supply container.

5.5.2.6 Fuel transfer or filler nozzles must be of a self-closing type, designed to be actuated by hand pressure only.

5.5.2.7 Tanks shall have a valve mechanism such that water or other contaminants can be removed from the lowest portion of the tank.

5.5.2.8 An in-line filtration system utilizing a 5 micron or less fuel filter element shall be included in any commercial fuel dispensing system.

5.5.2.9 When a malfunction of the fueling equipment is

detected, all fueling operations shall cease immediately.

5.5.2.10 No airborne radar equipment shall be operated or ground tested on any area wherein the directional beam of high intensity radar is within 300 feet or low intensity radar (less than 50 KW output) is within 100 feet of another operation or aircraft refueling truck.

5.5.2.11 Fuel servicing vehicles shall be maintained and operated in accordance with Environmental Protection Agency (EPA), federal, state and local codes covering fuel dispensing on airports and NFPA Standard 407, latest edition, (Aircraft Fuel Servicing), or as hereafter amended. The applicable sections of FAA Advisory Circular 150/5230-4A (with revisions) shall also be followed.

5.5.2.12 Each fuel servicing vehicle shall be conspicuously marked in letters at least six inches high of a contrasting color, with the word "flammable" on both sides and rear of the cargo tank. The wording "emergency shut off" and other appropriate operating instructions required at the emergency operating devices shall be marked in letters at least two inches high. Each fuel servicing vehicle will also be conspicuously marked on both sides and rear with the type and grade of fuel it contains in appropriate color schemes.

5.5.2.13 Unless allowed by a permit or lease, fuel servicing vehicles shall not be stored or parked at the Airport. A person, firm or corporation may park or position a fuel servicing vehicle on the Airport premises only when actually dispensing fuel. Except for operators engaged in fueling, oil sales and transient aircraft services under Chapter 7.1 of these rules, permission to park fuel servicing vehicles shall be granted by a permit or lease only for extraordinary circumstances and for a limited period of time.

5.5.2.14 Fuel servicing vehicles shall use only the entrance, exit and route designated by the Airport director.

5.5.2.15 A fuel servicing vehicle cargo tank shall be supported by and attached to, or be a part of, the vehicle upon which it is carried.

5.5.2.16 Fuel will not be transferred from one fuel servicing vehicle to another within 100 feet of any building, open flame, sparking device, source of ignition or group of people.

5.5.3 Bulk Plants.

5.5.3.1 Under no circumstances will a tank motor vehicle be left

unattended at a bulk plant during the loading or unloading process. Loading and unloading shall not be considered complete until the delivery hose is detached from vehicle and tanks.

5.5.3.2 Every tank motor vehicle must have the tank grounded and the nozzle grounded before loading and unloading.

5.5.3.3 Persons or companies using any bulk plant are responsible for keeping the yards and the area three feet outside the yard fences free of weeds, trash and other debris.

5.5.3.4 Tanks at bulk plants shall not be filled to the point where they will overflow from heat expansion. Tanks must be equipped with an overflow warning device or other system designed to prevent overflow.

5.5.3.5 All loading platforms and fill nozzles will be equipped with proper grounding devices and flexible cables.

5.5.3.6 Strict controls to detect fuel leakage or losses shall be used. Owners of underground storage tanks shall comply with State of Oregon DEQ Underground Storage Tank monitoring and recording requirements. Records of controls and readings shall be available for inspection by the Airport director.

6. PERMITS - GENERAL RULES.

6.1 Relationship of Permit or Lease to Rules. Unless otherwise agreed, all permits and leases shall be subject to compliance with the requirements of these rules, the rules regarding issuance and revocation of leases and permits, the Airport Master Plan and the Airport Layout Plan. The City Manager may waive in writing all or any portion of the general or minimum standards set forth below when the City Manager deems such waiver to be in the best interest of the Airport's operation. The length of the waiver period shall be specified in a written agreement.

6.2 General Standards for all Permittees and Lessees. All permits and leases shall be subject to the following:

6.2.1 Required Licenses and Permits. Commercial operators and their employees shall hold all current valid certificates, permits, licenses or other authorizations required by the FAA and state law.

6.2.2 Permit or Lease Not Transferable. No permit or lease shall be conveyed or transferred without the prior written consent of the City, which consent

shall not be unreasonably withheld. Any sublessee or transferee must meet all of the requirements of the permit or lease and these rules.

6.2.3 Construction of Improvements. No structure or improvements at the Airport shall be constructed, altered or removed without the prior written approval of the City Manager. The City may require a performance bond to guarantee the satisfactory completion of any construction. The plans for any building constructed at the Airport shall be approved by the City Manager and shall comply with state and local laws, codes and regulations pertaining to their construction.

6.2.4 Limit to Assigned Area. A commercial operator shall carry on operations within the area leased by the commercial operator and the operations shall not interfere with the lawful activities of other persons using the Airport.

6.2.5 Required Space. Unless otherwise agreed, all operations shall be conducted in one area of sufficient size to accommodate all services for which the commercial operator is licensed, allowing for future growth. The location and minimum size of leased areas of operations shall be set by the City Manager, consistent with these rules and the Airport Master Plan.

6.2.6 Right of Entry. The Airport director shall have the right to inspect at reasonable times all Airport premises, together with all structures or improvements.

6.2.7 Payment of Fees and Charges. A commercial operator or lessee shall pay promptly when due, all utility charges incurred at the leased premises, any fees or rents imposed by the City and any taxes and assessments levied against any property constructed, used or leased at the Airport. The commercial operator or lessee agrees to hold the City harmless from all liens that may be placed against the facilities on the leased premises.

6.2.8 Repair and Maintenance. Each commercial operator or lessee shall keep the leased area facilities and structures in an acceptable state of repair and maintained in a clean and orderly condition at all times. All leased property shall be free from fire hazards as may be determined by the Fire Chief or his designee. The City may make repairs to any leased area when the commercial operator or lessee is obliged to make the repairs pursuant to the lease and has failed after due notice to do so, or in any other case where the City, in its reasonable judgment, determines that repairs are necessary to correct any condition likely to cause injury or damage to persons or property. In either event, the commercial operator or lessee shall reimburse the City for the reasonable costs of these repairs promptly upon demand.

6.2.9 Snow, Ice, Weed and Debris Removal. Each commercial operator or lessee shall promptly remove snow, ice, debris and weeds from the leased area and all passageways, sidewalks, paths or other pedestrian walkways immediately

adjoining the leased property. Passageways, halls, doors and exits from buildings occupied by a commercial operator or lessee shall be kept clear of stored material and debris. The requirements of the preceding two sentences do not apply to tie-down space leases. The City may, at the request of the commercial operator or lessee, and at the discretion of the Airport director, assist the commercial operator or lessee in snow, ice, debris and weed removal. Each commercial operator or lessee shall indemnify and hold the City and its officials, agents and employees harmless from all liability in connection with such snow, ice, debris and weed removal.

6.2.10 Insurance. Unless otherwise agreed, each commercial operator shall maintain in force during the time operations are conducted at the Airport the insurance coverage's specified below. The City may require other types of insurance policies (e.g. comprehensive automobile, hangar keepers, product liability, aircraft liability, premises liability) when the maintenance of such insurance is in the public interest. Each policy required by these provisions shall be written as a primary policy, not contributing with or in excess of any coverage which the City may carry. Each liability policy shall be written on an "occurrence" form with an insurance carrier licensed to do business in the State of Oregon (preferably an admitted carrier) and shall contain an endorsement entitling the City to not less than 30 days prior written notice of any material change, non-renewal or cancellation.

6.2.10.1 General Liability. Any commercial operator who leases property at the Airport for use in his or her operation shall maintain a broad form commercial general liability insurance policy with coverage of not less than \$500,000 combined single-limit per occurrence for bodily injury, personal injury or property damage. Such policy shall contain a contractual liability endorsement to cover the commercial operator's indemnification obligations under these rules. The policy shall also contain an endorsement naming the City as an additional insured, in a form satisfactory to the City, and expressly providing that the interest of the City shall not be affected by the commercial operator's breach of the policy provisions.

6.2.10.2 Aviation Insurance. Any commercial operator who uses aircraft as part of his or her operation must maintain aviation insurance adequate to cover the planned use of the aircraft. The commercial operator shall maintain aviation liability coverage of not less than \$500,000 combined single-limit per occurrence for claims of bodily injury, personal injury or property damage, including claims by passengers and crew. Notwithstanding the preceding, a flight instructor is not required to make sure that a student has proper aviation insurance when the flight instructor is offering the instruction using the student's aircraft.

6.2.10.3 Worker's Compensation Insurance. The commercial

operator, its subcontractors, if any, and all employers working for the commercial operator are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers. The commercial operator shall comply with the Oregon worker's compensation law by qualifying as a carrier-insured employer or as a self-insured employer and shall strictly comply with all other applicable provisions of such law. The commercial operator shall provide the City with the assurances that the City may require that the commercial operator is in compliance with the worker's compensation law. This rule is not intended to require worker's compensation by a commercial operator for agents, when that coverage is not required by state law.

6.2.11 Indemnification. A commercial operator shall indemnify and hold the City of Roseburg and its officers, agents and employees harmless from and against all claims, actions, liabilities, costs, including costs of defense, arising out of or in any way related to the commercial operator's activities at the Airport, the commercial operator's failure to comply with any provision of these rules or of the commercial operator's lease or permit with the City, or of any other actions or failure to act by the commercial operator and the commercial operator's employees, agents, officers and contractors. In the event any such action or claim is brought against the City, the commercial operator shall, if the City so elects and upon tender by the City, defend the same at the commercial operator's sole expense and cost, promptly satisfy any judgment adverse to the City or to the City and the commercial operator jointly, and reimburse the City for any loss, cost, damage or expense suffered or incurred by the City, including any legal fees or fines paid to the FAA or any other governmental agency arising from the commercial operator's activities.

6.2.12 Airport Layout Plan/Airport Master Plan. The City reserves the right to make changes in the Airport Layout Plan and Airport Master Plan. The City reserves the power to designate as common use areas any areas which have not been specifically leased or reserved to any person or party by a written agreement.

6.2.13 Discrimination. Each commercial operator shall furnish all services authorized or licensed by the City of Roseburg by charging fair, reasonable and not unjustly discriminatory prices for each unit of service; provided, however, that the commercial operator may make reasonable and non-discriminatory discounts, rebates or other similar types of price reductions to volume purchasers, if permitted by law. No person shall, in the use of the Airport or any of its facilities, discriminate or permit discrimination against any person on the grounds of race, color, creed, national origin, sex or age, or otherwise discriminate in violation of federal, state or local law.

6.2.14 Bonds. If any activity for which a permit has been requested creates

a risk that the City may incur liability or costs and the commercial operator cannot provide proof of adequate insurance against that risk, the City may, as a condition of any permit, require the commercial operator to post a surety bond against such risk. The amount and adequacy of the insurance or bond shall be determined by the City Manager.

7. PERFORMANCE STANDARDS FOR PARTICULAR ACTIVITIES.

If a commercial operator provides two or more of the services set forth below, the commercial operator shall have a permit for each service. In addition to the general standards set out above, each permit or lease for the following described operations shall conform to the following requirements.

7.1 Fueling and Oil Sales.

7.1.1 Fueling Facilities. The commercial operator shall have:

7.1.1.1 Adequate fuel storage facilities of sufficient capacity to accommodate fully loaded interstate fuel transport trucks (10,000 gallons) and suitable pumping equipment for each type of fuel offered. Such fueling facilities shall be located in the Airport fuel farm area unless otherwise authorized by the City Manager;

7.1.1.2 Two fuel-dispensing trucks, a jet fuel truck having a minimum capacity of 1,000 gallons and an aviation gasoline truck having a minimum capacity of 750 gallons. Each truck will be equipped with adequate and appropriate filtering devices and meters. Fuel shall be available in such types and quantities to meet all reasonable demands of the aircraft normally frequenting the Airport. Both jet fuel and aviation gasoline shall be offered.

7.1.2 Hours of Operation. As a minimum, the facility shall be open for business during normal operating hours and periods of increased activity, seven days a week, 52 weeks per year, except Thanksgiving and Christmas.

7.1.3 Required Sign. The commercial operator shall provide the Airport director with a sign meeting specifications set by the Airport director. In addition to any other information that the Airport director may request, the sign shall contain the name of the business and a phone number where potential patrons can contact the business.

7.1.4 Required Telephone. The commercial operator shall maintain a published telephone number that is answered 24 hours a day, seven days a week.

7.2 Aircraft Engine and Accessory Maintenance and Repair. The commercial operator must offer air frame power plant and accessory repair for small aircraft (12,500 pounds and under) and must meet all requirements as specified under FAR Parts 43 and 65.

7.2.1 Required Personnel. The commercial operator shall have one qualified full-time mechanic and as many other properly trained personnel as may be required to perform the various maintenance repairs in an efficient manner.

7.2.2 Required Sign. The commercial operator shall provide the Airport director with a sign meeting specifications set by the Airport director. In addition to any other information that the Airport director may request, the sign shall contain the name of the business and a phone number where potential patrons can contact the business.

7.2.3 Required Telephone. The commercial operator shall maintain a published telephone number that is answered 24 hours a day, seven days a week.

7.3 Aircraft Charter and Air Taxi. The commercial operator must be certificated by the FAA under FAR Part 135 with appropriate ratings and certificates.

7.3.1 Required Lot Size. The leasehold shall contain sufficient tie-down or hangar space to accommodate the projected inventory of aircraft.

7.3.2 Required Personnel. The commercial operator must have one person having a current commercial pilot's certificate, who is appropriately rated to conduct the service offered.

7.3.3 Equipment Requirements. The commercial operator must own or lease in writing a minimum of one aircraft with a seating capacity of not less than two persons or one helicopter with a seating capacity of not less than two persons meeting the requirements of the air taxi/air charter certificate held by the commercial operator.

7.3.4 Required Sign. The commercial operator shall provide the Airport director with a sign meeting specifications set by the Airport director. In addition to any other information that the Airport director may request, the sign shall contain the name of the business and a phone number where potential patrons can contact the business.

7.3.5 Required Telephone. The commercial operator shall maintain a published telephone number that is answered 24 hours a day, seven days a week.

7.4 Aircraft Rental.

7.4.1 Required Lot Size. The leasehold shall contain sufficient tie-down or hangar space to accommodate the projected inventory of aircraft.

7.4.2 Required Equipment. The commercial operator must own or lease in writing a minimum of one currently certified aircraft or one currently certified helicopter.

7.4.3 Required Sign. The commercial operator shall provide the Airport director with a sign meeting specifications set by the Airport director. In addition to any other information that the Airport director may request, the sign shall contain the name of the business and a phone number where potential patrons can contact the business.

7.4.4 Required Telephone. The commercial operator shall maintain a published telephone number that is answered 24 hours a day, seven days a week.

7.5 Flight Instruction.

7.5.1 Required Sign. The commercial operator shall provide the Airport director with a sign meeting specifications set by the Airport director. In addition to any other information that the Airport director may request, the sign shall contain the name of the business and a phone number where potential patrons can contact the business.

7.5.2 Required Telephone. The commercial operator shall maintain a published telephone number that is answered 24 hours a day, seven days a week.

8. GROUND TRANSPORTATION SERVICES.

8.1 Authorized Activities. Except for persons licensed under the Roseburg taxi ordinance, any person engaging in a ground transportation activity, including off-Airport car rental agencies, shall obtain a permit to do so from the City Manager.

8.2 Permit Conditions. The City Manager may impose such conditions and requirements on a ground transportation activity permit as the City Manager deems necessary to protect the public interest. Such conditions shall include at a minimum: identification of the vehicles to be used, necessary insurance and required indemnification to the City.

9. APPLICATION FOR PERMIT.

9.1 Application. Applications for Airport permits shall be made on a form prescribed by the City Manager and shall contain such information as the City Manager requires.

9.2 Permit Fee. The application shall be accompanied by a fee set by resolution of the City Council.

9.3 Review of Applications. An application shall be allowed or denied within 45 days after receipt of a complete application. The application may be approved if:

9.3.1 The requested operation is consistent with the Airport Master Plan and relevant provisions of federal, state and local laws and rules.

9.3.2 The requested operation would enhance the health, welfare and safety of users of the Airport. In reviewing an application, the City Manager may consider whether:

9.3.3 The applicant's past or present violation of laws or regulations presents a reasonable doubt about the applicant's ability to conduct activities at the Airport without endangering property or the public's health or safety;

9.3.4 The applicant possesses insufficient skill or expertise to conduct the desired activity;

9.3.5 Allowance of the application will require the expenditure of public funds in connection with the proposed operation;

9.3.6 There is no appropriate, adequate or available space or building on the Airport to accommodate the entire activity of the applicant at the time of application;

9.3.7 Development or use of the area requested by the applicant will unduly interfere physically with existing operations at the Airport;

9.3.8 The applicant has supplied the City with false information or has misrepresented a material fact in the application;

9.3.9 The applicant has defaulted in the performance of any lease, permit or other agreement with the City;

9.3.10 The applicant does not appear to have or have access to the finances necessary to conduct the proposed operation for a minimum period of six months;

9.3.11 The applicant has a history of not paying debts when due;

9.3.12 The applicant is unwilling to execute a permit or lease in the form and containing the provisions required by the City.

Nothing contained herein shall be construed to prohibit the City from granting or denying, for any reason it deems sufficient, an application to do business on the Airport or to use any area of the Airport.

9.4 Action on Application. The City Manager shall issue a written decision approving or denying each application. Approval will be conferred by issuance of a permit. Denial will be by written communication, identifying the reasons for the decision of the City Manager denying the application.

9.5 Charges. The permit shall provide for the periodic payment to the City of a sum based on the following:

9.5.1 The amount charged for such use in the past;

9.5.2 Comparable amounts or rates, if any, charged by other airports;

9.5.3 The amounts paid or benefits given by comparable users of the Airport;

9.5.4 The revenue needs of the Airport and City.

9.6 Operating Agreements. The provisions of Rules 9.1 to 9.5 do not apply to operating agreements for the following commercial operators; use of the airfield shall be allowed for such entities subject to federal and state law and to reasonable conditions for such use imposed in an operating agreement:

9.6.1 Certificated Route Air Carriers, i.e. an air carrier holding a certificate of public convenience and necessity issued by the Oregon Department of Transportation to conduct scheduled services;

9.6.2 Supplemental Air Carriers, i.e., an air carrier holding a certificate of public convenience and necessity issued by the Oregon Department of Transportation authorizing the carrier to perform passenger and cargo charter services supplementing the scheduled service of the Certificated Route Air Carriers;

9.6.3 Aircraft Charter, i.e., the provision of aircraft for hire, with pilot, on an irregular or unscheduled basis in accordance with FAR Part 121, which aircraft has a minimum seating capacity of 60 or more passengers;

9.6.4 Air Commuter Service, i.e., operation of aircraft in accordance with

FAR Part 135, providing carriage for persons or property for hire in an aircraft having a maximum seating capacity of less than 20 passengers or a maximum payload capacity of 6,000 pounds (for interstate transport) or an aircraft having a maximum seating capacity of less than 309 passengers or a maximum payload capacity of less than 7,500 pounds (for intrastate transport), which operation performs at least five round trips per week between two or more points and publishes flight schedules which specify the times, days of the week, and points between which flights are performed.

10. REVOCATION OF PERMIT.

10.1 Grounds for Revocation. Unless otherwise provided in any permit or lease, the City Manager may terminate any lease or revoke any permit upon the happening of any of the following:

10.1.1 Failure of the commercial operator to pay any fee or other charge when due and within seven (7) days after notice from the City of such nonpayment;

10.1.2 Failure of the commercial operator to comply with any provision of these rules or with any provision of the permit within thirty (30) days after notice from the City specifying the nature of the deficiency with reasonable particularity and the corrective action that is to be taken within such period to cure the deficiency;

10.1.3 The filing by the commercial operator of a voluntary petition in bankruptcy or the filing of an involuntary petition in bankruptcy against the commercial operator and the failure of the commercial operator to dismiss such proceeding within ninety (90) days after the filing;

10.1.4 The taking of possession of all or substantially all of the commercial operator's assets pursuant to proceedings brought under the provisions of any federal reorganization act and the failure of the commercial operator to secure the return of such assets and the dismissal of such proceedings within ninety (90) days from the date of the taking of such possession;

10.1.5 The appointment of a receiver of all or substantially all of the commercial operator's assets and the failure of the commercial operator to secure the return of its assets and the dismissal of such receivership proceeding within ninety (90) days from the date of such appointment.

10.1.6 The taking of possession of substantially all of the assets of the commercial operator by virtue of any attachment, execution or levy of any judicial process in any action instituted against the commercial operator in any court of

competent jurisdiction and the failure of the commercial operator to secure the release of such attachment, execution or levy within ninety (90) days from the date of the taking of such possession;

10.1.7 The assignment by the commercial operator of its assets for the benefit of creditors;

10.1.8 The abandonment or discontinuance of any permitted operation for a period of thirty (30) days unless the discontinuance is approved by the Airport director. Suspension of operation caused by strike or work stoppage shall not be construed as abandonment;

10.1.9 The commercial operator or its agents have intentionally supplied the City with false or misleading information or misrepresentation of any material fact on the application or documents, or in statements to or before the City, or have intentionally failed to make full disclosure on the financial statement or other required documents.

10.2 Notice of Revocation. Upon determining that a ground for revocation of a permit exists, the City Manager shall provide written notice of revocation to the commercial operator. Normally, notice of revocation shall be effective after 15 days. However, if continuance of the lease or permit affords an immediate risk to the public health, welfare or safety, or interferes with another permitted activity at the Airport, the revocation shall be effective when issued.

11. LEASES.

11.1 Application. Application for Airport leases shall be made to the City Manager as provided in Section 3.22.140 of the Roseburg Municipal Code.

11.2 Application Fee. The application shall be accompanied by a fee set by resolution of the City Council.

11.3 Processing Applications. Applications for leases will be processed as required by Section 3.22.160 et. seq., of the Roseburg Municipal Code.

11.4 Rents. Rents shall be set and periodically adjusted by resolution of the City Council as provided in Section 3.22.150 of the Roseburg Municipal Code.

12. PENALTIES.

12.1 Right to Remove.

12.1.1 Ejection From Airport. In addition to any other penalty provided by law, any person who violates these rules or fails to comply with a lawful directive of the City Manager or the Airport director, may be promptly removed or ejected from the Airport by or under the authority of the Airport director.

12.1.2 Ban From Use of Airport. Any person who violates these rules and whose continued presence at the Airport endangers persons or property at the Airport or interferes with public use of the Airport or its efficient operation, may be banned from the Airport by order of the Airport director. Such an order shall be in writing and be immediately effective upon service upon the person. The order shall state the reasons for the ban and the length of time for the deprivation. The affected person may appeal the order to the City Manager by submitting a written appeal within 10 days of the date of the order. The order of the Airport director shall remain in effect during the pendency of any appeal. The decision of the City Manager on the appeal shall be final.

12.1.3 Aircraft Operation Prohibited. In addition to any other penalty provided by law, in the event any person is found by the Airport director to have willfully violated these rules, the Airport director may prohibit the operation at the Airport of the aircraft used in such willful violation for a period of up to six months. As used in this rule, 'willful' means engaging in the same prohibited conduct after receipt of a written notice of either a violation or a conviction for a violation of the same rule. Such a ban shall be by written order and shall be immediately effective upon service to the owner of the aircraft. The aircraft owner may appeal the order to the City Manager by submitting a written appeal within ten days of the date of the order. The order of the Airport director shall remain in effect during the pendency of any appeal. The decision of the City Manager on the appeal shall be final.

12.2 Penalty For Violations. Violation of these rules is made unlawful under Section 3.22.090 of the Roseburg Municipal Code.

12.3 Complaints. Any complaint against any person for violation of these rules shall be submitted to the Airport director in writing and signed by the person submitting the complaint. The complaint shall specify dates, times, and witnesses, if any.

EXHIBIT "A"

CLASSIFICATION AND EXAMPLES OF FLAMMABLE AND COMBUSTIBLE LIQUIDS AS REGULATED BY RULE 4.16.1.9

Classifications of flammable and combustible liquids:

- Class IA – Flash Point less than 73 degrees F; Boiling point less than 100 degrees F.
- Class IB – Flash Point less than 73 degrees F; Boiling Point equal to or greater than 100 degrees F.
- Class IC – Flash Point equal to or greater than 73 degrees F, but less than 100 degrees F.
- Class II – Flash Point equal to or greater than 100 degrees F, but less than 140 degrees F.
- Class IIIA – Flash Point equal to or greater than 140 degrees F, but less than 200 degrees F.
- Class IIIB – Flash Point equal to or greater than 200 degrees F.

Common examples of flammable and combustible liquids:

- Class I – Diethyl Ether, Ethylene Oxide, some light crude oils
- Class IB – Motor and Aviation Gasoline, Toluene, Lacquers, Lacquer Thinner
- Class II – Diesel Fuel, Paint Thinner
- Class IIIA – Home Heating Oil
- Class IIIB – Cooking Oils, Lubricating Oils, Motor Oil