

FAIRHOPE AIRPORT

Rules and Regulations

Adopted by the
Fairhope Airport Authority
on
February 27, 2024

**FAIRHOPE AIRPORT AUTHORITY
H.L. SONNY CALLAHAN AIRPORT
RULES AND REGULATIONS**

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CHAPTER I - GENERAL PROVISIONS

1. DEFINITIONS

The following words, terms and phrases when used herein shall have the meanings ascribed below.

1. **AC** - Advisory Circular
2. **Access Waiver** - A written document issued by the Airport Manager or his/her designee which authorizes certain access operations in areas not usually allowed by these Airport Rules and Regulations.
3. **Aeronautical Activity (or "Aeronautical Activities" or "Activity" or "Activities")** - Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft, or another Aeronautical Activity, or which contributes to or is required for the safety of such operations. Aeronautical Activities include, but are not limited to, sale of Aircraft Fuel and/or lubricants; passenger, crew, pilot services, and Aircraft ground services; support and amenities; Tiedown, hangar, Aircraft Parking, office, and shop rental/subleasing; Aircraft Maintenance; avionics or instrument maintenance; Aircraft Rental; Flight Training; Aircraft Charter; Aircraft management, Aircraft sales; sailplane and/or glider services; sightseeing aerial photography; aerial spraying and agriculture aviation services; aerial advertising; aerial surveying; and any other activities that in the judgment of the Authority, because of their direct relationship to the operation of Aircraft or the Airport, can appropriately be regarded as an "Aeronautical Activity." For purposes of these Minimum Standards, all products and services described herein are deemed to be "Aeronautical Activities".
4. **Agency** - Any Federal, state, or local governmental entity, unit, Agency, organization, or authority.
5. **Agreement** - A written Agreement executed by both parties and enforceable by law between the Airport Authority and an Entity granting a concession, transferring rights or interest in land and/or improvements, and/or otherwise authorizing and/or prohibiting the conduct of certain actions.
6. **Air Charter or Taxi** - The commercial operation of providing air transportation of Person(s) or property for hire either on a charter basis or as an Air Taxi operator.

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7. **Aircraft** - Any contrivance now known or hereafter invented which is used or designed for navigation of or flight in air, except a parachute or other contrivance designed for such navigation but used primarily for safety Equipment. This includes, but is not limited to, airplanes, airships, balloons, dirigibles, helicopters, gliders, gyrocopters, ground-effect machines, sailplanes, unmanned aerial systems, amphibians, and seaplanes.
8. **Aircraft Fuel** - All flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion, jet, or turbine engine. This shall include any substance (solid, liquid, or gaseous) used to operate any engine, which shall include Aircraft or Vehicles.
9. **Aircraft Management Operations** - A Commercial Operator engaged in the business of providing Aircraft flight dispatch, flight crews, or Aircraft maintenance coordination on behalf of an Aircraft Owner.
10. **Aircraft Operation** - An Aircraft arrival into or departure from the Airport.
11. **Aircraft movement area** - the runways, taxiways, and other areas of the Airport that Aircraft use for taxiing, takeoff, and landing, exclusive of loading ramps and parking areas.
12. **Aircraft Owner** - A Person or Entity holding legal title (or a fractional interest therein) or other legal interest in an Aircraft, or any Person having exclusive legal possession of an Aircraft.
13. **Aircraft Parking and Storage Areas** - Those hangar and Apron locations of the Airport designated by the Airport Authority for the parking and storage of Aircraft.
14. **Airport** - The H.L. "Sonny" Callahan Airport (hereafter referred to as Airport), owned and operated by Fairhope Airport Authority (hereafter referred to as Authority), and all land, improvements, and appurtenances within the legal boundaries of the Airport as it now exists on the Airport Layout Plan as currently approved within the Master Plan and as it may be modified.
15. **Airport Operator** – Fairhope Airport Authority or its designated representative. The Airport Operator may be contacted at P.O. Drawer 429, Fairhope, AL 36533.
16. **Airport Layout Plan (ALP)** - The currently approved scale drawing depicting the boundaries and physical layout of the Airport and identifying the location, type, dimensions and configuration of existing and proposed infrastructure and improvements, including but not limited to runways, taxiways, Aprons, buildings, roadways, utilities, NAVAIDs, as well as proposed extensions and reductions of existing Airport facilities.

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17. **Apron** - Those paved areas of the Airport within the movement area designated by the Airport Manager for the loading or unloading of passengers, servicing, or parking of Aircraft.
18. **Based Aircraft (or "Basing")** - An Aircraft which the owner or lessee physically locates at the Airport for an undetermined period, and whenever absent from the Airport, its owner intends to return the Aircraft to the Airport for long-term storage. Although Basing may occur where an Aircraft is parked at the Airport for less than 50% of the time that it is available for a person's Aeronautical activity, parking an Aircraft at the Airport for more than 50% of the time that it is available for such use shall create the conclusive presumption that the Aircraft is Based at the Airport.
19. **Certificate of Insurance** - A certificate provided by and executed by an insurance company evidencing the insurance coverages and limits of the operator.
20. **CFR** - Code of Federal Regulations, as codification of the general and permanent rules as published in the Register, and as they may be amended from time to time.
21. **Commercial Aeronautical Activity** - Any activity (including Aeronautical Activities) conducted at or on the Airport by any Entity, including without limitation:
 - a. The exchange, trading, buying, or selling of commodities, goods, services, or property of any kind; or
 - b. Any activity (including Aeronautical Activity) for the purpose of securing revenue, earnings, income, and/or compensation, whether or not such revenue, earnings, and/or compensation are ultimately exchanged, obtained, or transferred; or
 - c. Offering or exchange of any product, service, or facility as a part of other revenue, earnings, income, and/or compensation producing activity on or off the Airport; or
 - d. Any activity which involves, makes possible or is required for the operation of Aircraft, or which contributes to, or is required for the safe conduct and utility of such Aircraft operations, the purpose of such activity being to generate and/or secure earnings, income, compensation, and/or profit, whether or not such objectives are accomplished.
22. **Commercial Operator** - An Entity engaging in Commercial Aeronautical Activity at the Airport.
23. **Commercial Self-Service Fueling** - Fueling of an Aircraft by the pilot using commercial Aircraft Fuel pumps installed for that purpose. The Aircraft Fueling facility may or may not be attended by the vendor, which shall be a Fixed Base Operator.

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24. **Common Traffic Advisory Frequency (CTAF)** - Radio frequency designed for the purpose of carrying out Airport advisory practices while operating to or from an Airport without an operating Air Traffic Control Tower or when the Tower is closed. The CTAF may be a UNICOM, MULTICOM, FSS, or tower frequency and is identified in appropriate aeronautical publications. (See below for definitions of UNICOM, MULTICOM, and FSS.)
25. **Employee(s)** - Any individual employed by an Entity (directly or through an employment Agency) whereby said Entity is responsible for the payment of wages (monetary or otherwise) to the individual.
26. **Entity (or "Entities")** - Includes a Person; Persons; firm; partnership; limited liability company; corporation; Agency: unincorporated proprietorship, association, or group; and includes any trustee, receiver, assignee, or other similar representative. The term does not include the Authority or Airport.
27. **Equipment** - All property and machinery, together with the necessary supplies, tools, and apparatus for the proper conduct of the Activity being performed.
28. **Exclusive Right** - A power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An Exclusive Right may be conferred either by express Agreement, Contract, License, Lease, and Permit or by the imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more Entities, but excluding others from enjoying or exercising a similar right or right would be an Exclusive Right. Unless specifically so stated in an Agreement authorized by the FAA, no Entity shall have any Exclusive Right for any purpose at the Airport.
29. **FAA** - the Federal Aviation Administration.
30. **Fixed Base Operator (FBO)** - A full service Commercial Operator that is authorized to engage in the sale of products, services, and facilities to Aircraft operators. An FBO must provide the services listed in the Minimum Standards and meet the minimum requirements applicable to FBOs as stated therein. Only FBOs shall be permitted to engage in the fueling of transient aircraft at the Airport.
31. **Flight Training** - The Activity of instructing pilots in dual and solo flight, in fixed or rotary wing Aircraft, and related ground school instruction as necessary to complete an FAA written pilot's examination and flight check ride for various categories of pilot licenses and ratings. Flight Training shall also include any portion of a flight between two or more Airports or other destinations where the primary purpose is to increase or maintain pilot or crewmember proficiency.

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32. **Flying Club** - A non-commercial and nonprofit Entity organized for the purpose of providing its members with any number of Aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the Flying Club owners on a pro-rata share, and the club may not derive greater revenue from the use of the Aircraft than the cost to operate, maintain, and replace the Aircraft.
33. **Fuel Storage Area** - Any portion of the Airport designated temporarily or permanently by the Authority as an area in which aviation or motor Vehicle gasoline, or any other type of Aircraft Fuel or fuel additives, may be stored or loaded.
34. **Fueling or Fuel Handling** - The transportation, sale, delivery, dispensing, storage, or draining of Fuel or Fuel waste products to or from Aircraft, Vehicles, or Equipment.
35. **General Aviation** - All civil aviation operations except scheduled commercial air carrier operations. The term does not include Aircraft manufacturing or military aviation. General Aviation Aircraft may be utilized for commercial and non-commercial purposes including business corporate, recreational/pleasure, charter/Air Taxi, industrial/special purpose, and instructional.
36. **Hazardous Material** - Any oil, petroleum products, flammable substances, explosives, radioactive materials, hazardous waste, toxic waste, or substances, or any other waste, materials, gases or pollutants which may pose a threat to the health and safety of the owners, occupants, or any Persons or Entities upon exposure or based on proximity, and/or cause any property at the Airport to be in violation of any regulatory measure.
37. **Improvements** - All buildings, structures and facilities including pavement, concrete, fencing, signs, lighting, utilities, and landscaping, constructed, installed, or placed on, under or above any land on the Airport.
38. **Incident** - An occurrence other than an accident, associated with the operation of an Aircraft, which affects or could affect the safety of operations.
39. **Lease** - A written contract between the Authority and an Entity (Lessee) specifying the terms and conditions under which an Entity may occupy, develop, improve and/or operate from as it relates to designated Airport facilities and/or property.
40. **Leased Premises** - The land and/or improvement(s) that is the subject of a Lease.
41. **Lessee** - An Entity that has entered into an Agreement with the Authority to occupy, use, and/or develop land and/or improvement(s) and engage in Aeronautical Activities.

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42. **Manager** - The Airport Manager or such other person as the Manager may from time to time designate to carry out the duties of the Airport Manager.
43. **Minimum Standards** - The qualifications, standards, and criteria as established by the Authority as the minimum requirements that must be met by any Entity engaged in Commercial Aeronautical Activities for the right to conduct those Activities on the Airport.
44. **Non-Commercial Operator** - An Entity that either owns or leases and operates Aircraft for personal or recreational purposes. In the case of a business, the operation of Aircraft must be an ancillary Activity to support the businesses purposes by providing transportation for the exclusive use of its Employees, agents, and/or customers under 14 CFR Part 91 only. In all cases, the Non-Commercial Operator may neither offer nor engage in Commercial Aeronautical Activities.
45. **NOTAM** - Notice to Air Mission.
46. **NFPA** - National Fire Protection Association.
47. **Object Free Area (OFA)** - The area around a runway or taxiway that is to remain free of any objects. The OFA is defined in the ALP.
48. **Obstacle Free Zone (OFZ)** - The area around a runway or taxiway that is to remain free of any obstacles. The OFZ for each surface is defined in the ALP.
49. **Permit** - Administrative approval issued by the Authority to an Entity for the purposes set forth in and subject to the conditions of said approval.
50. **Person** - An individual, corporation, firm, partnership, association, organization, and any other group acting as an Entity, to conduct business on the Airport. Person includes a trustee, receiver, assignee, or similar representative.
51. **Preventive Aircraft Maintenance** - Maintenance that is not considered a major Aircraft alteration or repair and does not involve complex assembly operations as listed in 14 CFR Part 43, as now or hereafter amended.
52. **Roadway** - Any street or road whether improved or unimproved, within the boundaries of the Airport and designated for use by ground Vehicles.
53. **Rules and Regulations** - The Airport Rules and Regulations, as they currently exist and as they are amended from time to time, or any successor ordinance, rule, or regulation adopted by the Authority.

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54. **Runway Protection Zones (RPZ)** - The area extending from the ends of each runway that prevents obstructions to landing and/or departing Aircraft. The RPZ for each runway is defined in the ALP.
55. **Runway Safety Area (RSA)** - the area from the edge of the runway to the edge of the parallel taxiway and an equal area on the other side of the runway. (See AC 150/5300-13 as amended.) The RSA for each runway is defined in the ALP.
56. **Self-Fueling and Self-Service** - Self-fueling means the fueling or servicing of an Aircraft by the owner of the Aircraft with his or her own employees and using his or her own equipment. Self-fueling cannot be contracted out to another party. Self-fueling implies using fuel obtained by the Aircraft Owner from the source of his/her preference. Self-fueling differs from using a self-service fueling pump made available by the Airport, an FBO or an aeronautical service provider. The use of a self-service fueling pump is a commercial activity and is not considered self-fueling as defined herein. Self-service includes activities such as adjusting, repairing, cleaning, and otherwise providing service to an Aircraft, provided the service is performed by the Aircraft Owner or his/her employees with resources supplied by the Aircraft Owner. Title 14 CFR Part 43 of the Federal Aviation Regulations permits the holder of a pilot certificate to perform specific types of preventative maintenance on any Aircraft owned or operated by the pilot.
57. **SUAS** – Small Unmanned Aerial System. Often referred to as a drone.
58. **Specialized Aviation Service Operation (SASO)** - A Specialized Commercial Operator that is authorized to engage in the sale of products, services, and facilities to Aircraft operators as covered in the Minimum Standards. Specialized Aviation Service Operations are not permitted to sell or otherwise distribute or deliver fuel to any Aircraft on the Airport.
59. **SOP** - Standard Operating Procedures.
60. **Sublease** - A written Agreement, approved by the Authority in writing, stating the terms and conditions under which an Entity may lease space from a Lessee.
61. **Taxilane** - The portion of the Airport Apron area, or any other area, used for access between taxiways and Aircraft Parking or storage area(s). Taxilanes are depicted on the ALP.
62. **Taxiway** - A defined path established for the taxiing of Aircraft from one part of the Airport to another.

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- 63. **Tiedown** - An area paved or unpaved suitable for parking and mooring of Aircraft wherein suitable tiedown points are located.
- 64. **UNICOM** - A two-way communication system operated by the governmental Entity or their designee that may provide Airport advisory information.
- 65. **Vehicle** - Any device that is capable of moving itself or being moved from place to place on wheels.
- 66. **Vehicle Parking Area** - Any portion of the Airport designated and made available temporarily or permanently by the Authority for the parking of Vehicles.

2. USE OF AIRPORT

- A. All users of the Airport, or any of its facilities, are subject to these Rules and Regulations, the Airport Security Plan and the Airport Minimum Standards. Violations of these Rules and Regulations, Airport Security Plan or Minimum Standards may be handled administratively by the Airport Manager and the Authority as described in paragraph B below, or by citation or arrest by local law enforcement, if applicable. All users of the Airport, including FBOs and SASOs, or any of its facilities are subject to these Rules and Regulations.
- B. The use of the Airport or any of its facilities is a privilege, which can be suspended or revoked by the Authority or the Airport Manager.
- C. For any violations (or willful noncompliance) of these Rules and Regulations, the Manager may warn Persons or Entities, or the Manager may suspend or revoke an Entity's or Person's privilege to use the Airport. Any decision by the Manager involving the loss of use must be in writing and include the reasons and the dates for removal or suspension of privileges. A copy of the decision must be given to the Person or Entity being suspended or revoked, if possible. The decision may be appealed to the Authority by filing a written appeal, accompanied by the appropriate appeal fee as set by Resolution of the Authority, within five (5) working days of the date of decision. The written appeal shall state the reasons why the decision to suspend or revoke use of the Airport is erroneous and cite all relevant rules and laws necessary (in the appellant's view) to the Authority's consideration. If a decision is appealed, the loss of use is stayed until it is reviewed by the Authority unless it involves the health, safety or welfare of the Airport and/or the Airport users. The Authority will hear the appeal within 25 working days of the filing of the appeal. A Person or Entity whose use of the Airport has been revoked may request reinstatement by the Authority after one year.

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- D. In consideration for being allowed to use the Airport, all users forever release, waive, discharge, and covenant not to make a claim or sue the Authority, for personal injury, death or property damage which the user may have, or which may occur as a result of the use of the Airport. This release is intended to discharge in advance the Authority (including its officers, employees, and agents) from any and all liability arising out of or connected in any way with the user's use of the Airport, even though that liability may arise of negligence or carelessness on the part of the person or entities mentioned above. Users are advised and by using the Airport acknowledge their understanding that use of the Airport and/or its facilities involves an element of risk and danger of accidents and knowing these risks users assume those risks. Users further agree that this waiver, release, and assumption of risk is to be binding on their heirs and assignees. Users agree to indemnify and to hold the Authority free and harmless from any loss, liability, damage, cost or expense which they may incur as a result of a user's death or any injury or property damage that the user may sustain while using the Airport. The user agrees to release and hold harmless and indemnify the Authority, its Board, officers, agents and employees from any liability of loss or injury resulting from any claims resulting from or pertaining to any intentional act, omission, or negligence by the user, including any civil rights violations. The use of the Airport is conditioned on the assumption of full responsibility and risk by the user for any intentional act, negligent act, omission to act, or civil rights action by the user, and the user agrees to release and hold harmless and indemnify the Authority, its Board, officers, agents and employees from any liability of loss or injury resulting from these acts or claims.
- E. When an emergency exists at the Airport, the Airport Manager or other officially designated representative, is empowered to issue such directives, and take such action as necessary to protect people, property, and assets, and promote the safe operation of the Airport. Such directives and actions of the Airport Manager have the power of regulation as long as the emergency exists. Should any part of these Rules and Regulations irreconcilably conflict with Federal, State or local government laws, Code or ordinances, then such Federal, State or local government authority takes precedence.
- F. The Airport Manager shall have the authority to suspend flying operations when, in the Manager's opinion, the condition of the landing field is such to make the Airport operations unsafe, or when instructed to do so by the FAA or TSA, or other governing Agency.
- G. All Persons or Entities, including but not limited to, employees, users, customers, and visitors, are expected to comply with the provisions of these Rules and Regulations. The use of the Airport or any of its facilities in any manner, by any Person, Tenant, or Entity, shall create an obligation on the part of the user to obey all the Rules and Regulations herein provided and adopted by the Authority, and all other Code or administrative procedures pertaining to the Airport's operations.

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- H. All Commercial Aeronautical Businesses using the Airport shall furnish their services on a fair, equal and non-discriminatory basis. Commercial Aeronautical Businesses will not, on the grounds of religion, race, color or national origin, sex, age, height, weight, marital status, or handicap, race, color, religion or creed, or ancestry, physical or mental disability, veteran status, genetic information, or citizenship discriminate against any person, or groups of persons in any manner prohibited by Title VI of the Civil Rights Act of 1964; or by Part 15 of the Federal Aviation Regulations. Airport management shall have the right to take such action as the Federal Government may direct to enforce this obligation.

3. AIR SHOWS & SPECIAL EVENTS

- A. Any formal or sponsored activity conducted on, or above Airport property outside of normal or routine activities will be required to secure a Conditional Use Permit as a one-time event issued by the Authority.
- B. Before applying for a Conditional Use Permit, an applicant shall be required to obtain tentative approval from the Airport Manager. Tentative approval by the Airport Manager is not a license to proceed with the event. It is merely an authorization to pursue the feasibility and planning process for a special event. This step is necessary so that details of the planning are not allowed to proceed excessively if an event is not feasible at the Airport.
- C. The Application for a permit must be submitted to the Airport Manager as early as possible, in any case, no later than 60 days before the event and must specify the particular dates and times of the event. Any Conditional Use Permit that is issued pertaining to an event at, on or over the Airport shall be subject to the following:
1. The permit is not transferable or assignable.
 2. An Airport use fee, as determined by the Airport fee resolution, must be paid before the event.
 3. A cleaning deposit of \$5,000.00 must be paid two weeks before the time of the event. The Airport Manager may refund the deposit if the area used is cleaned up after the event. If no spectators are expected to attend, the Authority may choose to waive this fee.
 4. The permittee must, as an express condition precedent before the event, deposit with the Airport Manager, policies or evidence of insurance in the amount as determined by the Authority.
 5. The permittee must hold harmless and name as additional insureds, the Authority, its Boards, officers, agents and employees.

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6. The permittee must provide the number of trash receptacles and chemical toilets, as determined by the Airport Manager, for use during the event and remove them promptly after the event.
7. The permittee must provide an acceptable operations plan to the Airport Manager before the event. The plan must at a minimum, list the operations personnel, security, and crowd control procedures, as well as Aircraft and vehicle control procedures.
8. If the special event is expected to attract an attendance of 500 Persons or more, the event sponsor must coordinate parking, road and highway impacts with local police, and/or the state police. The event sponsor must also submit an acceptable traffic and parking plan not less than 45 days prior to the event.

4. AIRPORT FEES AND CHARGES

Airport fees and charges are established in the Airport Fee Resolution, which is adopted by the Authority. The Authority may, from time to time, update the Airport Fee Resolution. Interested individuals may contact the Authority or Airport Manager to obtain a copy of the current Airport Fee Resolution.

5. ACCESS WAIVER PROCEDURE

A Person or Entity needs an Access Waiver to conduct operations in the Aircraft movement areas.

- A. Businesses, employees, and persons must meet the requirements of AC 150/5210 before being allowed to conduct activities in and around the obstacle free zones, runway protection areas, and closed areas.
- B. Any Access Waiver issued may be suspended for a specific period of time or revoked for a breach of any of the conditions of the Access Waiver. The decision by the Airport Manager to suspend or revoke an Access Waiver may be appealed to the Authority as set out in Chapter I section 2. In the case of an Access Waiver, an appeal *does not* stay the suspension or revocation.
- C. All vehicles operated in the access area must have a radio capable of communication on the common traffic advisory frequency (CTAF). The radio must be operating and monitoring CTAF frequency and the radio operator must be trained in the proper communication procedures.
- D. All vehicles operated in the access area must have a white and orange checkered flag mounted clearly visible on the vehicle and/or an amber flashing beacon.

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- E. Any vehicles operated in the access area during low-visibility times (visibility less than 1 nm or at night) must have an overhead amber flashing beacon. The beacon must be visible from all directions and of sufficient brilliance to be seen under clear weather conditions at a distance of at least one mile.

- F. Necessary Equipment (radio, flag, and/or beacon) is the responsibility of the vehicle operator. This Equipment will not be provided by the Airport.

6. STATE AERONAUTICS LAW

The Alabama Revised Statutes chapters are incorporated by this reference.

7. FEDERAL AVIATION ADMINISTRATION REGULATIONS

The FAA Federal Aviation Regulations and FAA Grant Assurances and parts relevant to operations at or on the Airport and any applicable National Transportation Safety Board (NTSB) regulations are incorporated by this reference.

8. PENALTIES

Any person violating the provisions of these rules and regulations may be punished by an administrative fee of \$1,000, per occurrence.

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CHAPTER II: AERONAUTICAL ACTIVITIES

1. AERONAUTICAL ACTIVITIES

All Aeronautical Activities at the Airport and all flying of Aircraft departing from or arriving in the air space above the Airport must be operated in conformity with the current pertinent provisions of the FAA regulations and NOTAMs issued by the Airport or the FAA. The operators of Aircraft and providers of Aeronautical Activities at the Airport must abide by all these Airport Rules and Regulations.

2. POWERED AIRPLANE OPERATIONS

- A. No Person may operate any Aircraft in an unsafe, hazardous, or endangering manner, or in any manner which may pose a threat or hazard to any person or property.
- B. No Aircraft may be taxied into or out of a hangar.
- C. No Aircraft may, under any circumstances, be left unattended while an engine is running.
- D. No Person may leave any Aircraft in a disassembled or partially disassembled condition or leave miscellaneous or loose materials on the public tiedown ramp except for normal assembly or repairs when authorized by the Airport Manager. The Airport Manager may remove and place in storage any Aircraft, parts, or materials at owner's expense, when there is a violation of this rule.

3. HELICOPTER OPERATIONS

Helicopters shall only use paved areas for landings and takeoffs. At the discretion of the Airport Manager, Helicopter operations may require additional planning review or a revision to the Airport Layout Plan to show parking areas and hover taxiing routes to the runways.

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4. HOT AIR BALLOON OPERATIONS

- A. Ground or retrieval crews must check in with the Airport Manager's office and receive permission prior to entering any operational areas on the Airport to retrieve balloons or have a current Access Waiver and must comply with these rules.
- B. While retrieving balloons, all ground vehicles shall not park on the shoulders of or on active runways and taxiways.

5. PRIORITY OPERATIONS

- A. During an emergency or exercise, all disaster, medical relief, or military Aircraft and responding fire-suppression Aircraft activities have priority over all other activities and operations at the Airport.
- B. The Airport Manager has the authority to remove, at owner's expense, any Aircraft, vehicle, person, Equipment and any other obstructions, impeding priority ground movements and activities of military and responding emergency services Aircraft.
- C. Unauthorized persons, vehicles, Aircraft and Equipment may not enter any staging and ground movement areas during military and active fire-suppression activities.

6. AGRICULTURAL AIRCRAFT

- A. Agricultural operators may not take any water from any water system without the proper air gap or other approved backflow prevention device.
- B. There shall be no discharge, either chemicals or rinse water, from Aircraft or ground Equipment on Airport or other property.
- C. The operator must contact the Airport Manager prior to commencing operations to obtain permits, make payment of any applicable fees and determine if a location is available for temporary use.

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7. REMOTE-CONTROLLED MODEL AND UNMANNED AERIAL SYSTEMS OPERATIONS

- A. No person may operate remote controlled or control line models on Airport property or within Airport air space.
- B. Operators of Small Unmanned Aerial Systems (sUAS) / drones must coordinate with Airport Management prior to operation, in accordance with FAR Part 107 and all applicable Advisory Circulars.

8. AIRCRAFT PARKING

- A. Aircraft tiedown spots are marked on the pavement. Aircraft may only park on designated tiedowns and must be securely tied down.
- B. Aircraft Parking overnight on the Airport-owned transient tiedown spots shall pay the overnight tiedown fee in accordance with the Airport Fee Resolution.
- C. Transient Aircraft Parking on the Airport's transient parking spots should contact the FBO office immediately to provide the necessary contact information. This information may also be provided via the Airport's webpage.
- D. The operator, owner, or pilot of an illegally parked Aircraft on the Airport must immediately move the Aircraft at the direction of the Airport Manager to a legally designated area. If the Aircraft is not moved in a timely fashion, the Airport Manager has the authority to move the Aircraft to a designated area, at the owner's expense and without liability for any damage that may result from the moving if due care is used. If the operator or owner of an illegally parked Aircraft is not on scene or if the operator or owner cannot be contacted, then the Manager may move or impound the Aircraft.
- E. An Aircraft is illegally parked if it is: parked on a reserved tiedown that is not assigned to the Aircraft; past due on tiedown fees; unattended on a taxiway, taxilane, or runway, or in any area not designated for Aircraft Parking.
- F. No person may park, store or leave any disabled or damaged Aircraft, wrecks, derelicts or parts anywhere on the Airport in public view. The Aircraft or parts may be stored on approved property leased by an FBO or SASO, screened by fencing from the view of adjacent roads and properties, or in hangars, while awaiting repair or disposal. The Airport Manager may cause the Aircraft or its parts to be removed and placed in storage, at owner's expense, 10 days after written notice of the violation.

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9. TIEDOWN & USE FEES

All Aircraft and trailers on the Airport premises are subject to fees, set by the Airport Fee Resolution as adopted or hereinafter amended, including day use, overnight, and reserved monthly use. Tenants are responsible for the security of all Aircraft and other private property entrusted to their care on the Airport Operations Area or other locations on their leased premises or the Airport.

10. AIRCRAFT ACCIDENT / INCIDENT REPORTING

- A. All accidents and incidents as defined by the NTSB shall be reported to the Airport Manager in addition to any accident reporting procedures required by the FAA or NTSB. Additionally, any minor accidents or incidents not requiring a report to the FAA or NTSB but involving Airport property must be reported to the Airport Manager within two (2) hours. If the accident or incident involves Airport lighting or safety devices, the report must be made immediately so appropriate actions and repairs may be taken. Determination of liability for repair costs shall be within the authority of the Fairhope Airport Authority. Contact information is available on the Airport's webpage.

- B. Should the owner or operator fail, refuse or be unable to remove the Aircraft or any of its parts within a reasonable time as determined by the Airport Manager, and there exists a hazard created by the presence of the Aircraft or its parts, the Airport Manager may, with due care, cause it to be removed and stored away from the active or controlled areas. The cost of the removal and storage must be paid by the owner or operator of the Aircraft. The Airport assumes no liability for this action.

11. AIRCRAFT FUELING

- A. Unless approved by the Airport Manager, No Aircraft may be fueled or de-fueled while the Aircraft engine is running or while the Aircraft is in a hangar or other enclosed area.

- B. During all fueling or de-fueling operations, the Aircraft and fueling Equipment must be properly bonded by an approved method.

- C. Smoking or an open flame is prohibited within fifty (50) feet of any fueling or de-fueling operation.

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- D. Self-fueling operations are only allowed after securing an applicable self-fueling lease addendum from the Authority. All self-fueling operations must follow the procedures and requirements contained in the addendum. Self-fueling requiring on Airport storage must be within the Airport fuel storage farm as designated on the Airport Layout Plan, and approved by the Airport Manager. All fuel containment must meet all state, federal, local and Airport regulations as written or amended. Self-fueling for auto fuel is not permitted in containers greater than five (5) gallons.,
- E. Only a full service FBO who holds a Commercial Operator Agreement that authorizes the sale of fuel and applicable permit is allowed to sell or dispense aviation fuels at the Airport.
- F. Operators, Lessees, and Sublessees that have employees conducting Fueling or Fuel transfer operations must ensure that all employees receive fire prevention training and instruction by the Fire Department or authorized alternative training source immediately upon employment and that Employees receive such fire prevention training and instructions on safe and proper methodology for sampling and testing for fuel quality and training shall be updated annually thereafter. Fire prevention training and instruction shall include the use of fire extinguishers, responding to Fuel and oil spills, proper handling and storage of flammable materials, and any other items deemed necessary/or appropriate (for the Activity) by the Fire Department or the Authority. Training and instruction provided to each employee shall be documented and kept on file by Operator, Lessee, or Sublessee.
- H. Aircraft shall not be Fueled or defueled in an area where Aircraft engines are operating, Aircraft or engines are being warmed by application of heat, or while the Aircraft is in a congested area or structure.
- I. Self-Fueling shall be conducted only in those areas designated by the Airport Manager as identified in the General Aviation Self-Fueling Permit. Self-Fueling at any other location at the Airport is prohibited.
- J. Refueling Vehicles shall be positioned so that the Vehicle can be driven away from a loading or refueling position in the event of fire. In the event of a leak the ability to immediately reposition the refueler only if it is not responsible for the leak.
- K. Fueling of aircraft shall be conducted outdoors and away from any Hangar or building and any combustion and ventilation air-intake to any boiler, heater, or incinerator room or as approved by the Authority and the Fire Department.
- L. Pouring or gravity transfer of Fuel and Fueling from containers having a capacity of more than 5 gallons is prohibited.

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- M. Vehicles shall be refueled only at refueling stations and from dispensing devices approved by the Airport Manager and the Fire Department.
- N. In an emergency resulting from the failure of an onboard auxiliary power unit on an Aircraft and in the absence of suitable ground support equipment, a turbine-powered auxiliary power unit mounted at the rear of the Aircraft or on the wing on the side opposite from the Fueling point may be operated during Fueling provided that the operation follows written procedures approved by the Fire Department.
- O. A turbine-powered auxiliary power unit may be operated during Fueling provided its design, installation, location, and combustion air source do not constitute a Fuel vapor ignition source
- P. Refueling Vehicle Operators shall not operate the Vehicle in reverse anywhere at the Airport unless another qualified and trained person is present to safely monitor and direct the movement of the Vehicle.
- Q. Aircraft shall not be Fueled or defueled while passengers are on board.
- R. If an incapacitated patient is on board the Aircraft during Fueling operations, Fire Department personnel and firefighting/rescue equipment must be available at the scene.
- S. No person shall operate any radio transmitter or receiver or switch it on or off during Fueling or defueling unless said radio transmitter or receiver is designed specifically for such an environment.
- T. No person shall operate Aircraft electrical systems or switch Aircraft electrical appliances on or off during Fueling or defueling.
- U. Over-wing Fueling shall only be performed by qualified persons.
- V. Hold down or hold open devices on Aircraft Fueling nozzles are prohibited.
- W. For single point Fueling, Deadman controls or mechanisms shall be utilized and shall remain in safe operating condition and good working order. No person shall deactivate or bypass a Deadman control or mechanism at any time.
- X. All fuel storage tanks, and fuel dispensing vehicles must be marked and display all required signage and items per FAA regulations, AC 150/5230-4A, 2017 NFPA Standards for Aircraft Fueling as written and amended. Such tanks and vehicles shall be operated in accordance with these Airport Rules and Regulations. Each fuel handling vehicle shall be conspicuously marked in letters of contrasting colors, with the word "flammable" on both sides and the rear of the cargo tank, and with the wording "emergency shut off" and of the appropriate operating instructions required at the emergency operating devices. Each fuel-handling

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device will also be conspicuously marked on both sides and the rear with the type and grade of fuel it contains. As built engineering drawings of storage tanks must be provided to the Airport.

- Y. Oxygen system servicing is not permitted on an Aircraft during Aircraft fueling operations or while other work is performed that could provide a source of ignition on the same Aircraft.
- Z. Fuel dispensing vehicles must be operated by drivers that have been trained and licensed to operate the Equipment. All drivers must be over the age of 18 and hold a valid driver's license with no violations.
- AA. All fuel dispensing Equipment must be properly maintained to be in a safe condition. The Airport Manager may, at his/her discretion perform periodic safety inspections of all fuel related Equipment, training records and daily fuel quality testing records. Fuel storage area must be inspected daily for leaks and inventory control. The fuel storage area must be kept clean and free of vegetation.
- BB. All fuel truck drivers/operators must stop and exit the vehicle prior to the hold line and look for Aircraft traffic prior to crossing any runways. Fuel truck drivers/operators must make a radio call on the CTAF/UNICOM before they enter the runway, and again upon exiting the runway.
- CC. Fuel Storage Areas will be fenced, with locked gates and warning placards, prohibiting general public access. All fuel storage must be approved by the Authority. All modifications in fuel storage must be approved by Authority.
- DD. Aircraft and fuel servicing Equipment (trucks, carts, hydrants, nozzles) must be bonded to each other and grounded before fuel flow starts. During fuel servicing, two (2) dry chemical fire extinguishers (15 pounds or larger) or CO2 equivalent will be available for immediate use.
- EE. Storage of a volatile compound having a flash point of less than 110 degrees Fahrenheit is prohibited on the Airport unless use of the compound is required for aviation purposes, approved in writing by the local fire marshal, and in a room fireproofed or otherwise fire protected containment according to code.
- FF. In exchange for the privilege of being allowed to dispense fuel at the Airport, all operators and owners of fuel servicing Equipment expressly agree to indemnify the Airport against any claim arising out of or pertaining to the dispensing, storage, acquisition, or transport of fuel at the Airport. Each operator and/or owner will be required to provide delivery reports to the Airport Manager within 24 hours of the delivery and pay the fuel flowage fee in effect at that time.
- GG. Storage of Refueling Vehicles. Refueling Vehicles shall be stored outdoors and not less than 50 feet from a building or at the distance approved by the Fire Department. Refueling Vehicles shall be parked in a manner that provides a minimum of 10 feet of separation

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between vehicles and any other Vehicle or Aircraft and a minimum of 20 feet from a storm water inlet.

- HH. Maintenance of Refueling Vehicles and Equipment Maintenance and servicing of Refueling Vehicles and equipment shall be performed outdoors or in a building that is approved by the Fire Department and the Authority specifically for this purpose.
- II. Operators, Lessees, and Sublessees shall document and maintain and keep on file Vehicle and equipment maintenance records. These records shall be made available to the Authority upon request.
- JJ. When Refueling Vehicle(s) or Equipment is found in a state of disrepair, malfunction, or its use constitutes an undue fire or safety hazard, or the operation of said Refueling Vehicle(s) or Equipment would violate any Regulatory Measure, the Operator, Lessee, or Sublessee shall immediately discontinue the use of such Vehicles and/or Equipment until repairs, replacements, or changes are made to render the same safe for continued use.
- KK. Hoses or piping connections shall be secured and capable of holding under the pump's rated PSI discharge. Hoses or nozzles shall be FM or UL approved with self-closing and no hold-down or hold-open devices. All pumps shall be UL or FM approved.
- LL. If any malfunction or irregularity is detected on or within the Aircraft being Fueled or defueled, Fueling or defueling shall cease immediately and the malfunction or irregularity shall be brought to the attention of the Aircraft Operator immediately.
- MM. Refueling Vehicles, equipment, and Fuel storage facilities shall be placarded, marked, or color coded in accordance with NFPA Publication 407 and applicable FAA ACs.
- NN. A copy of all applicable permits, registrations, certificates, and insurance documents shall be maintained in each Refueling Vehicle.
- OO. All extinguishers shall be inspected and certified, as required by law, and all personnel involved with Fueling or defueling operations shall be qualified and properly trained to use all fire extinguishers. Appropriate and proper absorbent material(s) and Fuel spill containment capable of damming/diking a Fuel spill shall be immediately available or as defined in the Operator's, Lessee's, or Sublessee's approved SPCC plan.
- PP. Each Refueling Vehicle shall have a minimum 25-gallon Fuel spill kit.

12. FUEL SPILLS

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All fuel spills on the Airport must be reported to the Airport Manager immediately. All fuel spills are the responsibility of the operator for clean-up and remediation as required. Should the owner or operator fail, refuse or be unable to clean up a fuel spill within a reasonable time as determined by the Airport Manager and there exists a safety or environmental hazard, the Airport Manager may initiate the cleanup at the operator's expense, plus an additional 15% for administrative burden.

13. MAINTENANCE

- A. All Aircraft and engine maintenance and repairs for compensation on the Airport are considered to be a commercial aeronautical activity, which requires an Airport commercial operator permit.
- B. Performance of maintenance or repairs to Aircraft is expressly prohibited in all outdoor areas unless specifically designated by the Airport Manager as a pilot or owner maintenance and repair area.
- C. Pilots or owners may do minor maintenance on their Aircraft between sunrise and sunset in assigned public tiedown areas. They may also perform inspections and minor Aircraft repairs which may involve topping off Aircraft fluids, but may not involve fuel, hazardous materials, or other caustic liquids or materials, and shall be in compliance with 14 CFR Part 43.
- D. The Airport Manager has the right to inspect all tenant premises and to observe tenant actions as a condition to and method of preventing unsafe practices.
- E. The cleaning of engines or other parts of an airplane within an enclosure shall be with non-flammable liquids. If volatile flammable liquids are used, cleaning operations shall be carried on in the open air. The procedures and precautions outlined in the criteria of the National Fire Protection Association entitled, Safeguarding Aircraft Cleaning, Painting and Paint Removal and Aircraft Cabin Cleaning and Refurbishing Operations, will be adhered to in all cleaning and refurbishing operations using flammable fluids, including the storage of such fluids. To the extent that any Hazardous Material is used or created, the user shall be responsible for containing and appropriately handling, labeling, and disposing (collectively "handle") of the Hazardous Material. If the Manager discovers that any Person or Entity fails to appropriately handle Hazardous Material, the Manager may revoke the Person's/Entity's authorization to handle such Material at the Airport. Such revocation may be appealed as set forth in Section (2)(b). As to Hazardous Materials, the filing of an appeal does not stay the revocation.

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- F. Petroleum products must have secondary containment of a size to contain 110% of the total volume stored.

- G. Doping processes, painting, or paint stripping shall only be performed in those facilities specifically approved for such activities and then only in accordance with the practices required by the NFPA 410 (Aircraft Maintenance) and in full compliance with the Airport's Rules & Regulations and Minimum Standards

14. HAZARDOUS OR DANGEROUS MATERIALS

The loading, unloading, storage or parking of Aircraft, vehicles, or other equipment carrying explosive or highly toxic materials is prohibited except by prior written permission from the Airport Manager and only in areas designated in the permit. The storage or placement of hazardous materials of any kind is strictly prohibited except by prior written permission from the Airport Manager and only in areas designated in the permit.

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CHAPTER III: VEHICLE OPERATIONS

1. VEHICLE OPERATIONS

- A. No person may operate any Vehicle or construction or farm equipment on the Airport except in accordance with these Airport Rules and Regulations and the laws of the state of Alabama. All vehicle operators must have a valid driver's license.
- B. No vehicle may operate in the Aircraft movement area of the Airport without complying with the Airport Rules and Regulations, Chapter I Section 5, Access Waiver Procedures.

2. VEHICLE OPERATION AREAS

- A. No person may operate a vehicle on any obstacle free area, runway safety area, runway protection zone, closed area or other area designated by the Airport Manager closed to vehicular traffic. All persons operating any/all vehicles must have approval of the Airport Manager and display the proper Vehicle identification.
- B. Vehicles with an aviation related purpose are allowed to operate on the main ramp provided they do not hinder or obstruct Aircraft operations.
- C. Vehicles with an Access Waiver are allowed in all areas designated in the Waiver.

3. SPEED LIMIT

No person may operate a vehicle of any kind on the Airport without due care or in excess of the speed limit. The speed limit will be posted on the Airport gates. Unless otherwise posted, the Airport speed limit is 15 mph.

4. RIGHT-OF-WAY

No person may operate or cause any vehicle of any type to hinder or create an inconvenience to any Aircraft movement. All Aircraft movements have the right-of- way over all forms of vehicle movements.

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5. PARKING

- A. All vehicles must be parked in designated areas and will be subject to parking fees after seven days of continuous overnight parking as established by the current Airport fee resolution.
- B. Tiedown tenants may park their vehicles in their designated tiedown spots in a manner not obstructing other tiedown spots or interfering with Aircraft movement or construction projects when the Aircraft is away on a trip during the day. If the trip lasts overnight, tiedown tenants should park in the airport parking parking area or along the service road.
- C. No Person may park or keep the following *inside* of the Airport fenced area: motor homes, boat trailers, boats, recreational vehicles or other types of equipment that are not directly aviation related.
- D. No Person may park or keep the following *outside* of the Airport fenced area on Airport property: motor homes, boat trailers, boats, recreational vehicles or other types of equipment that are not directly aviation related, except for in areas designated on the ALP.
- E. Parking within the private and T hangar section of the Airport is limited to the following: parking at the end of the hangar rows during the day, and inside their hangar when the plane is traveling overnight. Vehicles of non-tenants may not be left overnight outside a hangar under any circumstance. For non-tenant parking, use the Airport parking lot outside of the gates. Parking along the service road is not restricted.
- F. No vehicles may be parked in a way to hinder or block runways, taxiways, taxilanes, runway protection areas, taxiway obstacle free zones, or taxilane obstacle free zones.
- G. All vehicles must have a current registration with license plates displayed. In addition, all vehicles must have current general liability insurance coverage.

6. ACCESS GATES

- A. The Airport is secured with access gates that are card or keypad controlled. Tenants will be issued one card or a key code per Lease (tiedown/hangar) for access to their hangar or tiedown. For flying clubs or multiple owners, each member/owner will be issued a card/code. The access cards or code will provide access through the gate closest to tenant's property.

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Additional gates or key codes may be added to a tenant's authority with the Airport Manager's approval.

- B. If a person loses a gate access card, a fee will be charged for a replacement in accordance with the Airport Fee Resolution.
- C. Gate Access Card and codes are non-transferable and may not be given to any other person other than the owner as indicated on the Airport's records.
- D. The Airport Manager may deactivate an access card for violations of these Airport Rules and Regulations.

7. VEHICLE ACCIDENT REPORTING

All accidents involving any type of vehicle or trailer on the Airport must be immediately reported to the office of the Airport Manager.

8. PARKING VIOLATION ENFORCEMENT

The Airport Manager has the authority to have any Vehicle and equipment, moved or removed at owner's expense plus any storage fees accrued when any of the following occur:

1. A violation of these Airport Rules and Regulations.
2. An emergency incident or occurrence.
3. After 48-hours' notice, if the vehicle or Equipment impedes or interferes with maintenance of the Airport or construction projects.
4. The vehicle or Equipment impedes Aircraft operations, creates a nuisance, hazard, or is unsightly or is in a state of disrepair.
5. A vehicle or trailer is not legally registered.

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CHAPTER IV: PERSONAL CONDUCT

1. CONDUCT

1. No person shall engage in activities that are, as determined by the Airport Manager, disruptive to the Operators, Lessees, Sublessees, or users of the Airport and/or that create a hazard or risk of injury or death to a person(s) or damage to Property.
2. Operator's, Lessee's, or Sublessee's Leased Premises are expressly for the conduct of the Operator's, Lessee's, or Sublessee's Activities. No person other than employees and customers of the Lessee or Sublessee shall make use of the Leased Premises or loiter on such premises without permission of the Lessee or Sublessee

2. USE OF AIRPORT PREMISES

The Airport is open for public use at all hours of the day and night, subject to regulations or restrictions due to weather, conditions of the landing areas, military or fire suppression activities, maintenance, and construction projects, permitted special events, and like causes, as determined by the Airport Manager, or the suspension or revocation of the use of the Airport for violation of the Airport rules and regulations.

3. COMPLIANCE WITH SIGNS

All Persons will observe and obey all Airport posted signs, fences, barricades, and any Airport markings for signs required by AC150/5340, or as amended.

4. PEDESTRIANS

- A. Pedestrians may not enter any taxiway, runway, obstacle free zone, runway protection zone, restricted area or area closed to the public except when authorized by the Airport Manager.
- B. The movement of Aircraft has the right-of-way over all pedestrians.
- C. No person may linger or loiter on or around any Aircraft or enter any Aircraft without the owner's permission or other proper authorization.

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5. ANIMALS AND PETS

Any animal, other than service animals, brought onto Airport property must be confined to a cage, vehicle or hangar, or on a leash or other means of restraint.

6. SOLICITATIONS

No person may solicit funds for any purpose without the approval of the Airport Manager.

7. FIREARMS & HUNTING

- A. No Person or Entity may store firearms, explosives, ammunition or other hazardous materials on the Airport unless given written permission by the Airport Manager.
- B. No person, except peace officers, duly authorized state and federal employees, and holders, may carry firearms in Airport public access buildings. Compliance with current Alabama Law regarding concealed carry is required. A concealed weapon permit holder shall not carry a concealed firearm while on the premises of a public building on the Airport. This subsection does not apply to persons carrying or possessing firearms in cases, broken down and unloaded, when the firearms are being transported for the purpose of sale, demonstration, sport, or as otherwise authorized by law or in the case of required wildlife harvesting as determined by the Authority.
- C. Hunting is prohibited on Airport property, without express written permission of the Airport Manager or the Authority.

8. USE OF PORTABLE ELECTRONIC DEVICES

The use of any electronic devices including but not limited to; personal cell phones, electronic games, digital assistants, iPods, CD/DVD players iPads, smartphones, computers, or other personal electronic equipment shall be prohibited while operating within the Aircraft Movement Area. Text messaging or sending instant messages shall be prohibited while operating any moving vehicle, or while performing any type of fueling operation, Aircraft maintenance or safety related function on the Airport. The use of cell phones is prohibited within 50 feet of any fueling operation.

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9. ADVERTISEMENTS

No person may display in public view any sign, poster, banner or other message conveyance device without prior written authorization from the Airport Manager. Entities engaged in the commercial aeronautical activity of Banner Towing must receive a permit from the Authority and pay all fees and provide proof of insurance.

10. DAMAGE, NUISANCE, OR DUMPING

- A. No person may destroy, deface, injure, remove or disturb in any way buildings, signs, Aircraft, vehicles, Equipment, markers, NAVAIDs or other property on the Airport. Any such person will be fully responsible for any expense required to repair, replace or correct the damage.
- B. Any person damaging Airport property, or property belonging to another, must immediately report the damage to the office of the Airport Manager.
- C. No person may deposit, or cause to be deposited, any garbage, junk, refuse, trash or other waste material on Airport property except in an authorized receptacle. Only waste generated on the Airport may be deposited into Airport receptacles. No household or private waste may be deposited into the Airport dumpsters.
- D. Airport tenants or their employees may not store non-aviation related Equipment, materials, trailers, vehicles and other items on the Airport unless screened from view, stored in a private hangar or T-Hangar and authorized by the Airport Manager.

11. CAMPING

- A. No camping, sleeping overnight or overnight parking of inhabited motor homes, trailers, hangars, and vehicles is allowed on Airport property.
- B. There is no storage of motor homes or camper trailers allowed on the Airport except in a designated storage area. Motor homes or camper trailers that are left uninhabited may be towed at the owner's expense.

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CHAPTER V: COMMERCIAL OPERATIONS

1. MINIMUM STANDARDS

All commercial operations are regulated by the conditions, requirements and obligations contained in the Minimum Standards for Commercial Aeronautical Activities as adopted and amended by the Fairhope Airport Authority.

2. COMMERCIAL OPERATOR AGREEMENT / PERMIT

All Commercial Operators must apply for and enter into a Commercial Operator Agreement with the Authority before engaging in or conducting any commercial activity on the Airport. The Airport Manager will review and, if appropriate, approve applications for Commercial Operator Agreements. Once approved, the Commercial Operator shall adhere to all terms and conditions contained in the Agreement, including the payment of annual fees. If the Airport Manager denies an application, the applicant may appeal the Airport Manager's final decision to the Authority.

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CHAPTER VI: MISCELLANEOUS PROVISIONS

1. FLYING CLUBS

- A. A flying club must be a nonprofit organization as evidenced by articles of incorporation or appropriate legal documents. Each member must be a bona fide partial owner of club Aircraft. A verification of nonprofit status accompanied by adequate evidence of the status must be submitted to the office of the Airport Manager.
- B. The club's Aircraft may only be used by members for rental and may not be used for any commercial operations.
- C. A flying club member who gives flight instruction to a member or does maintenance work on club Aircraft for compensation is deemed a commercial operator unless that compensation is solely credit against club dues or credit toward the expense of using a club Aircraft.
- D. The club must file and keep current with the Airport Manager a complete list of the club's officers, directors, and general membership, and must identify any members qualified to perform the services described in subsection C above.
- E. All Aircraft must be owned by the nonprofit corporation or owned in common by all members. The ownership must be evidenced by a copy of each club Aircraft's current FAA Certificate of Registration upon request by the Airport Manager.

2. HANGAR CONDOMINIUMS

- A. The Board has discretion to permit Hangar Condominiums on the Airport. Unless expressly permitted by the Authority, Condominiums and other Common Interest Communities are prohibited.
- B. If permitted by the Authority, the Condominium Unit-Owners' Association ("Condo Association") will be designated as a Lessee in the Lease upon which the Condominium is constructed.
- C. If an existing non-Condominium Airport Tenant seeks to create a Condominium, such a request will be treated like an assignment of the Lease.

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- D. A Hangar Condominium shall meet the following minimum requirements:
1. The Condominium, including common space and individual Units may consist of one or more buildings, provided that the minimum buildings size for each structure shall be 7,000 square feet.
 2. Each building within a Condominium shall consist of a minimum of 4 Condominium Units.
 3. Each Condominium Unit must contain at least one hangar bay for Aircraft storage. In addition to the hangar bay, the Condominium Unit may contain facilities appurtenant to the storage of Aircraft, such as an office space.
- E. The Condo Association shall, with its request to be permitted upon the Airport, provide the Airport Manager with a complete draft of its Declaration. Any amendments to the Declaration must be provided to the Airport Manager at least 60 calendar days in advance of the proposed effective date of the amendment. The Authority may reject an amendment if it is inconsistent with any federal, state or local laws, rules, regulations, standards, guidelines or advisories which pertain to the Airport. At a minimum, the Declaration shall include the following:
1. Owners are prohibited from performing a Commercial Aeronautical Activity in the Condominium.
 2. Owners shall comply with the terms of the Land Lease and will be jointly and severally liable with the Condo Association on any claim arising from a violation thereof.
 3. Each owner acknowledges that a default by the Association, any other Tenant on the underlying land lease, or any violation by any other Unit Owner may result in a finding of Default and may result in the termination of the Land Lease, automatically terminating the owner's interest in the Condominium Unit.
 4. Each Owner must obtain Airport Manager approval before selling, transferring or leasing its Unit to a new Owner/Lessee. The Airport Manager may reject a new Owner/Lessee and prohibit the transfer of a Unit, upon evidence that the new Owner/Lessee has a history of violating Airport rules (at any Airport), engaging in unsafe Aircraft operations, or interfering with the safe movement or operation of Aircraft on the ground or in flight.
- F. At all times, the Condo Association shall keep on file with the Airport a list of all current unit owners with each owner's telephone number, email address, mailing address, and Aircraft tail number. If necessary to achieve a just result, the Authority may, in its discretion, upon termination of a Land Lease with a Condo Association, provide for individual leases with Condo Unit Owners for a duration not to exceed the term of the terminated underlying Land Lease.

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3. POSTING OF THE AIRPORT RULES AND REGULATIONS

- A. These Rules and Regulations shall be posted in a prominent place in the public spaces of all FBOs, and SASOs. The Airport will also make the Rules and Regulations available on its website. Commercial Operators are responsible for ensuring that their employees, volunteers, agents, assigns, guests, etc. have reviewed the Rules and Regulations prior to accessing the Airport.
- B. Copies of these rules will be available to applicants and interested parties upon request to Airport Manager.
- C. A copy of these Rules and Regulations will be posted to the Airport's webpage.

4. FUEL FARM

- A. Fuel storage facilities shall be operated and maintained in accordance with the practices required by the NFPA (Pamphlet No. 30 and NFPA 407) and in full compliance with Regulatory Measures and shall be approved by all Agencies having jurisdiction. Fuel storage facilities shall be constructed and/or tanks shall be installed in accordance with the practices required by the NFPA (Pamphlet No. 30) and in full compliance with Regulatory Measures. Only locations identified in the Airport Master Plan and Airport Layout Plan designated for Fuel storage will be approved.
- B. Plans for installation and operation of Fuel storage facilities shall be submitted to the Authority and the Fire Department and approval shall be required by the Authority and the Fire Department prior to installation and operation.
- B. All security gates leading into Fuel storage areas shall remain (be kept) closed, locked, and secured except when actually in use.
- C. Smoking is not allowed in the fuel farm area.
- D. No open flames or power tools that produce sparks are allowed in the fuel farm area.
- E. Activities not immediately associated with dispensing or deliveries of fuel are not permitted in the fuel farm area.

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- F. Only aviation grade fuels and oils, and similar products used for aviation fuel trucks or Aircraft, may be stored in the fuel farm area. All temporary storage of fuel or oils must be in properly marked containers and stored in a containment area.
- G. Temporary storage plus any fuel truck capacity cannot exceed the containment area capacity.
- H. The access gates are to remain locked, power to the fuel pumps turned off and key removed from ignition, except when the fuel farm area is occupied by personnel.
- I. A properly qualified and trained person shall be present and responsive while Fuel is being transferred into or out of any Fuel storage facility (from or into Fueling Vehicles and equipment. The person shall not leave the discharge end of any hose(s) unattended at any time while the transfer of Fuel is in progress. The person shall not block open, disengage, or deactivate the Deadman or any related controls while Fueling or transferring Fuel.