

Ordinances Governing  
**AIRPORT**  
in the  
CITY OF ARLINGTON  
TEXAS

Amended by Ordinance No. 15-062  
(November 17, 2015)

(Chapter Designator: AIRPORT)

**ORDINANCE HISTORY**

<b><u>Number</u></b>	<b><u>Date of Adoption</u></b>	<b><u>Comments</u></b>
89-43	04/18/89	
15-062	11/17/15	Repeal of the existing “Airport” Chapter and the adoption of a new “Airport” Chapter

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## ARTICLE I

### PURPOSE

#### Section 1.01 Purpose

- A. There shall be a unit of City government to be known as the Airport. Said unit shall be under the supervision of the Airport Manager, who shall be appointed by the City Manager and shall be responsible to the City Manager in the conduct of the affairs of said Airport, including planning, development, operation, management, maintenance, and security of the Airport and all City-owned and operated land, Improvements, facilities, Vehicles, and equipment.
- B. The Arlington Municipal Airport is included in the National Plan of Integrated Airport Systems (NPIAS) and designated as a “Public Use” airport by the Federal Aviation Administration. The State of Texas includes the Airport on the Texas Airport System Plan.
- C. The Airport is required to operate for the use and benefit of the public and shall be made available to all types, kinds, and classes of Aeronautical Activity on reasonable terms and without unjust discrimination.
- D. The City will plan, develop, operate, and manage the Airport in such a manner so as to (a) ensure its long-term financial health, (b) protect and promote the health, safety, security, and general welfare of the public, and (c) encourage the provision of the type, level, and quality General Aviation products, services, and facilities desired by the public.
- E. The City Manager or his/her designee is authorized to: (a) create, interpret, administer, and enforce Agreements and the Primary Management and Compliance Documents (PMCDs), (b) allow, where and when appropriate, temporary, short-term occupancy or use of Airport land or Improvements, and (c) obtain and receive copies of all leases, Subleases, licenses, permits, certifications, ratings, Certificates of Insurance, and other documents required to be provided to or filed with the City. All inquiries regarding the PMCDs and/or compliance therewith shall be directed to the Administrator.
- F. The Airport Manager or his/her designee shall have the power to make rules and regulations as necessary to manage, use, preserve and govern the Arlington Municipal Airport. The Airport Manager shall have the power to approve variances or exemptions to the PMCDs when special conditions, unusual situations, or unique circumstances exist. (Amend Ord 15-062, 11/17/15)

## ARTICLE II

### DEFINITIONS

#### Section 2.01 Definitions

The following words and terms, when used in this Chapter, shall have the meanings hereinafter designated.

**“Abandoned”** means property, other than Aircraft or Vehicles, left at the Airport for 48 hours without the owner moving or claiming it.

**“Accident”** means a collision or other contact between any part of an Aircraft, Vehicle, equipment, person, stationary object and/or other thing which results in Property damage, personal injury, or death; or an entry into or emergence from a moving Aircraft, Vehicle, or Equipment by a person which results in personal injury or death to such person or some other person or which results in Property damage.

**“Administrator”** means that person (or designated representative thereof), appointed by the City, responsible for the administration and day-to-day operation and management of the Airport, all City owned Property, Vehicles, equipment, material, financial assets, and Employees at the Airport, and all employees assigned to the Airport.

**“Aeronautical Activity”** means any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft. It shall also mean any activity which contributes to, or is required for, the safety of such operations, and any activities which have a direct relationship to the operation of Aircraft or the operation of the Airport.

**“Agency”** means any federal, state, or local governmental entity, unit, organization, or authority.

**“Agreement”** means a written contract (e.g., lease agreement, permit, etc.), enforceable by law, executed by both parties, between the City and entity transferring rights or interest in land and/or Improvements and/or otherwise authorizing the conduct of certain Activities.

**“Air Operations Area (or AOA)”** means a portion of an airport which includes Aircraft Movement Areas, Ramps, and safety areas, and any adjacent areas that are not separated by adequate security systems, measures, or procedures.

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**“Air Traffic Control (or ATC)”** means a service operated by an appropriate authority sanctioned and certified by the FAA for the control, separation, and movement of Aircraft in the air or on the ground.

**“Aircraft”** means a device that is used or intended to be used for flight.

**“Aircraft Maintenance”** means the repair, maintenance, alteration, calibration, adjustment, preservation, or inspection of Aircraft airframe, powerplant, propeller, and accessories (including the replacement of parts) as described in 14 CFR Part 43.

**“Aircraft Operator”** means a person who uses, causes to be used, or authorizes to be used an Aircraft, with or without the right of legal control (as Owner, Lessee, or otherwise) for the purpose of air navigation including the piloting of Aircraft or the operation of Aircraft on any part of the surface of an airport.

**“Aircraft Storage Hangar”** means any Hangar approved and used specifically for the purposes of Aircraft storage not including Aircraft Maintenance.

**“Airport”** means all land, Improvements, and appurtenances within the legal boundaries as it now exists on the Airport Layout Plan (or Exhibit A of the most recent FAA grant) and as it may hereinafter be modified at Arlington Municipal Airport (GKY).

**“Airport Layout Plan, (or ALP)”** means the FAA approved and City adopted drawing, as may be amended from time to time, which reflects an agreement between the FAA and City depicting the physical layout of an airport and identifying the location and configuration of current and proposed Runways, Taxiways, buildings, roadways, utilities, nav aids, etc.

**“Airside”** means the Runways for landing and taking off of Aircraft, designated helipads, Taxiways and Taxilanes for ground movement of Aircraft, and Ramp for parking, loading, unloading, fueling, and servicing of Aircraft.

**“Airworthy, Flyable Aircraft, or Airworthy in a Condition Safe for Flight”** means an aircraft considered to be safe for flight, meeting the conditions set by the FAA in 14 CFR 91.7, and having (1) correct and valid certificates, documents and equipment in the aircraft, or available, (2) an annual or condition or progressive maintenance inspection completed and released by an appropriate authority that substantiates the aircraft is in a condition safe for flight, (3) a determination by the pilot in command that the aircraft is in a condition safe for flight.

**“Association”** means an entity legally formed and recognized under the laws of the State of Texas having an existence separate and apart from its members or shareholders (e.g., Limited Liability Company, Corporation, Partnership, Limited Partnership, etc.).

**“Based Aircraft”** means an Aircraft which has been or will be stored at the Airport for more than 183 calendar days over a one year period (including days that the Aircraft is operating off the Airport and not paying Based Aircraft storage rents or fees at another airport).

**“Co-Op Fueling”** means the fueling of an Aircraft by the Owner of the Aircraft or the Owner’s Employee using Vehicles, Equipment, and resources owned by an approved Association.

**“Courtesy Vehicle”** means any Vehicle used to transport persons, baggage, or goods, or any combination thereof, on the Airport or between the Airport and off-airport locations such as hotels, motels, or other attractions for which no charge is levied (no Compensation is paid).

**“Flight Training”** means the training, other than ground training, received from an authorized instructor in an Aircraft.

**“Foreign Object Debris (or FOD)”** means any object found in an inappropriate location that – as a result of being in that location – can damage equipment or injure aircraft or airport personnel.

**“Fuel Handling”** means the transporting, delivering, fueling, dispensing, or draining of Fuel or Fuel waste products.

**“General Aviation”** means all aviation with exception of Air Carriers and the military.

**“General Aviation Minimum Standards (or Minimum Standards)”** means the qualifications, standards, and criteria set forth as the minimum requirements to be met as a condition for the right to engage in Activities at the Airport, as may be amended from time to time.

**“Governance Documents” or “Primary Management and Compliance Documents” (PMCDs)** means the compendium of Airport policies, standards, guidelines, rules, and regulations that govern the development, operation, and management of an airport, adopted by resolution of the City, as may be amended from time to time, including General Aviation Leasing/Rents and Fees Policy, General Aviation Minimum Standards, Rules and Regulations, and Design Standards.

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**“Hangar”** means any fully or partially enclosed storage facility for an Aircraft.

**“Jet Fuel”** means the Fuel commonly utilized to power turbine-engine (Turboshaft, Turboprop, and Turbojet) Aircraft.

**“Leased Premises”** means the land and/or Improvements used exclusively under Agreement by an Operator, Lessee, or Sublessee.

**“Movement Area”** means the Runways, Taxiways, and other areas of the Airport which are utilized for taxiing, hover taxiing, takeoff, and landing of Aircraft (exclusive of Aircraft parking, loading, unloading, fueling, and servicing areas) where Aircraft are moved with radio contact with ATC or other Aircraft. The Movement Area includes all areas under the direct and positive control of ATC. Specific approval for entry onto the movement area must be obtained from ATC.

**“Non-Commercial”** means not for the purpose of securing earnings, income, Compensation (including exchange or barter of goods and services), and/or profit.

**“Non-Commercial Self-Fueling”** means the fueling of an Aircraft by the Aircraft Owner or the Owner’s Employee(s) using the Aircraft Owner’s Vehicles, Equipment, and resources.

**“Non-Movement Area”** means those portions of the Airport where Aircraft taxi or are moved without radio contact with ATC or other Aircraft.

**“Notice to Airmen (or NOTAM)”** means the guidelines regarding aeronautical operations issued by a representative of the FAA, the Administrator, ATC, or other authorized Agency.

**“Operator”** means an entity that has entered into an Agreement with the City to engage in Commercial Aeronautical Activities at the Airport.

**“Owner”** means the registered legal Owner of an Aircraft according to FAA records or a Vehicle according to the applicable state Department of Motor Vehicle records.

**“Permittee”** means an entity who has written permission from the City to conduct an Activity at the Airport according to the parameters established by a permit.

**“Public Area”** means those areas normally used by the general public. Such areas include restrooms, Airport Terminal Building lobbies, hallways, passage ways, roadways,

walkways, sidewalks, and Vehicle parking lots. Public areas do not include the areas owned and/or leased by Commercial businesses unless such businesses so designate certain areas as public use areas. Public Areas do not include the AOA, Restricted Areas, and employee parking lots.

**“Ramp”** means the Paved areas of the Airport within the AOA designated by the City for parking, loading, unloading, fueling, or servicing of Aircraft.

**“Refueling Vehicle”** means any Vehicle used for transporting, handling, or dispensing of Fuels and lubricants.

**“Repair Station”** means a certificated Aircraft Maintenance facility approved by the FAA to perform specific maintenance functions. Repair Stations are certificated under 14 CFR Part 145.

**“Restricted Area”** means areas of the Airport, other than Public Areas, wherein entry or use thereof is restricted to authorized personnel (pursuant to applicable Regulatory Measures) including, but not limited to the AOA, Runways, Taxiways, Taxilanes, and fire lanes, airport maintenance facilities, mechanical rooms, electrical vaults, fire breaks and any other areas marked as such with signage.

**“Runup”** means an Aircraft engine operation above normal idle power for purposes other than initiating or sustaining taxiing or takeoff.

**“Runway”** means an area of the Airport developed and improved for the purpose of accommodating the landing and takeoff of Aircraft.

**“Self-Fueling”** means the Non-Commercial Fueling of an Aircraft by the Aircraft Owner or the Owner’s Employee(s) using the Aircraft Owner’s Vehicles, Equipment, and resources.

**“Self-Fueling Permittee”** means the Aircraft Owner or Aircraft Operator engaged in Self-Fueling, holding a valid Self-Fueling Permit issued by the City.

**“Taxilane”** means the portion of the Ramp used for access between Taxiways and Ramps. Taxilanes are always outside the Movement Area and differentiated from a Taxiway by the required Object Free Area requirements stipulated by the FAA.

**“Taxiway”** means a defined path, usually Paved, over which Aircraft can taxi from one part of an airport to another (excluding the Runway). ATC must have a clear line of sight

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to all Taxiway centerlines. Additionally, a Taxiway is further differentiated from a Taxilane by the required Object Free Area requirements stipulated by the FAA.

**“Through-the-Fence”** means an airport sponsor’s grant, to an entity, of ground access by an aircraft, across the airport’s property boundary, to the airport’s airside infrastructure (commonly through-the-fence) and permission to engage in associated activities from property adjacent to the airport.

**“Tie-down”** means a Paved or unpaved area suitable for parking and mooring of Aircraft, wherein suitable anchoring points and related Equipment are located. (Amend Ord 15-062, 11/17/15)

## ARTICLE III

### BOARDS

#### **Section 3.01 Joint Airport Zoning Board**

- A. Subject to like provisions being made by the Commissioners Court of Tarrant County, Texas, by proper order duly promulgated and entered on its minutes, and as authorized by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature of Texas, 1947, there is hereby created a Joint Airport Zoning Board, to be known as the Arlington-Tarrant County Joint Airport Zoning Board, which shall have the powers and exercise the duties set forth in Section 2 and 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947.
- B. The Arlington-Tarrant County Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council of the City of Arlington, Texas, and two (2) members to be appointed by the Commissioners Court of Tarrant County, Texas. The fifth member shall be elected by a majority of the members so appointed, and said fifth member shall serve as Chairman of said Arlington-Tarrant County Joint Airport Zoning Board. Each member of said Board shall serve for a term of two (2) years and may be removed from such office for cause by the appointing authority, and the vacancy filled with a suitable person to serve out the unexpired term of any member whose place of the Board has become vacant for any cause.

#### **Section 3.02 Dallas-Fort Worth Regional Joint Airport Zoning Board**

- A. There is hereby created a Joint Airport Zoning Board to be known as the Dallas-Fort Worth Regional Joint Airport Zoning Board, which shall have the powers and exercise the duties set forth in Vernon's Annotated Texas Statutes, Article 46e-1 through Article 46e-15, inclusive, as amended, or as may be amended in the future, commonly known as the "Airport Zoning Act"; provided, however, that all regulations adopted by the Joint Airport Zoning Board shall be administered by the governing body of the political subdivision adopting the regulations, unless said governing body shall specifically provide otherwise.
- B. The Dallas-Fort Worth Regional Joint Airport Zoning Board shall be composed of two (2) members to be appointed by each of the following political subdivisions

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within the airport hazard area of the Dallas-Fort Worth Regional Airport participating in its creation: Dallas, Denton and Tarrant Counties; Arlington, Bedford, Colleyville, Coppell, Dallas, Euless, Flower Mound, Fort Worth, Grand Prairie, Grapevine, Irving, Lewisville, Southlake and Westlake; and in addition, a Chairman elected by a majority of the members so appointed above.

- C. Members shall be appointed for a term of two (2) years and may be removed by the authority which appointed them. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
- D. There is hereby adopted the Airport Zoning Ordinance No. 71-100 of the Dallas-Fort Worth Regional Airport in the City of Arlington, a copy of which is on file with the City Secretary, providing for regulating and restricting the height of structures and objects of natural growth, and otherwise restricting the use of property on and in the vicinity of the Dallas-Fort Worth Regional Airport in the City of Arlington.
- E. The Office of the Building Official is hereby appointed to be the administrative agency for the enforcement of the Airport Zoning Ordinance of the Dallas-Fort Worth Regional Airport in the City of Arlington.

### **Section 3.03 Mid-Cities Joint Airport Zoning Board**

- A. Subject to like provisions being made by the City Council of the City of Grand Prairie, Texas, by proper ordinance, duly promulgated and entered on its minutes, and as authorized by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, being Article 46e-1, et.seq., as amended, V.A.C.S., known as the "Airport Zoning Act", there is hereby created a Joint Airport Zoning Board, to be known as the Mid-Cities Joint Airport Zoning Board, which shall have the powers and exercise the duties, save and except any power to enact land use zoning and any requirements in connection therewith, as set forth in Section 2 and Section 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, as amended. Said Section 2 and 3 respectively being Article 46e-2 and 46e-3, V.A.C.S., as amended.
- B. The Mid-Cities Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council of the City of Grand Prairie, Texas, and two (2) members to be appointed by the City Council of the City of Arlington, Texas. The fifth member shall be elected by a majority of the

members so appointed and said fifth member shall serve as chairman of said Mid-Cities Joint Airport Zoning Board.

C. Term of Office:

1. Each member of the Mid-Cities Joint Airport Zoning Board shall serve for a term of two (2) years, except, as hereafter provided, for the initial members of said Board. The initially elected chairman of said Board shall serve a two (2) year term, with one (1) initially appointed member from each city serving a one (1) year term, and the other initially appointed member from each city serving a two (2) year term. The determination of the initial members' term of office, in accordance with the above-stated provisions, shall be made by the members of the Mid-Cities Joint Airport Zoning Board at its first meeting.
2. In addition to the above-stated terms for the initially appointed and elected members of said Board, there shall be added to the terms of office of the five (5) initial members of the Mid-Cities Joint Airport Zoning Board the period from the effective date of the creation of said Board to the 1st day of July, 1983.
3. Members appointed or elected to fill a vacancy existing on said Board shall be for the unexpired term of office.

D. All meetings of the Mid-Cities Joint Airport Zoning Board shall be held only after compliance with the requirements of the Texas Open Meeting Law.

1. The Mid-Cities Joint Airport Zoning Board shall keep accurate minutes of each meeting which a copy thereof shall be forwarded to the City Secretary of both the City of Grand Prairie and the City of Arlington within fifteen (15) days following each meeting. Said Board shall keep an accurate record of the names of the members who are present and absent from their meeting.
2. The Mid-Cities Joint Airport Zoning Board may establish requirements of attendance for its members and for automatic removal from office for unexcused absences.

E. The Mid-Cities Joint Airport Zoning Board shall hold its meetings in public buildings owned either by the City of Grand Prairie or the City of Arlington.

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- F. The term of office of the Airport Zoning Commission, which is required to be appointed by the Mid-Cities Airport Zoning Board in conformance with Article 46e-1, et.seq., V.A.C.S., as amended, shall expire upon the adoption by said Board of the ordinance for which the said Airport Zoning Commission was appointed. (Amend Ord 15-062, 11/17/15)

## ARTICLE IV

### PERMITS

#### Section 4.01 Permits

- A. There shall be a General Aviation Operator Permit valid for the time period indicated in the Permit as long as the information submitted by Operator is and remains current and the Operator remains in full compliance with all applicable General Aviation Minimum Standards and the Rules and Regulations of the Arlington Municipal Airport.
  
- B. The Permit may not be assigned or transferred and shall be limited solely to the approved Activity identified in the Permit. For Lessees, the Permit shall be incorporated by reference into the Lessees' Agreement. The breach of any portion of the Permit by Operator, including the Application incorporated by reference thereto, shall be deemed a material breach of any associated Agreement allowing the City the option to terminate the Permit and/or the Agreement. (Amend Ord 15-062, 11/17/15)

**ARTICLE V**  
**ENFORCEMENT**

**Section 5.01 Penalty**

- A. All owners, tenants, lessees, sublessees, persons in control of property or premises within the Airport, and persons who enter or use property within the Airport shall comply with the provisions of this Chapter as well as all other applicable laws, rules, and regulations.
- B. Unless otherwise specified herein, a violation of any provision of this Chapter by any person, firm, corporation, agent or employee thereof shall be punishable as a misdemeanor, and upon conviction such person, firm, corporation, agent or employee thereof shall be fined in an amount not to exceed Five Hundred Dollars and No Cents (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- C. If the definition of an offense does not prescribe a culpable mental state, then a culpable mental state is not required.

**Section 5.02 Authority to Issue Citations**

The Administrator or his/her authorized representatives shall have the power to issue one (1) or more citations for violations of this Chapter in accordance with Article VI of the Municipal Court Chapter, as amended. (Amend Ord 15-062, 11/17/15)

**ARTICLE VI**  
**GENERAL PROVISIONS**

**Section 6.01 Purpose**

The purpose of these General Provisions is to protect the public health, safety, interest, and general welfare of the Operators, Lessees, Sublessees, Permittees, and users of the Arlington Municipal Airport (Airport), and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport.

**Section 6.02 Security**

- A. Gates providing access to the Air Operations Area (AOA) shall remain closed, locked, and secured except when actually in use. Manual Security gates actually in use shall be immediately closed and secured. Only persons authorized by the Administrator shall be allowed to control an open Security gate.
- B. Tampering with, interfering with, or disabling the lock or closing mechanism, or breaching any security device is prohibited unless authorized by the City. Persons who have been provided a code or device for the purpose of obtaining access to a Restricted Area shall not, under any circumstances, convey the code or device to any other person unless authorized in writing by the City.
- C. Leased Premises are expressly for the conduct of the Lessee's or Sublessee's activities. No person (other than its employees or customers) shall use or Loiter on such premises without permission of the Lessee or Sublessee. The Airport shall not be used to camp or stay overnight without permission of the Administrator.

**Section 6.03 Animals**

- A. No person shall:
  - 1. Abandon any animal on Airport property.

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2. Permit animal defecation caused by an animal owned or possessed by him or her to remain on Airport property, unless properly disposed of in a trash receptacle.
  3. Permit an animal owned or possessed by him to run at large, nor permit any such animal on Airport property unless it shall at all times be restricted or kept on a leash no greater than six (6) feet in length. Nor shall any person allow an animal owned or possessed by him to remain unattended on Airport property.
- B. It is an affirmative defense to Section 6.03(A)(3), as amended, that:
1. The animal is a police service animal under the supervision of a police officer in the performance of his/her official duties;
  2. The animal is a “service dog” performing duties of assisting the disabled.

**Section 6.04 Safe Operation of Equipment and Aircraft**

No person shall start, move, use, or interfere with the safe operation of any Aircraft, Vehicle, or equipment without the owner’s permission or by specific direction of Airport Operations.

**Section 6.05 Abandoned, Derelict, or Lost Property**

Property shall not be abandoned at the Airport. Abandoned, derelict, or lost Property found in Public Areas shall be reported or turned in to the City.

**Section 6.06 Commercial Activities**

- A. Any entity or individual engaging in a Commercial Aeronautical Activity shall complete all relevant and applicable sections of the General Aviation Operator and Lessee Application and obtain a General Aviation Operator Permit from the City prior to engaging in the desired Commercial Activity.
- B. Any entity desiring to engage in Commercial photography or filming at the Airport shall obtain written permission from the City prior to engaging in such activity. (Amend Ord 15-062, 11/17/15)

## ARTICLE VII

### AIRCRAFT RULES AND REGULATIONS

#### **Section 7.01 Regulatory Measures**

Aeronautical Activities shall conform to 14 Code of Federal Regulations, PMCDs, any other applicable law, and the directives of the Administrator or Air Traffic Control personnel.

#### **Section 7.02 Parking and Storage**

- A. Aircraft shall be parked within the confines of the assigned or designated Tie-down or parking space and shall not block a Taxiway, Taxilane, or obstruct access to other Aircraft storage or parking areas, vehicles, equipment, gates, or other facilities. Unless utilizing a Leased Premises or as otherwise provided in an Agreement, no person shall use any area for the parking, staging, and storage of Aircraft, without prior written permission of the City. In the event a person uses any area for Aircraft parking, staging, or storage without first obtaining the prior written permission of the City, the City may remove and store the Aircraft at the risk, cost, and expense of the Aircraft Owner or Aircraft Operator without liability to the City.
  
- B. Aircraft Operators shall ensure Aircraft are properly secured when parked and/or stored. Moored lighter-than-air Aircraft shall have at least one person monitoring the safety of the mooring for the duration of the mooring. (Amend Ord 15-062, 11/17/15)

## ARTICLE VIII

### OPERATOR, LESSEE, AND SUBLESSEE RULES AND REGULATIONS

#### Section 8.01 Security

Gates or doors which provide access to a Restricted Area through Leased Premises shall remain closed, locked, and secured except when actually in use. All gates, chains, doors, locks and all other safeguards on the Leased Premises shall be maintained in good working order.

#### Section 8.02 Aircraft Hangars

- A. Aircraft Hangars shall only be used for the parking and storage of Aircraft and associated Aircraft equipment and supplies as approved by the City or as otherwise stipulated in an Agreement. To the extent of any conflict, this section controls over the Fire Prevention Chapter, Construction Chapter, or any other provision of the Code of Ordinances of the City of Arlington. Use of Aircraft Hangars shall be subject to the following restrictions:
1. A person shall not stay overnight in an Aircraft Storage Hanger, or in an office attached to an Aircraft Storage Hangar. A pilot or flight crew may remain overnight in short-term flight crew quarters within a Fixed Base Operator's facilities.
  2. The owner or pilot housing an aircraft in an Aircraft Storage Hangar may only perform preventive maintenance as defined in the 14 CFR Part 43, Appendix A to Part 43 - Major Alterations, Major Repairs, and Preventive Maintenance on any aircraft owned or operated by that pilot which is not used under part 121, 129, or 135, so long as such maintenance activity conforms with the City's Building/Fire Codes.
  3. Oily rags, waste oil, or other materials soiled with petroleum-based products shall be stored in containers with self-closing, tight-fitting lids, and be disposed of in accordance with applicable Regulatory Measures.

**Section 8.03 Right of Entry**

- A. The Administrator or his/her designee shall have the right of entry at reasonable times for repairs, maintenance, modification, or inspection of all facilities, buildings, and Improvements at the Airport.
- B. If such building or premises are occupied, the Administrator or his/her designee shall first present proper credentials and request entry. If such building or premises are unoccupied, the Administrator or his/her designee shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Administrator or his/her designee may enter the property or premises through a warrant or any other remedy provided by law.
- C. The Administrator, his/her designee, and the Fire Department shall have the right of entry to facilities, buildings, and Improvements without advanced notification during emergencies, as allowed by law. Emergencies may include, but shall not be limited to, fire, acts of nature, or Hazardous Materials spill or leak, or for the protection of persons or Property. (Amend Ord 15-062, 11/17/15)

## ARTICLE IX

### AVIATION FUELING RULES AND REGULATIONS

#### Section 9.01 Non-Commercial Self-Fueling

- A. A Self-Fueling Permittee shall not sell and/or dispense Fuels to Aircraft that are not owned, leased, and/or operated by and under the full and exclusive control of the Self-Fueling Permittee and identified to the City. Any such selling or dispensing shall be grounds for revocation of the Permit by the City as well as the collection of all applicable fines or other charges.
1. Revocation upon first violation will be for a period of one year.
  2. Revocation upon a second violation shall be permanent.
- B. **Permit Required.** An individual shall not engage in Self-Fueling unless a valid Self-Fueling Permit authorizing such activity has been issued by the City, and the Self-Fueling Permittee is in full compliance with these Non-Commercial Self-Fueling regulations. The Self-Fueling Permittee shall:
1. Provide evidence of Aircraft ownership, lease, or operation with full and exclusive control. The City will determine if the lease or operating agreement demonstrates that the Self-Fueling Permittee has the full and exclusive control of the Aircraft.
  2. Comply with all applicable laws pertaining to aviation use fuel tax when remitting payment in compliance with Publication 510. Self-Fueling Permittee shall maintain written records of compliance with all applicable laws for the use of Fuel utilized in Aircraft and provide records upon request by the City.
  3. On or before the 10th day of the subsequent month, provide a summary report to the City identifying the number of gallons of: (i) aviation Fuel purchased by Self-Fueling Permittee (by Fuel type), (ii) delivered to Self-Fueling Permittee's Fuel storage facility (by Fuel type), and (iii) dispensed to Self-Fueling Permittee's Aircraft at the Airport and pay the appropriate fees due to the City at the Airport administrative office.

4. Make records and meters available for review by the Airport Manager and/or their designee. In the case of a discrepancy between the amount of Fuel purchased by and/or delivered to Self-Fueling Permittee and the amount of Fuel delivered to Self-Fueling Permittee's Aircraft and/or dispensed by Self-Fueling Permittee at the Airport, the greater amount shall prevail and the Self-Fueling Permittee shall promptly pay all additional fees due the City at the Airport administrative offices, plus annual interest on the unpaid balance at the maximum rate allowable by law from the date originally due.
5. Conduct Self-Fueling Operations only in those areas designated by the City as identified in the Self-Fueling Permit. Pouring or gravity transfer of Fuel and Fueling from containers having a capacity of more than 5 gallons is prohibited.

C. **Fueling Equipment.** Self-Fueling Permittee shall utilize a Refueling Vehicle for dispensing Fuel. Refueling Vehicle shall be solely owned, leased, and/or operated by (and under the full and exclusive control of) the Self-Fueling Permittee. Self-Fueling Permittee shall utilize a single Refueling Vehicle for each type of Fuel to be dispensed as follows:

<b>Refueling Vehicles</b>	
Jet Fuel	
• Minimum capacity (gallons)	1,000
Avgas	
• Minimum capacity (gallons)	500

Self-Fueling Permittees utilizing an FBO Fuel storage facility shall park the Refueling Vehicle on the FBO's Leased Premises when not in use. Self-Fueling Permittees utilizing off Airport Fuel storage must park the Refueling Vehicle off Airport when not in use.

- D. **Fuel Storage Facilities.** Self-Fueling Permittee shall demonstrate that satisfactory arrangements have been made for the storage of Fuel, as follows:
1. Through an authorized FBO at the Airport;
  2. Off Airport; or

3. Through Self-Fueling Permittee's Fuel storage facility at the Airport in a location consistent with the Master Plan, Airport Layout Plan, and/or Land Use Plan and approved by the City.

Self-Fueling Permittees shall lease land and own or lease an above ground Fuel storage facility in the designated Fuel storage area as follows:

<b>Fuel Storage Facility</b>	
Jet Fuel	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000
Avgas	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000

A Fuel storage facility in the designated Fuel storage area shall denote the Aircraft FAA N-Number(s) identified on the Self-fueling Permittee's Self-Fueling Permit with 12-inch characters on each side of the Fuel storage facility. (Amend Ord 15-062, 11/17/15)

**ARTICLE X**  
**CONTROL OF VEHICLES**

**Section 10.01 Equipment**

- A. Trailers and semi-trailers shall not be disengaged from towing Vehicles.
- B. Storage of trailers in hangars is prohibited.
- C. Vehicles constructed, equipped, loaded, or maintained so as to endanger persons or Property are prohibited.
- D. No tank Vehicle, truck, or semi-trailer used for the transportation of flammable liquids, Fueling, or defueling of Aircraft shall be operated on the AOA without prior written approval of the City.
- E. Vehicles hauling trash, dirt, or any loose material(s) shall secure and cover the Vehicle's load.
- F. Positive locking couplings are required for all towing Vehicles and related equipment.

**Section 10.02 Air Operations Area**

- A. Vehicles used exclusively on the AOA shall be equipped with an approved and fully operational amber (or red for Emergency Vehicles only) rotating, flashing, or steady beacon on the roof or uppermost point of the Vehicle providing 360 degree view and in compliance with AC 150/5210-5B. The beacon shall be activated prior to entering the AOA and shall remain in operation while the Vehicle is on the AOA.
- B. Vehicle Operators using the AOA on an irregular basis must obtain permission from the City or be escorted by an authorized Vehicle Operator and shall proceed directly to the destination without entering the Movement Area.

**Section 10.03 Parking or Stopping**

- A. Vehicles shall not be parked or stopped in such a manner so as to obstruct Aircraft, pedestrians or Vehicles. If a temporary closure is necessary, such as to load or unload Aircraft, or cargo, the Vehicle Operator shall contact Airport Operations for assistance.
- B. Vehicles shall be parked only in designated parking areas unless otherwise approved in writing by the City. Parking on unpaved or grassed areas is prohibited unless approved by the Administrator.
- C. Employees of Operators, Lessees, or Sublessees shall use employee parking areas on the Leased Premises, or in public parking areas, as designated by the City. All service Vehicles or equipment shall be parked in specially reserved and marked areas on the Leased Premises.
- D. Aircraft Operators may park Vehicles inside the Hangar or outside the Hangar in designated parking areas while the Aircraft is gone. Aircraft Operators using Tie-downs for Aircraft storage may park Vehicles in designated public parking areas only while the Aircraft is gone.
- E. Displaying Vehicles, aircraft, and/or equipment for sale, lease, or rent is prohibited.
- F. Boats, rafts, jet skis, snow mobiles, dune buggies, dirt bikes, all-terrain Vehicles, race cars, recreational Vehicles, trailers, and other similar Vehicles shall not be parked or stored in a Hangar or anywhere else on the Airport. (Amend Ord 15-062, 11/17/15)

**ARTICLE XI**

**FEES**

**Section 11.01 Fees**

For the use of goods and other administrative services, a fee may be charged in an amount set by resolution from time to time. (Amend Ord 15-062, 11/17/15)

**Ordinance No. 15-062**

**An ordinance amending the "Airport" Chapter of the Code of the City of Arlington, Texas, 1987, through the repeal of the existing chapter and the adoption of a new "Airport" Chapter; providing for a fine of up to \$500 for each violation of the ordinance; providing this ordinance be cumulative; providing for severability, governmental immunity, injunctions, publication and becoming effective ten days after first publication**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the "**Airport**" Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the repeal of the existing "**Airport**" Chapter and the adoption of a new "**Airport**" Chapter, so that hereafter said Chapter shall be and read as follows:

**ARTICLE I**

**PURPOSE**

**Section 1.01 Purpose**

- A. There shall be a unit of City government to be known as the Airport. Said unit shall be under the supervision of the Airport Manager, who shall be appointed by the City Manager and shall be responsible to the City Manager in the conduct of the affairs of said Airport, including planning, development, operation, management, maintenance, and security of the Airport and all City-owned and operated land, Improvements, facilities, Vehicles, and equipment.
- B. The Arlington Municipal Airport is included in the National Plan of Integrated Airport Systems (NPIAS) and designated as a "Public Use" airport by the Federal Aviation Administration. The State of Texas includes the Airport on the Texas Airport System Plan.
- C. The Airport is required to operate for the use and benefit of the public and shall be made available to all types, kinds, and classes of Aeronautical Activity on reasonable terms and without unjust discrimination.
- D. The City will plan, develop, operate, and manage the Airport in such a manner so as to (a) ensure its long-term financial health, (b) protect and promote the health,

safety, security, and general welfare of the public, and (c) encourage the provision of the type, level, and quality General Aviation products, services, and facilities desired by the public.

- E. The City Manager or his/her designee is authorized to: (a) create, interpret, administer, and enforce Agreements and the Primary Management and Compliance Documents (PMCDs), (b) allow, where and when appropriate, temporary, short-term occupancy or use of Airport land or Improvements, and (c) obtain and receive copies of all leases, Subleases, licenses, permits, certifications, ratings, Certificates of Insurance, and other documents required to be provided to or filed with the City. All inquiries regarding the PMCDs and/or compliance therewith shall be directed to the Administrator.
  
- F. The Airport Manager or his/her designee shall have the power to make rules and regulations as necessary to manage, use, preserve and govern the Arlington Municipal Airport. The Airport Manager shall have the power to approve variances or exemptions to the PMCDs when special conditions, unusual situations, or unique circumstances exist.

## **ARTICLE II**

### **DEFINITIONS**

#### **Section 2.01 Definitions**

The following words and terms, when used in this Chapter, shall have the meanings hereinafter designated.

**“Abandoned”** means property, other than Aircraft or Vehicles, left at the Airport for 48 hours without the owner moving or claiming it.

**“Accident”** means a collision or other contact between any part of an Aircraft, Vehicle, equipment, person, stationary object and/or other thing which results in Property damage, personal injury, or death; or an entry into or emergence from a moving Aircraft, Vehicle, or Equipment by a person which results in personal injury or death to such person or some other person or which results in Property damage.

**“Administrator”** means that person (or designated representative thereof), appointed by the City, responsible for the administration and day-to-day operation and management of the Airport, all City owned Property, Vehicles, equipment, material, financial assets, and Employees at the Airport, and all employees assigned to the Airport.

**“Aeronautical Activity”** means any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft. It shall also

mean any activity which contributes to, or is required for, the safety of such operations, and any activities which have a direct relationship to the operation of Aircraft or the operation of the Airport.

**“Agency”** means any federal, state, or local governmental entity, unit, organization, or authority.

**“Agreement”** means a written contract (e.g., lease agreement, permit, etc.), enforceable by law, executed by both parties, between the City and entity transferring rights or interest in land and/or Improvements and/or otherwise authorizing the conduct of certain Activities.

**“Air Operations Area (or AOA)”** means a portion of an airport which includes Aircraft Movement Areas, Ramps, and safety areas, and any adjacent areas that are not separated by adequate security systems, measures, or procedures.

**“Air Traffic Control (or ATC)”** means a service operated by an appropriate authority sanctioned and certified by the FAA for the control, separation, and movement of Aircraft in the air or on the ground.

**“Aircraft”** means a device that is used or intended to be used for flight.

**“Aircraft Maintenance”** means the repair, maintenance, alteration, calibration, adjustment, preservation, or inspection of Aircraft airframe, powerplant, propeller, and accessories (including the replacement of parts) as described in 14 CFR Part 43.

**“Aircraft Operator”** means a person who uses, causes to be used, or authorizes to be used an Aircraft, with or without the right of legal control (as Owner, Lessee, or otherwise) for the purpose of air navigation including the piloting of Aircraft or the operation of Aircraft on any part of the surface of an airport.

**“Aircraft Storage Hangar”** means any Hangar approved and used specifically for the purposes of Aircraft storage not including Aircraft Maintenance.

**“Airport”** means all land, Improvements, and appurtenances within the legal boundaries as it now exists on the Airport Layout Plan (or Exhibit A of the most recent FAA grant) and as it may hereinafter be modified at Arlington Municipal Airport (GKY).

**“Airport Layout Plan, (or ALP)”** means the FAA approved and City adopted drawing, as may be amended from time to time, which reflects an agreement between the FAA and City depicting the physical layout of an airport and identifying the location and configuration of current and proposed Runways, Taxiways, buildings, roadways, utilities, nav aids, etc.

**“Airside”** means the Runways for landing and taking off of Aircraft, designated helipads, Taxiways and Taxilanes for ground movement of Aircraft, and Ramp for parking, loading, unloading, fueling, and servicing of Aircraft.

**“Airworthy, Flyable Aircraft, or Airworthy in a Condition Safe for Flight”** means an aircraft considered to be safe for flight, meeting the conditions set by the FAA in 14 CFR 91.7, and having (1) correct and valid certificates, documents and equipment in the aircraft, or available, (2) an annual or condition or progressive maintenance inspection completed and released by an appropriate authority that substantiates the aircraft is in a condition safe for flight, (3) a determination by the pilot in command that the aircraft is in a condition safe for flight.

**“Association”** means an entity legally formed and recognized under the laws of the State of Texas having an existence separate and apart from its members or shareholders (e.g., Limited Liability Company, Corporation, Partnership, Limited Partnership, etc.).

**“Based Aircraft”** means an Aircraft which has been or will be stored at the Airport for more than 183 calendar days over a one year period (including days that the Aircraft is operating off the Airport and not paying Based Aircraft storage rents or fees at another airport).

**“Co-Op Fueling”** means the fueling of an Aircraft by the Owner of the Aircraft or the Owner’s Employee using Vehicles, Equipment, and resources owned by an approved Association.

**“Courtesy Vehicle”** means any Vehicle used to transport persons, baggage, or goods, or any combination thereof, on the Airport or between the Airport and off-airport locations such as hotels, motels, or other attractions for which no charge is levied (no Compensation is paid).

**“Flight Training”** means the training, other than ground training, received from an authorized instructor in an Aircraft.

**“Foreign Object Debris (or FOD)”** means any object found in an inappropriate location that – as a result of being in that location – can damage equipment or injure aircraft or airport personnel.

**“Fuel Handling”** means the transporting, delivering, fueling, dispensing, or draining of Fuel or Fuel waste products.

**“General Aviation”** means all aviation with exception of Air Carriers and the military.

**“General Aviation Minimum Standards (or Minimum Standards)”** means the qualifications, standards, and criteria set forth as the minimum requirements to be met as a condition for the right to engage in Activities at the Airport, as may be amended from time to time.

**“Governance Documents” or “Primary Management and Compliance Documents” (PMCDs)** means the compendium of Airport policies, standards, guidelines, rules, and regulations that govern the development, operation, and management of an airport, adopted by resolution of the City, as may be amended from time to time, including General Aviation Leasing/Rents and Fees Policy, General Aviation Minimum Standards, Rules and Regulations, and Design Standards.

**“Hangar”** means any fully or partially enclosed storage facility for an Aircraft.

**“Jet Fuel”** means the Fuel commonly utilized to power turbine-engine (Turboshaft, Turboprop, and Turbojet) Aircraft.

**“Leased Premises”** means the land and/or Improvements used exclusively under Agreement by an Operator, Lessee, or Sublessee.

**“Movement Area”** means the Runways, Taxiways, and other areas of the Airport which are utilized for taxiing, hover taxiing, takeoff, and landing of Aircraft (exclusive of Aircraft parking, loading, unloading, fueling, and servicing areas) where Aircraft are moved with radio contact with ATC or other Aircraft. The Movement Area includes all areas under the direct and positive control of ATC. Specific approval for entry onto the movement area must be obtained from ATC.

**“Non-Commercial”** means not for the purpose of securing earnings, income, Compensation (including exchange or barter of goods and services), and/or profit.

**“Non-Commercial Self-Fueling”** means the fueling of an Aircraft by the Aircraft Owner or the Owner’s Employee(s) using the Aircraft Owner’s Vehicles, Equipment, and resources.

**“Non-Movement Area”** means those portions of the Airport where Aircraft taxi or are moved without radio contact with ATC or other Aircraft.

**“Notice to Airmen (or NOTAM)”** means the guidelines regarding aeronautical operations issued by a representative of the FAA, the Administrator, ATC, or other authorized Agency.

**“Operator”** means an entity that has entered into an Agreement with the City to engage in Commercial Aeronautical Activities at the Airport.

**“Owner”** means the registered legal Owner of an Aircraft according to FAA records or a Vehicle according to the applicable state Department of Motor Vehicle records.

**“Permittee”** means an entity who has written permission from the City to conduct an Activity at the Airport according to the parameters established by a permit.

**“Public Area”** means those areas normally used by the general public. Such areas include restrooms, Airport Terminal Building lobbies, hallways, passage ways, roadways, walkways, sidewalks, and Vehicle parking lots. Public areas do not include the areas owned and/or leased by Commercial businesses unless such businesses so designate certain areas as public use areas. Public Areas do not include the AOA, Restricted Areas, and employee parking lots.

**“Ramp”** means the Paved areas of the Airport within the AOA designated by the City for parking, loading, unloading, fueling, or servicing of Aircraft.

**“Refueling Vehicle”** means any Vehicle used for transporting, handling, or dispensing of Fuels and lubricants.

**“Repair Station”** means a certificated Aircraft Maintenance facility approved by the FAA to perform specific maintenance functions. Repair Stations are certificated under 14 CFR Part 145.

**“Restricted Area”** means areas of the Airport, other than Public Areas, wherein entry or use thereof is restricted to authorized personnel (pursuant to applicable Regulatory Measures) including, but not limited to the AOA, Runways, Taxiways, Taxilanes, and fire lanes, airport maintenance facilities, mechanical rooms, electrical vaults, fire breaks and any other areas marked as such with signage.

**“Runup”** means an Aircraft engine operation above normal idle power for purposes other than initiating or sustaining taxiing or takeoff.

**“Runway”** means an area of the Airport developed and improved for the purpose of accommodating the landing and takeoff of Aircraft.

**“Self-Fueling”** means the Non-Commercial Fueling of an Aircraft by the Aircraft Owner or the Owner’s Employee(s) using the Aircraft Owner’s Vehicles, Equipment, and resources.

**“Self-Fueling Permittee”** means the Aircraft Owner or Aircraft Operator engaged in Self-Fueling, holding a valid Self-Fueling Permit issued by the City.

**“Taxilane”** means the portion of the Ramp used for access between Taxiways and Ramps. Taxilanes are always outside the Movement Area and differentiated from a Taxiway by the required Object Free Area requirements stipulated by the FAA.

**“Taxiway”** means a defined path, usually Paved, over which Aircraft can taxi from one part of an airport to another (excluding the Runway). ATC must have a clear line of sight to all Taxiway centerlines. Additionally, a Taxiway is further differentiated from a Taxilane by the required Object Free Area requirements stipulated by the FAA.

**“Through-the-Fence”** means an airport sponsor’s grant, to an entity, of ground access by an aircraft, across the airport’s property boundary, to the airport’s airside infrastructure (commonly through-the-fence) and permission to engage in associated activities from property adjacent to the airport.

**“Tie-down”** means a Paved or unpaved area suitable for parking and mooring of Aircraft, wherein suitable anchoring points and related Equipment are located.

## **ARTICLE III**

### **BOARDS**

#### **Section 3.01 Joint Airport Zoning Board**

- A. Subject to like provisions being made by the Commissioners Court of Tarrant County, Texas, by proper order duly promulgated and entered on its minutes, and as authorized by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature of Texas, 1947, there is hereby created a Joint Airport Zoning Board, to be known as the Arlington-Tarrant County Joint Airport Zoning Board, which shall have the powers and exercise the duties set forth in Section 2 and 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947.
- B. The Arlington-Tarrant County Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council of the City of Arlington, Texas, and two (2) members to be appointed by the Commissioners Court of Tarrant County, Texas. The fifth member shall be elected by a majority of the members so appointed, and said fifth member shall serve as Chairman of said Arlington-Tarrant County Joint Airport Zoning Board. Each member of said Board shall serve for a term of two (2) years and may be removed from such office for cause by the appointing authority, and the vacancy filled with a suitable person to serve out the unexpired term of any member whose place of the Board has become vacant for any cause.

#### **Section 3.02 Dallas-Fort Worth Regional Joint Airport Zoning Board**

- A. There is hereby created a Joint Airport Zoning Board to be known as the Dallas-Fort Worth Regional Joint Airport Zoning Board, which shall have the powers and exercise the duties set forth in Vernon's Annotated Texas Statutes, Article 46e-1 through Article 46e-15, inclusive, as amended, or as may be amended in the future, commonly known as the "Airport Zoning Act"; provided, however, that all regulations adopted by the Joint Airport Zoning Board shall be administered by

the governing body of the political subdivision adopting the regulations, unless said governing body shall specifically provide otherwise.

- B. The Dallas-Fort Worth Regional Joint Airport Zoning Board shall be composed of two (2) members to be appointed by each of the following political subdivisions within the airport hazard area of the Dallas-Fort Worth Regional Airport participating in its creation: Dallas, Denton and Tarrant Counties; Arlington, Bedford, Colleyville, Coppell, Dallas, Euless, Flower Mound, Fort Worth, Grand Prairie, Grapevine, Irving, Lewisville, Southlake and Westlake; and in addition, a Chairman elected by a majority of the members so appointed above.
- C. Members shall be appointed for a term of two (2) years and may be removed by the authority which appointed them. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
- D. There is hereby adopted the Airport Zoning Ordinance No. 71-100 of the Dallas-Fort Worth Regional Airport in the City of Arlington, a copy of which is on file with the City Secretary, providing for regulating and restricting the height of structures and objects of natural growth, and otherwise restricting the use of property on and in the vicinity of the Dallas-Fort Worth Regional Airport in the City of Arlington.
- E. The Office of the Building Official is hereby appointed to be the administrative agency for the enforcement of the Airport Zoning Ordinance of the Dallas-Fort Worth Regional Airport in the City of Arlington.

**Section 3.03 Mid-Cities Joint Airport Zoning Board**

- A. Subject to like provisions being made by the City Council of the City of Grand Prairie, Texas, by proper ordinance, duly promulgated and entered on its minutes, and as authorized by the provisions of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, being Article 46e-1, et.seq., as amended, V.A.C.S., known as the "Airport Zoning Act", there is hereby created a Joint Airport Zoning Board, to be known as the Mid-Cities Joint Airport Zoning Board, which shall have the powers and exercise the duties, save and except any power to enact land use zoning and any requirements in connection therewith, as set forth in Section 2 and Section 3 of Chapter 391 of the Acts of the Regular Session of the 50th Legislature, 1947, as amended. Said Section 2 and 3 respectively being Article 46e-2 and 46e-3, V.A.C.S., as amended.
- B. The Mid-Cities Joint Airport Zoning Board shall be composed of five (5) members, two (2) to be appointed by the City Council of the City of Grand Prairie, Texas, and two (2) members to be appointed by the City Council of the City of Arlington, Texas. The fifth member shall be elected by a majority of the

members so appointed and said fifth member shall serve as chairman of said Mid-Cities Joint Airport Zoning Board.

C. Term of Office:

1. Each member of the Mid-Cities Joint Airport Zoning Board shall serve for a term of two (2) years, except, as hereafter provided, for the initial members of said Board. The initially elected chairman of said Board shall serve a two (2) year term, with one (1) initially appointed member from each city serving a one (1) year term, and the other initially appointed member from each city serving a two (2) year term. The determination of the initial members' term of office, in accordance with the above-stated provisions, shall be made by the members of the Mid-Cities Joint Airport Zoning Board at its first meeting.
2. In addition to the above-stated terms for the initially appointed and elected members of said Board, there shall be added to the terms of office of the five (5) initial members of the Mid-Cities Joint Airport Zoning Board the period from the effective date of the creation of said Board to the 1st day of July, 1983.
3. Members appointed or elected to fill a vacancy existing on said Board shall be for the unexpired term of office.

D. All meetings of the Mid-Cities Joint Airport Zoning Board shall be held only after compliance with the requirements of the Texas Open Meeting Law.

1. The Mid-Cities Joint Airport Zoning Board shall keep accurate minutes of each meeting which a copy thereof shall be forwarded to the City Secretary of both the City of Grand Prairie and the City of Arlington within fifteen (15) days following each meeting. Said Board shall keep an accurate record of the names of the members who are present and absent from their meeting.
2. The Mid-Cities Joint Airport Zoning Board may establish requirements of attendance for its members and for automatic removal from office for unexcused absences.

E. The Mid-Cities Joint Airport Zoning Board shall hold its meetings in public buildings owned either by the City of Grand Prairie or the City of Arlington.

F. The term of office of the Airport Zoning Commission, which is required to be appointed by the Mid-Cities Airport Zoning Board in conformance with Article 46e-1, et.seq., V.A.C.S., as amended, shall expire upon the adoption by said Board of the ordinance for which the said Airport Zoning Commission was appointed.

## ARTICLE IV

### PERMITS

#### Section 4.01 Permits

- A. There shall be a General Aviation Operator Permit valid for the time period indicated in the Permit as long as the information submitted by Operator is and remains current and the Operator remains in full compliance with all applicable General Aviation Minimum Standards and the Rules and Regulations of the Arlington Municipal Airport.
- B. The Permit may not be assigned or transferred and shall be limited solely to the approved Activity identified in the Permit. For Lessees, the Permit shall be incorporated by reference into the Lessees' Agreement. The breach of any portion of the Permit by Operator, including the Application incorporated by reference thereto, shall be deemed a material breach of any associated Agreement allowing the City the option to terminate the Permit and/or the Agreement.

## ARTICLE V

### ENFORCEMENT

#### Section 5.01 Penalty

- A. All owners, tenants, lessees, sublessees, persons in control of property or premises within the Airport, and persons who enter or use property within the Airport shall comply with the provisions of this Chapter as well as all other applicable laws, rules, and regulations.
- B. Unless otherwise specified herein, a violation of any provision of this Chapter by any person, firm, corporation, agent or employee thereof shall be punishable as a misdemeanor, and upon conviction such person, firm, corporation, agent or employee thereof shall be fined in an amount not to exceed Five Hundred Dollars and No Cents (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- C. If the definition of an offense does not prescribe a culpable mental state, then a culpable mental state is not required.

**Section 5.02 Authority to Issue Citations**

The Administrator or his/her authorized representatives shall have the power to issue one (1) or more citations for violations of this Chapter in accordance with Article VI of the Municipal Court Chapter, as amended.

**ARTICLE VI**

**GENERAL PROVISIONS**

**Section 6.01 Purpose**

The purpose of these General Provisions is to protect the public health, safety, interest, and general welfare of the Operators, Lessees, Sublessees, Permittees, and users of the Arlington Municipal Airport (Airport), and to restrict or prevent any activity or action which would interfere with the safe, orderly, and efficient use of the Airport.

**Section 6.02 Security**

- A. Gates providing access to the Air Operations Area (AOA) shall remain closed, locked, and secured except when actually in use. Manual Security gates actually in use shall be immediately closed and secured. Only persons authorized by the Administrator shall be allowed to control an open Security gate.
- B. Tampering with, interfering with, or disabling the lock or closing mechanism, or breaching any security device is prohibited unless authorized by the City. Persons who have been provided a code or device for the purpose of obtaining access to a Restricted Area shall not, under any circumstances, convey the code or device to any other person unless authorized in writing by the City.
- C. Leased Premises are expressly for the conduct of the Lessee's or Sublessee's activities. No person (other than its employees or customers) shall use or Loiter on such premises without permission of the Lessee or Sublessee. The Airport shall not be used to camp or stay overnight without permission of the Administrator.

**Section 6.03 Animals**

- A. No person shall:
  - 1. Abandon any animal on Airport property.

2. Permit animal defecation caused by an animal owned or possessed by him or her to remain on Airport property, unless properly disposed of in a trash receptacle.
  3. Permit an animal owned or possessed by him to run at large, nor permit any such animal on Airport property unless it shall at all times be restricted or kept on a leash no greater than six (6) feet in length. Nor shall any person allow an animal owned or possessed by him to remain unattended on Airport property.
- B. It is an affirmative defense to Section 6.03(A)(3), as amended, that:
1. The animal is a police service animal under the supervision of a police officer in the performance of his/her official duties;
  2. The animal is a "service dog" performing duties of assisting the disabled.

**Section 6.04 Safe Operation of Equipment and Aircraft**

No person shall start, move, use, or interfere with the safe operation of any Aircraft, Vehicle, or equipment without the owner's permission or by specific direction of Airport Operations.

**Section 6.05 Abandoned, Derelict, or Lost Property**

Property shall not be abandoned at the Airport. Abandoned, derelict, or lost Property found in Public Areas shall be reported or turned in to the City.

**Section 6.06 Commercial Activities**

- A. Any entity or individual engaging in a Commercial Aeronautical Activity shall complete all relevant and applicable sections of the General Aviation Operator and Lessee Application and obtain a General Aviation Operator Permit from the City prior to engaging in the desired Commercial Activity.
- B. Any entity desiring to engage in Commercial photography or filming at the Airport shall obtain written permission from the City prior to engaging in such activity.

## ARTICLE VII

### AIRCRAFT RULES AND REGULATIONS

#### Section 7.01 Regulatory Measures

Aeronautical Activities shall conform to 14 Code of Federal Regulations, PMCDs, any other applicable law, and the directives of the Administrator or Air Traffic Control personnel.

#### Section 7.02 Parking and Storage

- A. Aircraft shall be parked within the confines of the assigned or designated Tie-down or parking space and shall not block a Taxiway, Taxilane, or obstruct access to other Aircraft storage or parking areas, vehicles, equipment, gates, or other facilities. Unless utilizing a Leased Premises or as otherwise provided in an Agreement, no person shall use any area for the parking, staging, and storage of Aircraft, without prior written permission of the City. In the event a person uses any area for Aircraft parking, staging, or storage without first obtaining the prior written permission of the City, the City may remove and store the Aircraft at the risk, cost, and expense of the Aircraft Owner or Aircraft Operator without liability to the City.
- B. Aircraft Operators shall ensure Aircraft are properly secured when parked and/or stored. Moored lighter-than-air Aircraft shall have at least one person monitoring the safety of the mooring for the duration of the mooring.

## ARTICLE VIII

### OPERATOR, LESSEE, AND SUBLESSEE RULES AND REGULATIONS

#### Section 8.01 Security

Gates or doors which provide access to a Restricted Area through Leased Premises shall remain closed, locked, and secured except when actually in use. All gates, chains, doors, locks and all other safeguards on the Leased Premises shall be maintained in good working order.

## **Section 8.02 Aircraft Hangars**

- A. Aircraft Hangars shall only be used for the parking and storage of Aircraft and associated Aircraft equipment and supplies as approved by the City or as otherwise stipulated in an Agreement. To the extent of any conflict, this section controls over the Fire Prevention Chapter, Construction Chapter, or any other provision of the Code of Ordinances of the City of Arlington. Use of Aircraft Hangars shall be subject to the following restrictions:
1. A person shall not stay overnight in an Aircraft Storage Hanger, or in an office attached to an Aircraft Storage Hanger. A pilot or flight crew may remain overnight in short-term flight crew quarters within a Fixed Base Operator's facilities.
  2. The owner or pilot housing an aircraft in an Aircraft Storage Hanger may only perform preventive maintenance as defined in the 14 CFR Part 43, Appendix A to Part 43 - Major Alterations, Major Repairs, and Preventive Maintenance on any aircraft owned or operated by that pilot which is not used under part 121, 129, or 135, so long as such maintenance activity conforms with the City's Building/Fire Codes.
  3. Oily rags, waste oil, or other materials soiled with petroleum-based products shall be stored in containers with self-closing, tight-fitting lids, and be disposed of in accordance with applicable Regulatory Measures.

## **Section 8.03 Right of Entry**

- A. The Administrator or his/her designee shall have the right of entry at reasonable times for repairs, maintenance, modification, or inspection of all facilities, buildings, and Improvements at the Airport.
- B. If such building or premises are occupied, the Administrator or his/her designee shall first present proper credentials and request entry. If such building or premises are unoccupied, the Administrator or his/her designee shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Administrator or his/her designee may enter the property or premises through a warrant or any other remedy provided by law.
- C. The Administrator, his/her designee, and the Fire Department shall have the right of entry to facilities, buildings, and Improvements without advanced notification during emergencies, as allowed by law. Emergencies may include, but shall not be limited to, fire, acts of nature, or Hazardous Materials spill or leak, or for the protection of persons or Property.

## ARTICLE IX

### AVIATION FUELING RULES AND REGULATIONS

#### Section 9.01 Non-Commercial Self-Fueling

- A. A Self-Fueling Permittee shall not sell and/or dispense Fuels to Aircraft that are not owned, leased, and/or operated by and under the full and exclusive control of the Self-Fueling Permittee and identified to the City. Any such selling or dispensing shall be grounds for revocation of the Permit by the City as well as the collection of all applicable fines or other charges.
1. Revocation upon first violation will be for a period of one year.
  2. Revocation upon a second violation shall be permanent.
- B. **Permit Required.** An individual shall not engage in Self-Fueling unless a valid Self-Fueling Permit authorizing such activity has been issued by the City, and the Self-Fueling Permittee is in full compliance with these Non-Commercial Self-Fueling regulations. The Self-Fueling Permittee shall:
1. Provide evidence of Aircraft ownership, lease, or operation with full and exclusive control. The City will determine if the lease or operating agreement demonstrates that the Self-Fueling Permittee has the full and exclusive control of the Aircraft.
  2. Comply with all applicable laws pertaining to aviation use fuel tax when remitting payment in compliance with Publication 510. Self-Fueling Permittee shall maintain written records of compliance with all applicable laws for the use of Fuel utilized in Aircraft and provide records upon request by the City.
  3. On or before the 10th day of the subsequent month, provide a summary report to the City identifying the number of gallons of: (i) aviation Fuel purchased by Self-Fueling Permittee (by Fuel type), (ii) delivered to Self-Fueling Permittee's Fuel storage facility (by Fuel type), and (iii) dispensed to Self-Fueling Permittee's Aircraft at the Airport and pay the appropriate fees due to the City at the Airport administrative office.
  4. Make records and meters available for review by the Airport Manager and/or their designee. In the case of a discrepancy between the amount of Fuel purchased by and/or delivered to Self-Fueling Permittee and the amount of Fuel delivered to Self-Fueling Permittee's Aircraft and/or dispensed by Self-Fueling Permittee at the Airport, the greater amount

shall prevail and the Self-Fueling Permittee shall promptly pay all additional fees due the City at the Airport administrative offices, plus annual interest on the unpaid balance at the maximum rate allowable by law from the date originally due.

5. Conduct Self-Fueling Operations only in those areas designated by the City as identified in the Self-Fueling Permit. Pouring or gravity transfer of Fuel and Fueling from containers having a capacity of more than 5 gallons is prohibited.

- C. **Fueling Equipment.** Self-Fueling Permittee shall utilize a Refueling Vehicle for dispensing Fuel. Refueling Vehicle shall be solely owned, leased, and/or operated by (and under the full and exclusive control of) the Self-Fueling Permittee. Self-Fueling Permittee shall utilize a single Refueling Vehicle for each type of Fuel to be dispensed as follows:

<b>Refueling Vehicles</b>	
Jet Fuel	
• Minimum capacity (gallons)	1,000
Avgas	
• Minimum capacity (gallons)	500

Self-Fueling Permittees utilizing an FBO Fuel storage facility shall park the Refueling Vehicle on the FBO's Leased Premises when not in use. Self-Fueling Permittees utilizing off Airport Fuel storage must park the Refueling Vehicle off Airport when not in use.

- D. **Fuel Storage Facilities.** Self-Fueling Permittee shall demonstrate that satisfactory arrangements have been made for the storage of Fuel, as follows:

1. Through an authorized FBO at the Airport;
2. Off Airport; or
3. Through Self-Fueling Permittee's Fuel storage facility at the Airport in a location consistent with the Master Plan, Airport Layout Plan, and/or Land Use Plan and approved by the City.

Self-Fueling Permittees shall lease land and own or lease an above ground Fuel storage facility in the designated Fuel storage area as follows:

<b>Fuel Storage Facility</b>	
Jet Fuel	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000
Avgas	
• Number of tanks	1
• Minimum total capacity (gallons)	10,000

A Fuel storage facility in the designated Fuel storage area shall denote the Aircraft FAA N-Number(s) identified on the Self-fueling Permittee's Self-Fueling Permit with 12-inch characters on each side of the Fuel storage facility.

## ARTICLE X

### CONTROL OF VEHICLES

#### **Section 10.01 Equipment**

- A. Trailers and semi-trailers shall not be disengaged from towing Vehicles.
- B. Storage of trailers in hangars is prohibited.
- C. Vehicles constructed, equipped, loaded, or maintained so as to endanger persons or Property are prohibited.
- D. No tank Vehicle, truck, or semi-trailer used for the transportation of flammable liquids, Fueling, or defueling of Aircraft shall be operated on the AOA without prior written approval of the City.
- E. Vehicles hauling trash, dirt, or any loose material(s) shall secure and cover the Vehicle's load.
- F. Positive locking couplings are required for all towing Vehicles and related equipment.

#### **Section 10.02 Air Operations Area**

- A. Vehicles used exclusively on the AOA shall be equipped with an approved and fully operational amber (or red for Emergency Vehicles only) rotating, flashing, or steady beacon on the roof or uppermost point of the Vehicle providing 360 degree view and in compliance with AC 150/5210-5B. The beacon shall be

activated prior to entering the AOA and shall remain in operation while the Vehicle is on the AOA.

- B. Vehicle Operators using the AOA on an irregular basis must obtain permission from the City or be escorted by an authorized Vehicle Operator and shall proceed directly to the destination without entering the Movement Area.

### **Section 10.03 Parking or Stopping**

- A. Vehicles shall not be parked or stopped in such a manner so as to obstruct Aircraft, pedestrians or Vehicles. If a temporary closure is necessary, such as to load or unload Aircraft, or cargo, the Vehicle Operator shall contact Airport Operations for assistance.
- B. Vehicles shall be parked only in designated parking areas unless otherwise approved in writing by the City. Parking on unpaved or grassed areas is prohibited unless approved by the Administrator.
- C. Employees of Operators, Lessees, or Sublessees shall use employee parking areas on the Leased Premises, or in public parking areas, as designated by the City. All service Vehicles or equipment shall be parked in specially reserved and marked areas on the Leased Premises.
- D. Aircraft Operators may park Vehicles inside the Hangar or outside the Hangar in designated parking areas while the Aircraft is gone. Aircraft Operators using Tie-downs for Aircraft storage may park Vehicles in designated public parking areas only while the Aircraft is gone.
- E. Displaying Vehicles, aircraft, and/or equipment for sale, lease, or rent is prohibited.
- F. Boats, rafts, jet skis, snow mobiles, dune buggies, dirt bikes, all-terrain Vehicles, race cars, recreational Vehicles, trailers, and other similar Vehicles shall not be parked or stored in a Hangar or anywhere else on the Airport.

## **ARTICLE XI**

### **FEES**

#### **Section 11.01 Fees**

For the use of goods and other administrative services, a fee may be charged in an amount set by resolution from time to time.

2.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Five Hundred Dollars and No Cents (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

3.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

4.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

5.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

6.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

7.

The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

8.

This ordinance shall become effective ten days after first publication.

PRESENTED AND GIVEN FIRST READING on the 10th day of November, 2015, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 17th day of November, 2015, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.

  
W. JEFF WILLIAMS, Mayor

ATTEST:

  
MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:  
TERIS SOLIS, City Attorney

BY 