

MBS INTERNATIONAL AIRPORT

OWNED BY:

MIDLAND CITY

BAY COUNTY

SAGINAW CITY

AIRPORT RULES & REGULATIONS

August 19, 2021

MBS INTERNATIONAL AIRPORT RULES AND REGULATIONS

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MBS INTERNATIONAL AIRPORT AIRPORT RULES & REGULATIONS

1 ORGANIZATION

1.1 TITLE

This Resolution may be cited as the MBS International Airport Rules & Regulations.

1.2 AUTHORITY

This Resolution is created pursuant to authority granted by the Aeronautics Code of the State of Michigan, MCL 259.133.

1.3 PURPOSE

These Airport Rules & Regulations have been adopted by the MBS International Airport Commission, and are issued pursuant to the authority vested with the MBS International Airport Commission by the Aeronautics Code of the State of Michigan, for the construction and operation of airports under its control and to safeguard the public. The provisions of this document are intended to provide for the safe, orderly, and efficient operation of the Airport including air operations areas, public areas, and leased areas.

These Rules & Regulations shall take effect on August 19, 2021, and shall supersede and replace all prior rules and regulations issued by the Commission. A copy of the Rules & Regulations are available for inspection in the Airport Director's Office during regular business hours or on the MBS website.

Violation of these Rules & Regulations shall subject the offender to administrative action by the MBS International Airport Commission and to penalties for such violations as provided in Section 1.9 of these Rules & Regulations.

1.4 SCOPE

MBS International Airport is owned by the City of Midland, the City of Saginaw, and Bay County. MBS International Airport Commission is a special statutory body created as provided by the Aeronautics Code, MCL 259.134. The Airport is governed by the MBS International Airport Commission under the Rules & Regulations set forth herein, the rules and regulations of the Michigan Aeronautics Commission and the Federal Aviation Administration, and other applicable federal, state and local law, rules, and regulations.

All users of and persons on the Airport shall be governed by these regulations and by any emergency directives issued by the Airport Director pursuant to these regulations. These

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regulations supersede all those previously published, and are subject to change by the Airport Commission at any time.

These regulations are not intended to amend, modify or supersede any provision of federal, state, county, city or township law, or any specific contractual agreement of the MBS International Airport Commission with which they may conflict, and shall, insofar as possible, be interpreted so that no such conflict shall exist.

1.5 DEFINITIONS

The following words and phrases as used in the MBS International Airport's Rules & Regulations, shall have the meanings indicated herein:

- (1) *Accident* – A collision between an aircraft, vehicle, person, stationary object or other property that results in property damage, bodily injury or death. An entry into or emerging from a moving vehicle or vehicle by a person, which results in bodily injury or death to such person or another person, or that results in property damage.
- (2) *Advertising* – The action of calling something (as a commodity for sale, a service offer or desire) to the attention of the public by posting, distributing or displaying signs, literature, circulars, pictures, sketches or other forms of printed or written material.
- (3) *Aeronautical Activity* – Any activity that involves, makes possible, or is required for the operation of aircraft or which contributes to, or is required for, the safety of such operations.
- (4) *Air Operations Area (AOA)* – Restricted area of the Airport, either fenced or posted, where aircraft are parked or operated, or operations not open to the public are conducted. Such areas include, but are not limited to, the aircraft ramps, aprons, taxiways, runways, unimproved land attributed to the taxiways and runways, safety clear areas, areas beneath the terminal building, areas beneath the concourses and contiguous areas delineated for the protection and security of aeronautical activity.
- (5) *Aircraft* – Any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air.
- (6) *Aircraft Operator* – Any person exercising control of an aircraft.
- (7) *Aircraft Rescue and Fire Fighting (ARFF)* – Fire protection and rescue for aircraft emergencies as provided by the MBS International Airport Fire Department, under the direction of the MBS Airport Director.
- (8) *Airport* – MBS International Airport, Freeland, Michigan and its related land, facilities, appurtenances and improvements, and in any other aviation related facility owned and/or operated by the City of Midland, the City of Saginaw, and Bay County under the authority and direction of the MBS International Airport Commission.
- (9) *Airport Certification Manual* – A document required by the Federal Aviation Regulation Part 139 detailing the Airport's requirements as contained in FAR Part 139.

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- (10) *Airport Director* – Airport Director of MBS International Airport or his/her duly authorized representative.
- (11) *Airport Employee* – Personnel of the Airport.
- (12) *Airport Management* – The Airport Director, the Assistant Airport Director, the ARFF/Operations Manager, the Maintenance & Facilities Manager, the Administrative Assistant/Credentialing Coordinator, the Finance Manager, and others designated by the Airport Director or Commission, complete the Airport Management team referred to as Airport Management.
- (13) *Airport Rules & Regulations* – The provisions of duly passed resolutions of the Airport Board and the operating directives, as well as any rules and regulations issued by the Airport Director.
- (14) *Airport Law Enforcement Department* – The Airport currently contracts with local law enforcement for the provision of services at the Airport. They are responsible for the enforcement of the rules, regulations and laws applicable to the Airport, Saginaw County, the State of Michigan, and the federal government on Airport property.
- (15) *Airport Security Program* – A document required by the Federal Register Title 14 - Part 1542, detailing the Airport's requirements as contained in the Federal Register Title 14 - Part 1542.
- (16) *Airport Terminal Building* – The building where passengers transfer between ground transportation and the facilities allowing them to board and disembark from scheduled aircraft operations.
- (17) *Apron or Ramp* – Those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.
- (18) *Combustible Liquid* – Any liquid having a flash point at or above 100 degrees Fahrenheit and below 200 degrees Fahrenheit.
- (19) *Commercial Activity* – Means to provide or offer to provide goods, services or entertainment in return for financial remuneration or remuneration in kind or a promise of financial remuneration or remuneration in kind or to accept or agree to accept financial remuneration or remuneration in kind for the provision of goods, services or entertainment.
- (20) *Commercial Agreement* – A lease or operating agreement between the Airport and an entity providing goods and/or services with a right to profit by specified activity and licensed to do so on the Airport.
- (21) *Commercial Air Carrier* – Any person or business entity who undertakes directly by hire, lease or other arrangements, to engage in the carriage by aircraft of persons or property for compensation. This definition includes, but is not limited to the following: all classes of air carriers as defined by the Federal Aviation Administration.
- (22) *Commercial Loading Zones* – Designated spaces within the commercial vehicle lane for the loading of passengers and property into commercial vehicles, excluding the taxicab loading zone.

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- (23) *Commercial Transporter* – Any individual, group, company or corporation operating a commercial vehicle or vehicles for the purpose of soliciting or transporting persons and/or baggage to and/or from the Airport for hire. Examples of commercial transporters include, but are not limited to taxicabs, limousines, transportation network company vehicles, hotel/motel courtesy vehicles, rental car courtesy vehicles, delivery vehicles, and chartered or scheduled buses. This section is not intended to include the use of company owned/leased vehicles provided to employees for personal use.
- (24) *Commercial Vehicle* – All motor vehicles used for the transportation of passengers, for hire or constructed, or used for transportation of goods, wears or merchandise, and/or all motor vehicles designed and used for drawing other vehicles and so constructed as to carry any load thereon either independently or any part, or any part of, the weight of a vehicle or load so drawn.
- (25) *Commercial Vehicle Lane* – An area designated by the Airport Director for use by commercial operators and with designated spaces for the loading of passengers and property into commercial vehicles.
- (26) *Commission* – Refers to the MBS International Airport Board, the governing body responsible for the operation of the MBS International Airport.
- (27) *Concessionaire* – An individual, company or other entity authorized by the Airport through a lease or contract to undertake and profit by a specified activity including but not limited to a gift shop, restaurant, car rental agency, etc.
- (28) *Control Tower (ATCT)* – Air traffic control facility located at the Airport, and operated by the Federal Aviation Administration, which controls activity on the controlled Movement Areas of the Airport.
- (29) *Courtesy Vehicle* – Vehicles provided by private companies, hotels, motels or operators, off-Airport parking and car rental facilities to pick up customers and guests and others, and/or deliver said customers and guests or others to the Airport.
- (30) *Crosswalk* – That portion of a roadway included within the prolongation or connection of the lateral lines of sidewalks, intersections, or other portions of the roadway distinctly marked for pedestrian crossing by lines or other marking on the surface.
- (31) *Doping* – The application of a preparation to strengthen and tighten aircraft fabric.
- (32) *Driver* – Every person who drives, operates, or is in actual physical control of a vehicle or motor vehicle.
- (33) *Engine Run-up* – The operation of any aircraft engine above idle speed for observation, maintenance or repair purposes.
- (34) *Environmental Protection Agency (EPA)* – An agency of the federal government responsible for implementation and enforcement of federal environmental laws and regulations.
- (35) *Federal Aviation Administration (FAA)* – Created as a department of the Department of Transportation as a result of the Department of Transportation Act in 1966. The FAA is

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charged with regulating air commerce to promote its safety and development, achieving the efficient use of navigational air space of the United States, promoting, encouraging and developing civil aviation, developing and operating a common system of air traffic control and air navigation for both civilian and military aircraft and promulgating the development of a national system of airports.

- (36) *Federal Aviation Regulation (FAR)* – Federal Regulations of the Department of Transportation and the FAA as published in the Code of Federal Regulations.
- (37) *Firearms* – Any weapon which will, is designed to, or may readily be converted to expel a projectile by action of an explosive.
- (38) *Fixed Base Operator (FBO)* – Any person or business entity who, or which, undertakes or conducts any commercial aeronautical activity or service on the Airport. This definition includes, but is not limited to, the following: flight training, aircraft rental, aircraft sales, aircraft charter or air taxi, airplane and power plant repair, aircraft line service and certain specialized activities and being authorized to conduct such a business through agreement by the Commission.
- (39) *Flammable Liquids* – Any liquid that emits a flammable vapor at or below a temperature of 100 degrees Fahrenheit, as determined by the flash point from a Tagliabue open cup tester and shall include any other combustible liquids now used for aircraft fuels.
- (40) *Fueling Agent* – Any entity, including its employees and agents, authorized by the Airport Director to dispense aviation or motor vehicle fuels at the Airport.
- (41) *Fuel Tanker Vehicle* – A vehicle self-propelled or without power used to refuel aircraft, carry the fuel, and carry a fuel load on the vehicle.
- (42) *General Aviation* – All phases of aviation other than aircraft manufacturing, military aviation, scheduled, non-scheduled and regulated air carrier operations.
- (43) *Hazardous Materials* – A substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation, the Environmental Protection Agency (EPA), or Michigan’s Natural Resources and Environmental Protection Act.
- (44) *Leaf-letting* – The sale or distribution of handbills, tracts, circulars, flyers, literature or other written or printed material for religious, charitable or other noncommercial purposes.
- (45) *Loading Gate* – The space reserved for the loading and unloading of aircraft at the terminal concourse.
- (46) *Local Aircraft Operations* – Aircraft operating in a local traffic pattern or within sight of the ATCT; aircraft that are known to be departing for or arriving from, flight and local practice areas located within a 20 mile radius of the ATCT and aircraft making simulated approaches or low passes at the Airport.
- (47) *MBS* – The Federal Aviation Administration’s designation for MBS International Airport in Freeland, Michigan.

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- (48) *Michigan Aeronautics Commission (MAC)* – The agency created by the State of Michigan under the Aeronautics Code, PA 327 of 1945, as amended, MCL 259.1a *et seq.*
- (49) *Michigan Department of Environment, Great Lakes and Energy (MI-EGLE)* – A department of the State of Michigan with authority to enforce certain environmental protection law, including portions of the Federal Clean Water Act and Michigan’s Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, MCL 324.101 *et seq.*
- (50) *Motor Vehicle* – A vehicle which is self-propelled. This definition includes, but is not limited to, the following: automobiles, trucks, buses, limousines, semi-tractors, snowmobiles, motorcycles and mopeds.
- (51) *Movement Area* – Runways, taxiways, associated safety areas and other areas of an airport which are used or intended to be used for taxiing or hover-taxiing, air-taxiing, takeoff and landing of aircraft. Movement on these areas is controlled by the FAA/ATCT during periods when the ATCT is operational.
- (52) *National Fire Protection Association (NFPA)* – A national organization which promulgates fire protection codes and standards.
- (53) *Non-movement Area* – Service areas (such as roads, ramps, and taxiways) related to movement of aircraft and vehicles under the jurisdiction of the Airport. The ATCT may provide information for these areas that is advisory only and does not imply control or responsibility over non-movement areas.
- (54) *Off-Airport Rental Car Company* – Any person or a firm, corporation or other entity engaged in the business of renting motor vehicles to, and for use by, the public who conducts no part of their business operations, other than advertising, inside the Airport Terminal Building.
- (55) *Operate* – To physically manipulate the controls of an aircraft or motor vehicle necessary to put it in motion.
- (56) *Operating Directive* – An immediate written order issued by the Airport Director regarding procedures to ensure handling, policing, and protection of the public while at the Airport; and to ensure compliance with all of the federal, state and local laws, ordinances and regulations.
- (57) *Permit* – An operating certificate issued by the Airport enabling the transporter to solicit or transport passengers as provided in this Resolution.
- (58) *Picketing* – To demonstrate or protest, as part of a labor demonstration, or otherwise, by assembling, patrolling, walking, marching, parading, posting or sitting-in.
- (59) *Passenger Loading and Unloading Zone* – An area at the Airport designated by the Airport Director and reserved for the exclusive use of vehicles while actually engaged in temporary loading and unloading of passengers and/or baggage.
- (60) *Person* – An individual, firm, partnership, corporation, company, association, or any trustee, receiver, assignee or similar representative thereof.

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- (61) *Private Vehicle* – A vehicle (registered to an individual) transporting persons or property for which no charge is paid directly or indirectly by the passenger or by any other entity, excepting and excluding any vehicle that is a courtesy vehicle as defined herein or any vehicle utilized by an employee or contractor of a transportation network company.
- (62) *Ramp* – An improved surface area reserved exclusively for the parking and taxiing of aircraft and servicing equipment.
- (63) *Rental Car* – Any motor vehicle including, but not limited to, any automobile, truck, van or motorcycle whose owner holds such vehicle out for hire, rent, or lease to the general public.
- (64) *Revocation* – The discontinuance of a person’s privilege to operate at the Airport with reinstatement of operating privileges to be permitted only upon written approval of the Airport Director.
- (65) *Runway* – An improved surface area reserved exclusively for the landing and take-off of aircraft.
- (66) *Security Identification Display Area (SIDA)* – That portion of the AOA requiring each person to continuously display, on outermost garment, an airport approved identification medium unless individual is accompanied by an Airport approved escort.
- (67) *Solicit or Solicitation* –The request, direct or indirect, for money, credit, property, financial assistance, or other things of value in pursuit of a commercial activity or for religious, political or charitable purposes. Solicitation, as defined herein, shall be deemed completed when communicated to any person located upon the real property known as the MBS International Airport, and regardless of whether or not the person making such solicitation receives any contribution or makes any sale referred to herein.
- (68) *Stopping, Standing or Parking* – Any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control signal, sign or device.
- (69) *Suspension* – The temporary discontinuance for up to 30 days of a person’s privilege to operate at the Airport.
- (70) *Taxicab, Taxi, or Cab; also Limousine* – Licensed public motor vehicle carrier which is not designed to carry more than 8 passengers and their baggage and is licensed as such by the State of Michigan to carry passengers for a fee.
- (71) *Taxicab Loading Zone* – Designated area adjacent to the Airport Terminal Building for the loading/unloading of passengers and baggage into taxicabs, limousines, or transportation network company vehicles.
- (72) *Taxicab Stand* – An area assigned for the exclusive use of taxicabs, limousines, and transportation network company vehicles awaiting passengers.
- (73) *Taxiway* – An improved surface area used primarily by aircraft to proceed to and from ramp and runway areas.

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- (74) *Tenant* – A person who occupies or rents property on the Airport or who conducts business operations of any kind upon the Airport premises regardless of whether there exists a written agreement with the MBS International Airport Commission.
- (75) *Transportation Security Agency (TSA)* – The agency created by the Aviation and Transportation Security Act of 2001, falling under the Department of Homeland Security. The TSA is responsible for security policy development and oversight of the US transportation system.
- (76) *Transient Aircraft* – An aircraft not using the Airport as its permanent base of operation.
- (77) *Transportation network company* - A person operating in this state that uses a digital network to connect transportation network company riders to transportation network company drivers who provide transportation network company prearranged rides.
- (78) *Transporter Vehicle* – Any vehicle engaged in transporting persons or property for a commercial transporter regardless of whether the charge for such service is paid for either directly or indirectly by the customer being served.
- (79) *Ultralight Vehicle* – A vehicle that is used only for aviation recreation, or sport aviation purposes, and satisfies all criteria and requirements of the Federal Aviation Regulations Part 103, including subsequent amendments.
- (80) *Vehicle* – Every device in, upon, or by which a person or property is, or may be transported or drawn upon a roadway regardless of means of propulsion, except devices moved upon stationary rails or tracks.

1.6 ADMINISTRATION & POLICY

Administration and enforcement of these Rules & Regulations shall be conducted by the Airport Director, or the designee of the Airport Director.

Policy making aspects of these Rules & Regulations reside with the MBS International Airport Commission.

1.7 EMERGENCY POWERS OF THE AIRPORT DIRECTOR

When an emergency exists at the Airport, the Airport Director is empowered to issue such directives and to take such action that, within his/her discretion and judgment, are necessary or desirable to protect persons and property and expedite the operation of the Airport. Such directives and actions of the Director shall have the force of a regulation hereunder so long as said emergency exists.

1.8 CONFLICT WITH OTHER AUTHORITY

Should any part of these Rules & Regulations conflict with federal or state law or local ordinance, then such federal, state, or local authority will take precedence. The Rules & Regulations promulgated herein shall in no way supersede or abrogate regulations set

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forth in Federal Register Title 14 – Part 1542 (Airport Security) or Part 139 (Certification and Operations of Land Airports). If any provision of these Rules & Regulations or the application thereof to any person or circumstances is held invalid, the remainder of the Rules & Regulations shall not be affected thereby.

1.9 ENFORCEMENT

The Airport Director shall enforce the provisions of these Rules & Regulations and may call upon the Airport Law Enforcement Department for such assistance as the Airport Director may from time to time require.

(1) Criminal Penalties

The Airport Law Enforcement Department or other law enforcement agency of proper jurisdiction will investigate and take appropriate action regarding any criminal acts occurring on Airport property.

(2) Civil Enforcement

Removal from Airport - Any person who fails or refuses to comply promptly with the Rules & Regulations contained herein following notice of violation by the Airport Director, where such non-compliance interferes with the management, regulation or operation of the Airport and its facilities, or creates any hazard or condition that endangers the public or Airport personnel or property, may be promptly removed or ejected from the Airport by the authority of the Airport Director. This action may include the revocation of the Airport Issued Identification Badge during the period of time where any investigation into the incident is taking place, and could result in temporary or permanent revocation of the Airport Issued Identification Badge.

In certain instances, the violation may be considered a violation of the lease/operating agreement, and the Airport Commission may terminate the agreement.

2 PERSONAL CONDUCT

2.1 COMPLIANCE WITH SIGNS

All persons shall observe and obey all posted signs, fences, doors and barricades prohibiting entry into specified areas or governing the activities and demeanor of the public and other persons while on the Airport.

2.2 TRESPASSING

Any person or persons who fail to leave the Airport, or a specified area thereof; or any person or persons who knowingly or willingly violate these Rules & Regulations or who

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refuse to comply therewith after proper request to do so by the Airport Director, shall be regarded as trespassing and removed from and denied access to the Airport for such period of time as may be specified by the Airport Director.

- (1) No person(s), singly or in association with others, shall by his/her or their conduct, or by congregating with others, prevent any person or persons lawfully entitled thereto from the use and enjoyment of the Airport and its facilities or any part thereof, or prevent any other person or persons lawfully entitled thereto from passage from place to place, or through entrances, exits, or passageways on the Airport.
- (2) It shall be unlawful for any person to remain in or on any public area, place or facility at the Airport in such a manner as to hinder or impede the orderly passage in or through, or the normal or the customary use of, such area, place or facility by persons or vehicles entitled to such passage or use.

2.3 PRESERVATION OF PROPERTY

No person may destroy, injure, deface, or disturb any building, aircraft, sign, equipment, marker or other structure, tree, flower, lawn or other property on the Airport. Any person causing or being responsible for such actions or observing such actions, will immediately report such event to the Airport Director.

2.4 SECURITY

The Airport has the overall responsibility for security at the MBS International Airport as described in the Federal Register Title 14 - Part 1542 and further defined in the Airport's TSA approved Security Program. TSA directed security enhancements or measures as implemented by the Airport may supersede these Rules & Regulations.

Each airport tenant shall be responsible for the security of its leased areas, its employees, and compliance with the *Airport Security Program*, *Airport Certification Program*, and other applicable programs and procedures. Failure to comply with provisions, as contained in these programs, are a violation of these regulations. If the Airport is assessed a fine by the TSA for a breach of security due to the action of a tenant or a tenant's employee, contractor, or agent, the Airport will impose the same fine on to the tenant.

It shall be unlawful for any person to open or leave open, unlock or leave unlocked or unattended, any perimeter security gate as described in the *Airport Security Program* or *Airport Certification Manual*, except when the gate is operated in compliance with provisions of the *Airport Security Program* and the *Airport Certification Manual*.

It shall be unlawful for any person to enter an area which is controlled for security purposes unless that individual has in his/her possession the approved access media and is appropriately displaying the same.

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Each individual issued access media by the MBS International Airport Commission shall be responsible for “challenging” requirements as contained in the *Airport Security Program*.

It shall be unlawful for any person to operate a vehicle (motorized or other) on Airport property which is not identified in compliance with the *Airport Certification Manual* or *Airport Security Program*.

It shall be unlawful for any person to operate an airport security system in other than an approved manner. This includes, but is not limited to, the creation of an alarm.

The Airport Identification Badge must be worn on the outer garment, waist level or above, at all times a person is within any secured area. It shall be unlawful for any person to use the identification of another, and likewise it shall be unlawful for any person issued an identification to allow another person to use the same.

It shall be unlawful for any person to disclose confidential information regarding security to any person not authorized to have the information. This includes, but is not limited to, disclosing combinations to combination locking devices used for airport security purposes.

It shall be unlawful for any person to duplicate Airport keys or keying devices without permission from the Airport Director.

3 PARKING REGULATIONS (PUBLIC AREAS)

The Airport Director is hereby empowered, subject to the approval of the Airport Commission, to designate speed limits on the Airport; to designate the location of official traffic control signals and signs; to prescribe the manner and duration of parking of vehicles; to create loading zones and bus, taxicab and limousine stands; to enter into contracts with transportation network companies regarding their operation at the Airport; to designate the route of trucks, tractors and trailers through the Airport; to designate the maximum weight of any vehicle permitted upon any roadway or other traveled area on the Airport; and to make all needful rules and regulations for the control of traffic or parking of vehicles on any roadway or other traveled portion of the Airport.

3.1 PUBLIC PARKING

- (1) No person shall park or leave standing any vehicles, whether occupied or not, on Airport premises except within designated parking areas, and then only in accordance with regulations governing the use of said areas.
- (2) No person shall double park any motor vehicle in any area.

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- (3) No person shall park any motor vehicle in such a manner that the same shall not be entirely within one stall as designated by the lines or marks on the pavement.
- (4) No person shall park any motor vehicle within areas designated as passenger loading and unloading zones other than while actually boarding or discharging persons or freight from the motor vehicle or leave unattended any vehicle in any such area.
- (5) No person shall park, stop or leave standing any motor vehicle of any type, except within areas designated for the particular type of motor vehicle involved and then only in accordance with the posted regulations relating to the area and type of motor vehicle.

3.2 TOWING A VEHICLE

- (1) The Airport Director or authorized representative may authorize an immediate towing of any vehicle parked in such a manner as to obstruct airport vehicular traffic or such that it disrupts the orderly flow of pedestrian traffic.
- (2) A vehicle towed under this section shall be transported to a location for subsequent retrieval by the owner(s) thereof.
- (3) The owner of any vehicle parked at the Airport shall be deemed to have consented to pay the cost of removal and storage of the vehicle when the same is parked contrary to the provisions of this regulation.

3.3 EMPLOYEE PARKING

Employee parking is provided to MBS based tenant employees in designated areas only. Failure to comply with the use of the assigned parking area may result in the loss of parking privileges and/or loss of the Airport issued identification badge.

- (1) Employee automobile parking permits or decals will be issued only to persons authorized by the Airport Director and will be valid only when used by the person to whom it was issued and while that person is an employee of an Airport tenant.
- (2) The Airport Director is authorized to determine the period of time that any particular employee parking permit or decal will be valid and the fee to be required.
- (3) Lost, stolen, or unserviceable parking permits will be replaced at a fee or fees as determined by the Airport Director.
- (4) Employees will park only in the area designated for employee parking by the Airport Director.

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- (5) Employees allowing others to use their parking permit, may lose their privilege to park in the employee parking lot.
- (6) Employees will comply with any additional parking lot procedures and regulations promulgated by the Airport Director.

3.4 MOTOR VEHICLE TRAFFIC CONTROL

Motor vehicles shall be operated on established streets and roadways within the Airport in strict compliance with speed limits posted on traffic signs and other State and local laws governing use of vehicles. They shall also be maintained and operated in conformity with all motor vehicle regulations and laws of the state and county.

It shall be unlawful and in violation of this Resolution for any person to knowingly fail:

- (1) To comply with any lawful order or direction of any Law Enforcement Officer invested by law with authority to direct, control or regulate traffic.
- (2) Violate established programs controlling the operation of motor vehicles on the Air Operations Area or any other portion of the Airport. Vehicles operated on any portion of the Air Operations Area, will also be identified and controlled in compliance with the *Airport Security Program* and *Airport Certification Manual*.
- (3) Clean or make repairs to motor vehicles anywhere on the Airport, except those motor vehicles owned and operated by an Airport tenant or lessee where such cleaning or repair has been approved by the Airport. All approved cleaning and repair of motor vehicles shall be performed in areas designated by the Airport Director meeting federal, state and local laws and regulations covering motor vehicle cleaning and repair activities.

3.5 ACCIDENTS

All persons involved in an accident on the Airport shall report the accident to the Airport Law Enforcement Department or the Airport ARFF Department as soon after the accident as possible, furnishing their names, addresses, insurance, and any other required information. The individual concerned is responsible for making such additional reports as may be required by federal, state and local laws and regulations.

3.6 ENFORCEMENT & TICKETING OF VEHICLES

The Airport Law Enforcement Department may tow any vehicle parked in such a manner as to obstruct airport vehicular traffic and/or any vehicle parked in an Air Operations Area of the Airport, not authorized for such parking of vehicles. The owner of any vehicle parked at the Airport, shall be deemed to have consented to pay the costs of removal and storage of the vehicle when the vehicle is parked contrary to the provisions of this regulation.

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3.7 MOTORIZED GROUND EQUIPMENT

No person shall park motorized ground equipment near any aircraft in such a manner so as to prevent it or the other ground equipment from being readily driven or towed away from the aircraft in case of an emergency.

No person shall park motorized ground equipment in such a manner as to restrict the safe and efficient movement of other motorized ground equipment or aircraft on any portion of the Air Operations Area.

No person shall park ground equipment in an unauthorized area.

4 COMMERCIAL GROUND TRANSPORTATION

4.1 GENERAL PROVISIONS

- (1) Permit Required - No commercial transporter may use the facilities of the Airport for soliciting or transporting commercial passengers from the Airport without first obtaining a permit issued by the Airport Director as provided hereinafter.
- (2) Compliance with Federal, State & Local Laws & Ordinances - No transporter vehicle shall be operated in violation of traffic regulations established by federal, state and local laws or ordinances, nor in any event without proper regard for the public safety and welfare.
- (3) Compliance with Airport Rules & Regulations - No transporter vehicle shall be operated in violation of the Rules & Regulations of the Airport as same may be amended, modified or supplemented from time to time.
- (4) Compliance with Federal, State & Local Licensing and Insurance Regulations - No transporter vehicle shall be operated on the property of the Airport until such vehicle has been registered and insured in accordance with all appropriate requirements of federal, state and local laws or ordinances and all proper licenses have been obtained therefore. Transporters shall comply with their applicable Airport Commission Operating & Use Agreement.
- (5) Vehicles Subject to Inspection - The Airport Director shall have the right at any time (upon display of proper identification) to enter into or upon any permitted vehicle for the purpose of determining that all the provisions of this Resolution are being properly adhered to. After such inspection, any vehicle found to be unsuitable in accordance with provisions as set forth in this Resolution, may be immediately barred from Airport property by the Airport Director and the vehicle operating permit surrendered to the Airport Director.

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- (6) Commercial Loading/Unloading Zones - Upon entry onto Airport property without passengers or after discharging passengers at the Airport Terminal, each transportation vehicle shall proceed to the proper parking area designated by the Airport Director or shall leave the Airport property.
- (7) Loading & Unloading - Transporter vehicles authorized to operate on the property of the Airport shall use only the commercial loading/unloading areas designated by the Airport Director for such purpose. Use of the commercial loading/unloading areas shall be in accordance with any regulations set forth by the Airport Director.
- (8) Taxicab/Limousine companies without an Airport Operating Agreement who have a pre-arranged drop off of a passenger, shall not leave his or her vehicle when dropping off the passenger. If the driver must leave the vehicle, the vehicle must be parked in the public parking lot and the taxi/limo company will pay the appropriate fee. These vehicles may not stand or park at the curb or use the taxi/limo lane.
- (9) Transportation network companies may not operate at the Airport without an Airport Operating Agreement.
- (10) A courtesy vehicle must park in the area designated for courtesy vehicles. If that space is full, vehicles will park and pay in the public parking lot.
- (11) Rental Car Parking –
 - (a) Rental cars shall park only in spaces designated in the rental car ready lots or storage lot. The rental car lots shall be utilized only by on-airport rental car companies having a contractual relationship with the Airport.
 - (b) Rental cars owned by an off-airport rental car company shall be parked in areas designated for public parking and shall conform to all regulations applicable to privately owned motor vehicles.
 - (c) Any motor vehicle including any rental car which is parked in a public parking area of the Airport shall be treated as a privately owned vehicle for purposes of determining the applicable parking fee.
 - (d) Courtesy vehicles operated by off-airport rental companies shall park in the pay parking lot and be subject to the applicable parking fee.
- (12) Soliciting - No person may solicit passengers or fares on the property of the Airport except as allowed under this Resolution and in accordance with the Airport's restrictions and regulations and the person's operating agreement.
- (13) Vehicle Appearance & Condition - All transporter vehicles must conform to a standard of cleanliness as follows:

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- (a) The exterior of the transporter vehicles shall be maintained in a clean, undamaged condition and present a favorable appearance. The exterior of transporter vehicles shall include body paint, all glass, hub caps, head and tail lights, grills, bumpers and body trim. Transporter vehicles that have been damaged and can be driven safely in accordance with State law and without reduction to the customer's comfort shall be given a three week grace period to perform needed repairs. After such time, the vehicle will be restricted from operating at the Airport until proper repairs are made.
 - (b) The interior of approved transporter vehicles, including the trunk, shall be maintained in a condition so as to be free of grease, noxious odors, dirt and trash. Passengers shall be able to use the seats and trunk of the vehicles without fear of soiling or damaging either their wearing apparel or their luggage. Interior seat fabric must not be ripped.
 - (c) All transporter vehicles must be free from leakage of engine fluids, excessive discharge of exhaust gases and excessive exhaust noise. In addition, all heating and/or air conditioning units must be operational.
- (14) Driver's Appearance - Transporter vehicle drivers shall be properly attired in a clean shirt or blouse with collar, and slacks or skirts.

Drivers shall wear shoes or dress boots with socks (no sandals permitted).

Drivers shall be clean shaven or have facial hair neatly trimmed and maintain a well-groomed appearance and sanitary hygiene.

- (15) Driver Conduct - Each driver of a transporter vehicle shall remain in his/her vehicle or immediately adjacent to his/her vehicle at all times while such vehicle is on the property of the Airport. Taxicab drivers must remain in their vehicles when in the taxicab hold area and the taxicab loading zone. Nothing in this section shall be held to prohibit any driver from alighting to a street or sidewalk for the purpose of assisting passengers into or out of his/her vehicle. The facilities in the Airport terminal building are not for driver use.

Each driver of a transporter vehicle shall at all times treat members of the public with the utmost courtesy. No driver shall solicit patronage in a loud or annoying tone of voice, nor shall any driver annoy any person by any sign, nor shall any driver obstruct the movement of any person.

- (16) Penalties for Violation - Any driver or commercial transporter who violates any provision of this Resolution shall be subject to penalty as set forth herein. The permit issued to such driver or commercial transporter shall be subject to suspension or revocation at the sole discretion of the Airport Director.

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Notice of suspension or revocation shall be given by certified mail to the driver or commercial transporter's address listed with the Commission. The notice shall contain the reason for the suspension or revocation.

5 AIR OPERATIONS AREA

5.1 AIRFIELD

No person shall operate any aircraft to, from or on the Airport, or service, repair or maintain any aircraft, or conduct any aircraft operations on or from the Airport, except in conformity with all applicable regulations of the Federal Aviation Administration, State of Michigan and Airport laws or regulations governing such operations, including these Rules & Regulations. It shall be the responsibility of all persons, firms and corporations operating on the Airport, to acquaint themselves, their pilots, instructors and students with Federal Aviation Regulations and all Airport Rules & Regulations contained herein. The Airport Rules & Regulations are subject to amendment without notice to individual persons operating at the Airport; all persons, firms, and corporations are expected to keep themselves apprised of the contents of these Rules & Regulations.

- (1) Whenever the Airport Director believes the condition of the Airport or any part of the Airport to be unsafe for aeronautical activity, the Airport Director has the authority to close the Airport or any part thereof.
- (2) The Airport Director may delay or otherwise restrict any flight activity or other operation of any aircraft at the Airport for reasons related to the public health, safety or welfare. This includes, but is not limited to the following types of specialized aeronautical activities: ultralights, balloons, gliders, sky diving and banner towing.
- (3) No air meets, air shows, aerial demonstrations or other special activities shall be held at the Airport or above any lands owned by the Airport unless advanced written permission is obtained from the Airport Director.
- (4) All aircraft loading and unloading at gate positions must be parked in the designated parking areas.
- (5) General Aviation aircraft may not use the Air Carrier Ramp (Passenger Terminal) or facilities unless authorized by the Airport Director.
- (6) Supplemental Parking/Air Carrier - Requests for supplemental aircraft parking must be made in advance by calling the Airport ARFF Department. Such requests shall be granted on a first come, first serve basis.
- (7) Disabled Aircraft - It is the responsibility of the aircraft owner or operator, to promptly remove disabled aircraft and parts thereof upon approval from the

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appropriate governmental authorities. If any person refuses or is unable to move an aircraft or part thereof as directed by the Airport Director, the aircraft or part may be moved by the Airport Director at the owner or operator's expense and without liability on the part of the Airport for damage which may result in the course of or by reason of such moving. The same shall apply to the removal of wrecked or damaged aircraft and parts on any portion of the Airport.

- (8) Derelict Aircraft - No person shall park or store any aircraft in non-flyable conditions on Airport property, including leased premises, for a period in excess of ninety (90) days, without written permission from the Airport Director.
- (9) Aircraft Accident Reporting - Persons involved in aircraft accidents or incidents which occur on the Airport, and which involve substantial damage, shall make a full report thereof to the Airport ARFF Department as soon after the accident as possible. It shall be a violation of these Rules & Regulations to withhold or deny information to the ARFF Department. Such an infraction will be punishable by administrative action deemed appropriate.
- (10) Any person causing damage of any kind to the Airport or any of the fixtures thereof, shall be liable for such damage to the Airport Commission. Damage to field lighting or other airport facilities shall be paid for by the owner of the aircraft or vehicle involved, or by the operator or pilot responsible.
- (11) Towing of Aircraft - The Airport Director is authorized to tow or otherwise move aircraft parked in violation of the Airport Regulations at the owner or operator's expense and without liability on the part of the Airport, its officers, employees or agents for damage which may result in the course of or by reason of such moving.
- (12) No person shall operate any aircraft weighing more than the designated load bearing capacity of any pavement being a part of the Airport premises.
- (13) No tenant of the Commission holding a lease for a paved area or operating under a use agreement may permit aircraft or equipment to exceed the weight-bearing capability of any portion of pavement under their control.
- (14) No person shall operate any aircraft contrary to an Airport issued Notice to Airmen (NOTAM) as published by the Federal Aviation Administration.
- (15) It shall be unlawful for any person to aerobatically fly an aircraft over the Airport limits without first obtaining written permission from the Airport Director.
- (16) All aircraft based at the Airport must be equipped with a radio receiver and transmitter capable of maintaining satisfactory two-way radio communications with the Control Tower, while within the Airport control zone.

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No aircraft without a radio receiver may land at the Airport except in case of an emergency or a pilot has received prior permission from the ATCT.

- (17) No flight or ground demonstrations shall be conducted on the Airport without the express written approval of the Airport Director (this shall not apply to aircraft sales demonstrations by FBO.)
- (18) Gliders, hang gliders, heli-gliders, hot air balloons and similar aircraft-like vehicles, shall not be operated on or from the Airport without the Airport Director's written approval.
- (19) Sky diving operations shall not be conducted on or in the immediate vicinity of the Airport without the Airport Director's written approval.
- (20) Ultralight and similar vehicles, non-certificated, non-registered, or operated by non-licensed pilots or without ATC radio shall not be operated on or from the Airport. This Section references, but is not limited to, ultralight vehicle addressed in FAR Part 103.
- (21) Drones and other unmanned aerial vehicles shall not be operated on or from the Airport without the Airport Director's written approval.
- (22) No person may base or operate an aircraft from the Airport unless such aircraft is equipped with a nose wheel or a tail wheel. Tail skids are strictly prohibited.
- (23) It shall be unlawful to drop any material, object, or refuse from an aircraft while taxiing upon the Airport or while in flight within the limits of the Airport unless prior permission has been obtained in writing from the FAA, the Michigan Aeronautics Commission and the Airport Director.
- (24) No go-cart, motor bike, bicycle, house trailer, or similar vehicle, or horse, shall be permitted on any landing area, ramp, taxiway or hangar area without the approval of the Airport Director.

5.2 SNOW REMOVAL

Tenants shall follow the Airport's Snow Removal Plan and only use the type of aircraft/pavement deicing fluid approved by the Airport Director. No person may create unsafe conditions when creating snow piles/ridges.

- (1) Airlines are responsible to remove snow in any necessary walk path from the terminal to the aircraft, and sand such areas to eliminate ice hazards.
- (2) Airlines are responsible to remove snow in front of their aircraft's wheels, to enable the aircraft to turn.

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- (3) Snow removal at the Fuel Farm area is the responsibility of the FBO.
- (4) Car rental agencies must move snow and spread sand within the boundaries of their leased land. This includes the redi-car lot and storage areas. Snow shall not be plowed and windrowed, so as to cause an obstruction to other tenants or other airport operations.
- (5) Each Fixed Base Operator is responsible to move snow within the boundaries of their leased area.
- (6) All GA and Corporate Hangar tenants are responsible to move snow, so as to facilitate their operations. Snow shall not be plowed and windrowed, so as to cause an obstruction to other tenants or other airport operations. Hangar tenants are responsible for the area in front of their hangar. Snow shall not be piled on the edge of the ramp/taxiway, or in the path of the ramp road. All chocks, chains, ropes and cables must be picked up, and kept next to the building.
- (7) The parking lot tenant is responsible to remove all snow and spread sand in their leased area to eliminate ice hazards. Snow shall not be piled on trees, fences, or guard rails.
- (8) Selection and application of FAA approved non-corrosive materials for snow and ice control, will be used to ensure that they adhere to snow and ice sufficiently, to minimize engine ingestion.

5.3 AIR TRAFFIC PATTERNS

- (1) All persons will fly aircraft in accordance with FAR Part 91.1.
- (2) All persons flying light aircraft shall so control it as to enter the traffic pattern at an altitude of 1,000 feet above the ground, turbine powered aircraft 1,500 feet above the ground, at a forty-five degree (45°) angle to the downwind leg, or as directed by the ATCT. Upon leaving the traffic pattern, continue straight out, or exit with a 45 degree turn to the left beyond the departure of the runway, after reaching pattern altitude, or as directed by the ATCT.
- (3) All light aircraft must be flown to conform with the outlined flight path minimum when making training flights and shall not pass other aircraft in the line of traffic unless on the side away from the Airport and at a sufficient distance to avoid accident or cutting out other aircraft in landing.
- (4) After completing the landing run, persons piloting or taxiing aircraft shall clear the runway immediately via the nearest taxiway or follow instructions from the ATCT. Pilots must use caution to avoid hitting elevated runway or taxiway lights.

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- (5) No person shall board or disembark from any aircraft on the landing or take-off area except in the case of emergency, nor shall any aircraft hold on a runway or landing strip while instructors are coaching students. Instructors shall not solo students except from the end of runways and in so doing, shall clear the runway before disembarking the aircraft.
- (6) Take-offs and landings will be conducted on runways only and not on taxiways, aprons or grass areas; provided, however, helicopters may land on designated ramp areas.
- (7) Engine test/run procedures can be accomplished with prior ATCT permission, on southeast Taxiway A, at the left turn to Runway 32 or northeast Taxiway C, at the right turn to Runway 23. Both locations for this type of activity depend on MBS - ATCT traffic routing.

It is the intent to keep aircraft engine test/run locations away from the hangar line, the MBS-ATCT, terminal and other buildings. The above listed locations are dependent on MBS-ATCT traffic flow, and snow removal operations/restrictions that could be on-going.

It is also required that a crew of two personnel (pilot, mechanic, etc.) be assigned to the aircraft for engine test/run procedures, so that one person can always monitor the tower/ground frequency.

6 FIXED BASE OPERATOR REQUIREMENTS

6.1 SCOPE OF SERVICES

The Fixed Base Operator may perform any of the following services in accordance with its agreements with the MBS International Airport:

- (1) Aircraft Rental
- (2) Aircraft Sales
- (3) Airframe and Power Plan Repair
- (4) Air Taxi Operations
- (5) Aviation Fuels and Oil Dispensing Service
- (6) Avionics, Instrument, and Propeller Service
- (7) Flight Training
- (8) Multiple Services
- (9) Specialized Commercial Flight Services

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6.2 MINIMUM OPERATING STANDARDS

The Fixed Base Operator desiring to engage in any of the services listed in Section 6.1, must meet the minimum standards established for that service. Each service shall require:

- (1) The leasehold shall contain an area of land adequate to provide space for all buildings, aircraft parking, paved ramp area, employee parking and customer parking.
- (2) Lease or construction of a building which will provide a minimum of 10,000 square feet of properly lighted and heated space for work and office space, storage and a public waiting area that includes indoor restroom facilities and a public telephone.
- (3) Compliance with all federal statutes and regulations including, but not limited to, those promulgated by the Federal Aviation Administration and federal environmental authorities, as well as compliance with all state and local statutes, rules and regulations, including, but not limited to, those relating to tax, environmental, fire, building and safety matters.
- (4) Insurance coverage of the type and in the amount as set forth in the applicable agreement with the Airport, or as may be set in the sole discretion of the Airport Director if no agreement applies.
- (5) Environmental Requirements - The Operator shall comply with all applicable local, state and federal environmental statutes and regulations including but not limited to, requirements for storage and disposal of potentially hazardous substances.
- (6) In addition to the minimum standards stated above, the following minimum standards have been established for the services listed in Section 6.1:
 - (a) Aircraft Rental - Any Operator desiring to engage in the rental of aircraft to the public, must meet the following additional minimum standards:
 - (1) Personnel - Commercial pilots with appropriate ratings, currently certificated by the Federal Aviation Administration, of sufficient number to meet the public demand for such service.
 - (2) Aircraft - Operator will provide airworthy single engine and/or multi-engine aircraft owned or leased in writing to the Operator.
 - (b) Aircraft Sales - Any Operator desiring to engage in the sale of new or used aircraft, must meet the following additional minimum standards:

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- (1) Personnel shall include commercial pilots currently certificated by the Federal Aviation Administration, with ratings appropriate for the types of aircraft to be demonstrated.
 - (2) Dealerships - It shall be at the discretion of the Operator whether or not to be an authorized factory dealer, or what manufacturer(s) he/she chooses to represent. All aircraft dealers shall hold a dealership license or permit if required.
 - (3) A dealer of new aircraft shall have available, or on call, at least one current model demonstrator and shall provide for demonstrations of additional models of the manufacturer for which dealership is held, if any. A dealer shall provide an adequate supply of parts and servicing facilities to customers during aircraft and parts warranty periods.
- (c) Airframe & Power Plant Repair - Any Operator desiring to engage in airframe and/or power plant repair service must meet the following additional minimum standards:
- (1) Personnel shall include people currently certificated by the Federal Aviation Administration with ratings appropriate for work being performed.
 - (2) Equipment - Sufficient equipment, supplies and availability of parts to perform maintenance in accordance with manufacturers' recommendations or equivalent.
- (d) Air Taxi Operations - Any Operator desiring to engage in air taxi operations must be certificated by the Federal Aviation Administration under Federal Aviation Regulation Part 135 and registered with the Department of Transportation under the Economic Relations of Part 298 and meet the following additional minimum operating standards:
- (1) Personnel shall include commercial and/or airline transport pilots currently certificated by the Federal Aviation Administration, who are appropriately rated to conduct the air taxi service offered.
 - (2) Aircraft - It shall be left to the discretion of the Operator to provide the type, category, class, size and number of aircraft to meet the scope and magnitude of the service performed. All aircraft will be owned or leased in writing to the Operator, and will be airworthy and meet all requirements of the certificate held.
- (e) Aviation Fuels and Oil Dispensing Service - Operators desiring to dispense aviation fuel and oil and provide other related services, such as aircraft tie-

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down and parking, must meet the following additional minimum operating standards:

- (1) Personnel - Properly trained persons shall be on duty 24 hours a day, in numbers sufficient to comply with federal, state, or local regulations and based on the hours of operation of the service.
 - (2) Aircraft Service & Support Equipment - Aircraft service and support equipment will include all necessary equipment items that would be required to properly service and provide support for the aircraft that are based on and/or normally transiting the Airport. Said equipment may include, but not be limited to, adequate fire extinguishers, aircraft tugs of various sizes, ground power starter and auxiliary power units.
 - (3) Services - Fuel, Park, Hangar & Tie-Down Aircraft. Other services may include aircraft grooming, engine oil changes, on-airport transportation for crews and passengers, and minor repairs and services not requiring a certified mechanic.
 - (4) Fuel Facilities - Operator will utilize only fuel storage and dispensing facilities which meet all the general design requirements for a fuel farm and all safety and environmental requirements of the local, state and federal regulations.
- (f) Avionics, Instrument & Propeller Repair Service - Operators desiring to provide avionics, instrument, or propeller repair service, must be certificated as a Repair Station, with appropriate ratings, by the Federal Aviation Administration and meet the following additional minimum operating standards:
- (1) Personnel - People certified by the Federal Aviation Administration, in accordance with the terms of the Repair Station Certificate.
- (g) Flight Training - Any Operator desiring to engage in pilot flight instruction, shall meet the following additional minimum operating standards:
- (1) Personnel - Commercial pilots currently certificated by the Federal Aviation Administration, with appropriate ratings to cover the type of training offered.
 - (2) Aircraft - Airworthy, properly equipped single engine and/or multi-engine aircraft owned or leased in writing to the Operator.
- (h) Multiple Services - Operators desiring to engage in more than one commercial aeronautical activity must meet the following additional minimum operating standards:

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- (1) Personnel - Multiple responsibilities may be assigned to personnel to meet personnel requirements for all activities, provided said personnel are properly certificated, rated and/or trained to carry out their assigned duties. Personnel must be on duty 24 hours a day.
 - (2) Aircraft - All requirements for aircraft for the specific activities to be engaged in must be provided; however, multiple uses can be made of all aircraft, except aerial applicator (agricultural) aircraft, to meet multiple service requirements. All aircraft must be owned or leased in writing to the Operator.
 - (3) Equipment - All equipment specifically required for each activity must be provided.
 - (4) Services - All services required for each activity must be provided during the hours of operation.
- (i) Specialized Commercial Flight Services - Operators desiring to engage in specialized commercial aeronautical activities, including but not limited to, those listed below, must meet the following additional minimum operating standards:
- (1) Commercial Services:
Non-stop sight-seeing flights that begin and end at the same airport within a 25 mile radius.
Agricultural Application
Banner Towing & Aerial Advertising
Aerial Photography & Survey
Fire Fighting
Power Line or Pipeline Patrol
Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.
 - (2) The leasehold shall contain an area of land adequate to provide space for all buildings, aircraft parking, paved ramp area, employee parking and customer parking.
 - (3) Lease or construction of a building which will provide adequate space, properly lighted and heated, for work and office space, storage and a public waiting area that includes indoor restroom facilities and a public telephone.
 - (4) Personnel - Commercial pilots certificated by the Federal Aviation Administration, who are appropriately rated to conduct the specialized flight services offered.

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- (5) Aircraft - Properly certificated aircraft owned or leased in writing to the Operator.

6.3 FUEL FARM DESIGN REQUIREMENTS

Any Operator desiring to construct and operate a fuel farm facility must meet the following minimum standards:

- (1) Material shall meet American Society for Testing Materials specifications SA53, 105, 106, 181, 182, 193, 194, 269, 312. Materials other than the above may also be required by agreement with the Airport or at the discretion of the Airport Director.
- (2) Facilities construction shall embody the requirements of state and local authorities and all applicable National Fire Protection Association Codes, including Codes 30, 70 and 407.
- (3) Tanks shall conform to the requirements of Underwriters Laboratories Specification 142.
- (4) All concrete work shall comply with American Concrete Institute 318-77 and shall follow recommendations for Hot and Cold Weather Concreting when applicable. Concrete approaches and vehicle operations areas shall be designed for 100,000 GVW fueler operations.
- (5) Tanks shall be UL stamped and equipped with: Two manways, fill line with internal piping, floating suction and test cable, sump with water draw-off, vent, gauge hatch, high level shut-down equipment, emergency vent, and a minimum of one auxiliary opening.
- (6) Tanks are to be interior coated with epoxy system proven not to have deleterious effect on aviation fuels.
- (7) Tank exteriors to receive one coat shop prime with exterior finish applied in the field.
- (8) All tanks to be equipped with isolating gate valves at the fill line and at the floating suction line. Valves shall be located as close as possible to the tank. Tank fill lines shall also be fit with a non-return valve.
- (9) Contractor shall provide and install floating suction and test cable with weatherproof closure at each tank.

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- (10) Tanks shall be supplied with SA36 saddles imparting a one (1) inch per 25 inch slope to the sump end for water removal. Tanks to be individually earthed.
- (11) Jet-A storage tanks shall free vent. Aviation gasoline tanks shall be fit with pressure/vacuum vents. All vent openings shall be fit with screens. Aviation gasoline systems shall include 'vapor balance' vapor recovery systems where required by local ordinances.
- (12) Tank sump shall be fit with stainless steel piping and double-valved.
- (13) Fuel farm general arrangement to be so aligned to allow for facilities expansion of all aviation fuel grades handled. Principally this entails beginning with a central handling system comprising minimum storage volumes of 15,000 USG Aviation Gasoline 100LL and 80,000 USG Jet-A. Expansion to progress outward with Aviation Gasoline 100LL and Jet-A storage increasing in opposite directions.
- (14) Aviation Gasoline 100LL to be handled in a minimum of one tank. Second or third grades of Aviation Gasoline are not permitted. Jet-A to be handled in a minimum of three tanks. Tankage to be manifolded and valved to allow for segregated storage of commercial and retail fuels.
- (15) Piping system design pressure to be 225 psi. Upon completion and before installation of pumps and filters, piping to receive four hour 200 psi air test.
- (16) Piping downstream from the last filter to the fueling position shall be stainless steel. Carbon steel pipe over four inch diameter may be used if epoxy lined.
- (17) Piping arrangement from the filter to the fueling position shall provide a product relaxation time of 30 seconds.
- (18) All piping segments which may be isolated due to valve closures, shall be fit with thermal relief valves and piped to the storage tank.
- (19) All pipes shall be supported using pipe support with concrete foundation. Piping to be bonded and earthed.
- (20) Piping materials to be schedule 40, flanges to be ANSI 150 lb. raised face. Gate valves, ball valves, butterfly valves, check valves, all to be ANSI 150 lb. raised face. Water draw-off valves to be threaded stainless steel body. Fittings to be weld type to match pipe wall thickness.
- (21) No galvanized piping or fittings.
- (22) No internally grease lubricated valves.

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- (23) Gaskets to be 304 S.S. spiral wound filled with non-asbestos fiber.
- (24) Valves to be permanently tagged to operational reference. Tags to be stamped brass. Fasteners to be on-time type metal.
- (25) Minimum off-loading pump rates: Jet-A, 300 gpm,; Aviation Gasoline, 200 gpm; Motor Gasoline, 100 gpm.
- (26) Minimum load pump rates are the loading nozzle: Jet-A, 300 gpm; Aviation Gasoline, 150 gpm; Motor Gasoline, 10 gpm.
- (27) Isolating gate valves to be installed at each pump suction and discharge.
- (28) Jet-A filter/separators shall conform to American Petroleum Institute Specification 1581 latest edition. Aviation gasoline filters shall be provided by the same manufacturer as the Jet-A filter/separator.
- (29) Filter vessels shall be fit with: flanged inlet and outlet, pressure relief valve, piston type differential pressure gauge, manual water drain with lockable ball valve, water float valve with tester and shut-off valve (Jet-A loading filters only), air eliminator immersion heaters, API approved elements (Jet-A loading filters only), water absorbing elements (Aviation Gasoline filters only), inlet and outlet millipore equipment.
- (30) Filter air eliminator and pressure relief valve shall be piped to the thermal relief system and include a sight flow indicator and check valve.
- (31) Filter heaters to include: pilot light, manual on-off switch, identification placard.
- (32) Filter vessels to be fit with isolating gate valves at inlet and outlet.
- (33) Meters to be located at each fueling position and include meter body with flanges, gross counter and preset, slow closing preset valve. Meter equipment to include net/gross temperature corrected meter ticket printing and inventory reconciliation, 10-position expandable access/interlock/authorities.
- (34) Oil/Water separator system to be designed to accommodate rainfall over entire fuel handling/storage area. Separator to include waste fuel reservoir with collection pump-out hatch. Separator to include high level alarms, shut-offs and heaters. Separator effluent quality shall be as determined by local regulations but in no case shall the separator be designed for more than 10-15 ppm hydrocarbon discharge.

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- (35) Electrical work shall be furnished and installed in accordance with the National Electric Code Division 1, Class 1 Group D, Explosion Proof.
- (36) Wiring to be run in hot-dipped galvanized conduit with screwed connections, slip type joints not permitted.
- (37) Fuel farm to include at least one explosion proof area light at each vehicle operating area.
- (38) All equipment shall receive at least one coat primer and one finish coat. Aviation fuels handling system shall be color coded and marked as recommended in American Petroleum Institute Bulletin 1542. Except that Jet-A systems shall be white with valves and fittings painted black. Aviation Gasoline 100LL systems shall be white with valves and fittings painted blue.
- (39) Vehicle operating areas shall include earthing rods and bonding wires, remote pump start/stop switch with indicating lamp, and isolating gate valve. In addition, unloading areas to include check valves and fuel monitors, loading areas to include deadman valves and meters.
- (40) Fire extinguisher coverage and safety/security signage shall meet requirements of National Fire Protection Association 407.
- (41) Security shall meet the requirements of Federal Register Title 14 – Part 1542.

Federal, state, and local regulations pertaining to the construction, operation, and maintenance of fuel farms may change without notice; all Operators are expected to keep themselves apprised of all such regulations and comply with same.

7 AIRPORT BUSINESS & COMMERCIAL OPERATIONS

7.1 COMMERCIAL ACTIVITY/SOLICITATION

It shall be unlawful and a violation of this Resolution for any person:

- (1) To engage in any commercial activity or service on the premises of the Airport without first obtaining a lease/sublease, operating agreement or permit from the Commission/Director in accordance with specifications established by the Airport.
- (2) While under lease, operating agreement or permit to engage in any commercial activity not specifically authorized by the lease, operating agreement or permit.
- (3) Solicit for any purpose at the Airport in any manner unless such solicitation is approved pursuant to a written lease, operating agreement or permit with the Airport.

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- (4) To post, distribute or display signs, advertisements or distribute circulars except pursuant to conditions of a written lease or operating agreement or permit with Airport.

7.2 COMMERCIAL PICTURES

No person shall take still, motion or sound pictures at the Airport for commercial purposes without the permission of the Airport Director.

7.3 AUCTION/SPECIAL SALES

There shall be no auctions or other special sales held on Airport property without the prior consent of, and in the manner prescribed by, the Airport Director.

7.4 LANDING FEE

- (1) There is hereby imposed on every operator/owner a landing fee for each aircraft/helicopter landing, unless exempted by paragraph (2), at MBS International Airport. The landing fee shall be computed by multiplying the landing fee rate set by the Airport Commission, as amended from time to time, by the number of thousands of pounds of the aircraft/helicopter. The certified maximum gross landing weight, as defined by the Federal Air Regulations shall be used.
- (2) The following aircraft will be exempt from a landing fee:
 - (a) single engine aircraft;
 - (b) aircraft owned by the state or federal government;
 - (c) aircraft used for law enforcement services or official search & rescue;
 - (d) Any air carrier that has a valid and existing operating agreement, lease or permit with the MBS International Airport Commission, which provides for the payment of landing fees other than those contemplated herein.
- (3) The term “landing” as used herein, shall include all landings, whether revenue or non-revenue. The foregoing notwithstanding, the term “landing” for purposes of landing fee computation shall not include the situation where an aircraft departs from the MBS International Airport for another destination, and without making a stop at another airport, said aircraft is forced to return to and land at MBS International Airport because of meteorological conditions, mechanical or operating causes or for similar emergency or precautionary reasons.

7.5 USERS FEE

There is hereby imposed on any person not having a valid and existing agreement, lease or permit from the Airport Commission a use fee computed by multiplying the number of square feet of space in the terminal used by any person by the annual rent rate per square

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foot of space in the terminal as set by the Airport Commission in accordance with other individual lease agreements. Payment of said use fee or acceptance of payment of said use fee shall not be construed as creating any type of tenancy whatsoever or as authorizing the continued use or occupancy of such space. Any person paying such a use fee, in consideration of their being allowed to use such space, shall indemnify and hold harmless the Airport from any claims that may arise as a result of their use of said space.

7.6 TERMINAL CONGESTION

Reasonable rules to alleviate terminal congestion may be made by the Airport Director, including but not limited to, requiring businesses with more than two processing positions at the counter to provide queueing ropes and stanchions.

8 NON-COMMERCIAL/FIRST AMENDMENT RIGHTS ACTIVITIES

8.1 PURPOSE

The purpose of this section includes the following:

- (1) To ensure that persons seeking to exercise constitutional freedoms of religion and expression can communicate effectively with users of the Airport.
- (2) To ensure the free and orderly flow of pedestrian traffic through the Airport premises and to ensure the efficient functioning of Airport operations and services.
- (3) To ensure that the security of the Airport is properly maintained.
- (4) To protect persons using the Airport from fraud, deceptive practices, harassment, intimidation, interruption and inconvenience.
- (5) To ensure a reasonable balance between persons wishing to exercise constitutional freedoms, commercial tenants and concessionaires, the traveling public and the Airport's orderly and efficient management.

8.2 GENERAL RESTRICTIONS APPLICABLE TO ALL NON-COMMERCIAL/FIRST AMENDMENT ACTIVITIES

All persons engaged in non-commercial/first amendment right activities at the Airport shall be subject to the following general restrictions, in addition to more specific restrictions set forth in sections 8.3 and 8.4 below:

- (1) No person shall conduct such activities within eight (8) feet of premises leased to or provided for a concessionaire or tenant, (such as a restaurant or shop), restroom,

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stairs, escalator or elevator, doorway or entrance way, public service information center, the magnetometers or any secured area.

- (2) No person shall conduct such activities upon any street, roadway, drive or parking lot at the Airport.
- (3) No person shall use sound or voice amplification systems, musical instruments, radio communication systems or other mechanical sound devices.
- (4) No person shall make a loud noise or shout or speak at a level which disturbs or interferes with the ability of others to hear public announcements over the Airport public address system or to transact business at the Airport.
- (5) No person shall in any way obstruct, delay or interfere with the free movement of any person, nor shall any person assail, coerce, threaten or physically disturb any other person.
- (6) No person shall set up any table, chair, stationary rack, vending machine or other structure or use any stationary or wheeled device, with the exception of persons requiring the use of a wheelchair or other disability-related device.
- (7) No person shall wear or carry a sign or placard larger than 24" x 28" in size. No signs, placards or other material shall be affixed to the exterior or interior of any building or other appurtenance within the Airport premises.
- (8) All persons conducting such activities at the Airport agree to indemnify the MBS International Airport Commission, its agents and employees, from and against any and all claims and demands by any third parties, whether just or unjust for personal injuries (including death) or property damage (including theft or loss) caused by or alleged to be caused by the activities of such person on Airport property.
- (9) All individuals, groups and organizations shall register with the MBS International Airport Commission Office during normal business hours in advance of conducting activities. Registration shall consist of providing the names, addresses and telephone numbers of the persons expected to engage in activities, the dates and times of the activities and the name, address and telephone number of the group or organization sponsoring such activities.

8.3 SOLICITATION

No person shall engage in any solicitation within any portion of the Airport Terminal Building, the entrance vestibule or the sidewalks immediately in front of and adjacent to the Airport Terminal Building.

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8.4 LEAF-LETTING & PICKETING

No person shall engage in any leaf-letting or picketing within any portion of the Airport Terminal Building, the entrance vestibule or the sidewalks immediately in front of and adjacent to the Airport Terminal Building except upon the following conditions as to time, place and manner:

- (1) Leaf-letting activities shall be confined to the area in the Airport Terminal Building as defined by the Airport Director.
- (2) Leaf-letting shall be conducted in person by not more than two (2) persons from a single group, organization or cause in each location at a time.
- (3) Leaf-letting may be conducted only between the hours of 6:00 a.m. to 8:00 p.m., Monday through Sunday.
- (4) At the conclusion of his or her leaf-letting, each person shall pick up all discarded leaflets and properly dispose of them or remove them from the Airport premises.
- (5) Nothing in these Rules & Regulations shall be deemed to permit or authorize any activity prohibited or restricted by a collective bargaining agreement to which the Airport or the three owning communities are a party.
- (6) All persons must have written authorization from the Airport Director prior to conducting such activities.

9 ENVIRONMENT & SAFETY

9.1 NOISE CONTROL PROCEDURES

- (1) Arrival and departure procedures shall be in accordance with the Noise Compatibility Program as implemented by the MBS International Airport.
- (2) Engine maintenance run-up will only be conducted in areas designated by the Airport Director. See Section 5.3 (7).

9.2 HAZARDOUS MATERIALS

No person shall, without prior written permission from the Airport Director, keep, transport, handle, or store at, in or upon the Airport, any cargo of explosives or other hazardous articles which are barred from lading in, or for transportation by civil aircraft in the United States under the current provisions of Part 103 of the Federal Aviation Regulations or by any other competent authority. Compliance with said Part 103 shall not constitute or be construed to constitute a waiver of the required notice or an implied

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permission to keep, transport, handle, or store such explosives or other dangerous articles at, in or upon the Airport. Advance notice of at least 24 hours shall be given to the Airport Director to permit full investigation and clearances for any operation requiring a waiver of this rule. In accordance with the Michigan Occupational Safety and Health Act (PA 154 of 1974, as amended, MCL 408.1001 *et seq*), and the Michigan Fire Prevention Code (PA 207 of 1941, as amended, MCL 29.1 *et seq*), each tenant is required to provide the MBS International Airport Commission Office the Material Safety Data Sheets (MSDS) for each hazardous chemical stored or used in the tenant location, upon receipt of the product.

- (1) No underground or above ground storage tanks shall be installed without written permission of the Airport Director.
- (2) Doping/Spray Painting/Stripping - The use of “dope” (cellulose nitrate or cellulose acetate dissolved in volatile flammable solvents) within any hangar is prohibited. The process of doping shall be carried out as set forth in NFPA Standards and the applicable state law or local codes.

For paint, varnish, or lacquer spraying operations, the arrangement construction, ventilation, and protection of spraying booths and the storing and handling of materials shall be in accordance with NFPA Standards, state law, and local codes.

- (3) Flammable Gases or Liquids - Gasoline, kerosene, jet fuel, ether, lubricating oil, or other flammable gases or liquids, including those used in connection with the process of “doping” shall be stored in accordance with the applicable codes, standards, and recommended practices of the NFPA. Buildings shall be provided with suitable fire appliances and first aid equipment.
- (4) Use of Cleaning Fluids - Cleaning of aircraft parts and other equipment shall preferably be done with non-flammable cleaning agents or solvents. When the use of flammable solvents cannot be avoided, only liquids having flash points in excess of 100° F shall be used and special precautions shall be taken to eliminate ignition sources, in compliance with good practice recommendations of the NFPA.

9.3 FUELING/DE-FUELING OPERATION

- (1) Normal Operations – Guidelines, as established by the NFPA, Federal, State, and local authorities, shall be followed.
- (2) Prohibited Operations – No aircraft shall be fueled or de-fueled while inside any building or structure. No aircraft shall be fueled or de-fueled while one or more of its engines are running or is being warmed by external heat, except as noted under Emergency Operations. This prohibition shall not apply to the operation of an auxiliary power unit.

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- (a) Fuel trucks, whether loaded or empty, shall never enter hangars nor shall they be parked unattended within a distance of fifty (50) feet of hangars, paint and dope shops, fuel storage systems, or any other buildings. This prohibition shall not apply to the repair of such equipment. In such cases, the fuel truck shall be electrically grounded upon entering the building.
- (b) No fuel, grease oil dopes, paints, solvents, acids, flammable liquids or contaminants of any kind, shall be allowed to flow into or be placed in any Airport sanitary or storm drain system, or onto any other portion of the Airport.
- (c) No aircraft shall be fueled or de-fueled while passengers are on board unless a passenger boarding device is in place at the cabin door of the aircraft, the door is open, and a cabin attendant is at or near the cabin door or in compliance with the emergency operations paragraph of this subsection.
- (d) No fueler shall be backed within twenty (20) feet of an aircraft unless a person is posted to assist or guide, or cones are placed for guidance.
- (e) No fuel vehicle designed for or employed in the transportation of fuel shall be operated on a controlled taxiway or runway at any time without prior permission from the Airport Director.
- (f) No person shall engage in aircraft fueling or de-fueling operations without adequate fire extinguishing equipment readily accessible at the point of fueling.
- (g) No person shall start the engine of an aircraft on the Airport if there is any gasoline or other volatile fluid on the ground within the vicinity of the aircraft, unless authorized to do so by the Airport Director.
- (h) No person shall operate a radio transmitter or receiver, or switch electrical appliances on or off, in an aircraft while it is being fueled or de-fueled, unless authorized to do so by the Airport Director.
- (i) No person other than persons engaged in the fueling, servicing, and operation of an aircraft and passengers on board the aircraft shall be permitted within 100 feet of such aircraft during fueling or de-fueling.
- (j) Fueling or de-fueling operations shall not be conducted during periods when a thunderstorm having associated lightening activity is occurring within five (5) miles of the Airport.
- (k) Aircraft fuel servicing personnel shall not carry lighters or matches on their person while performing fuel servicing operations.

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- (l) Aircraft and motor vehicles shall be fueled on the Airport only from locations and equipment approved by the Airport Director.
- (m) A fueling agent shall not permit any employee or agent to dispense fuel unsupervised unless he/she has first completed an industry endorsed training program in acceptable fueling procedures, fire extinguishing procedures and procedures to summon the Airport ARFF Department. Certification that each fueler has received this training, shall be in compliance with the Airport's approved Hazardous Substances and Materials Program and submitted to the Airport Director.

9.4 FUEL SPILLS

Fuel spills present a hazardous fire potential and shall be handled as such. Each fuel spill shall be treated as an individual case because of such variables as the size of the spill, type of flammable or combustible liquid involved, wind and weather conditions, equipment arrangement, aircraft occupancy, emergency equipment and available personnel. When a fuel spill occurs, the responsible party shall take the following action:

- (1) Contact the Airport ARFF Department for all fuel spills.
- (2) When a fuel spill is 20 gallons or more, or comes into contact with a drainage structure or ditch, or contaminates the surface water, the MI-EGLE as the lead agency for the EPA, shall be notified immediately via telephone by the responsible party.
- (3) Every fuel spill shall be investigated by the tenant fueling agent involved in the spill to determine whether emergency and/or standard operating procedures were properly carried out, and what corrective measures are required. A copy of the investigation report must be sent to the Airport ARFF Department.

9.5 SMOKING

In accordance with the Dr. Ron Davis Law, also known as Michigan's Smoke Free Air Law, PA 188 of 2009, MCL 333.12601 *et seq*, the smoking of any cigarettes, cigar, pipe, e-cigarette, vaping device, or other smoking material, including the smoking of any tobacco or marihuana, in any public place on the Airport shall be prohibited.

9.6 OPEN FLAME OPERATIONS

No person shall conduct any open flame operations at the Airport unless specifically approved, in writing, in advance by the Airport Director. Lead and carbon burning, fusion gas and electric welding, blow-torch work, reservoir repairs, engine testing, battery charging, and all operations involving open flames shall be restricted to the repair shop.

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9.7 LEASEHOLD HOUSEKEEPING

All persons occupying space at the Airport shall keep the space allotted to them policed and free from rubbish, trash, and accumulation of any material. All floors shall be kept clean and free from fuel and oil and maintained in good order. The use of volatile or flammable floor solvents for cleaning floors is prohibited. Metal receptacles with self-extinguishing cover shall be used for the storage of oily waste rags and similar material. The contents of these receptacles shall be removed by persons occupying space; drip pans shall be placed under engines and kept clean at all times. No tenant, lessee, concessionaire, or agent thereof doing business on the Airport, may keep uncovered trash containers adjacent to sidewalks or roads in a public area of the Airport.

- (1) No person shall dispose of any fill, building materials, receptacles or discarded or waste materials on Airport property, except as approved in writing by the Airport Director. No liquids shall be placed or dumped on Airport property storm drains or the sanitary sewer system at the Airport, including those that will damage such drains or system or will result in water pollution upon having passed through such drain or system.
- (2) No person shall use a comfort station or restroom, toilet or lavatory facility at the Airport other than in a clean and sanitary manner.
- (3) Any solid or liquid material spilled at the Airport, shall immediately be cleaned up by the person responsible for such spillage, and in no case shall any refuse be burned at the Airport, except as specifically authorized by the Airport Director.
- (4) No person shall cause unnecessarily or unreasonably any smoke, dust, fumes, gaseous matter or any other matter to be emitted into the atmosphere or carried by the atmosphere, except normal emissions from internal combustion engines or jet engines, or smoke from cigarettes, cigars, pipes, e-cigarettes or vaping devices, where the use of same is not prohibited by law.
- (5) No person shall operate an uncovered vehicle to haul trash, dirt or any other material on the Airport without prior permission of the Airport Director.
- (6) No person shall dispose of garbage, papers, refuse or other forms of trash, including cigarettes, cigars and matches, except in receptacles provided for such purpose.

9.8 FIRE EXTINGUISHERS

Fire extinguishing equipment at the Airport shall not be tampered with at any time nor used for any purpose other than firefighting or fire prevention. All such equipment shall be maintained in accordance with the standards of the EPA and NFPA. Tags showing the date of the last inspection shall be attached to each unit or records acceptable to Fire Underwriters shall be kept showing the status of such equipment.

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Tenants: All tenants or lessees of hangars, aircraft maintenance buildings, or shop facilities shall supply and maintain an adequate number of readily accessible fire extinguishers. Fueling vehicles designed for the transport and transfer of fuel shall carry on board at least two (2) B C fire extinguishers, one located on each side of the vehicle.

9.9 POWDER ACTIVATED TOOLS

No person shall use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior approval of the Airport Director.

9.10 HEATED HANGARS

Heating in any hangar shall only be through or by approved systems or devices as listed by the Underwriters Laboratories, Inc. as suitable for use in aircraft hangars and shall be installed in the manner prescribed by the Underwriters Laboratories, Inc. and in compliance with the federal, state and local applicable codes.

9.11 AIRCRAFT REPAIRS

No person shall repair an aircraft or aircraft engine, propeller, or other aircraft apparatus in any area of the Airport other than those areas specifically designed for such repairs, except that minor adjustments or repairs may be made while the aircraft is at an aircraft parking position prepared for departure. No person shall repair or cause repairs to be made to any aircraft, aircraft engine, propeller or other aircraft apparatus by any person on the Airport other than those specifically approved to conduct such operations through lease/operating agreement.

Prohibitions: The starting or operating of aircraft engines inside any hangar is prohibited. This shall not be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving planes within any hangar.

9.12 FIREARMS & WEAPONS

No person, except those persons authorized to do so under Michigan State Law and Federal Government Regulations, or to perform Airport sanctioned wildlife hazard management functions, may carry or transport any firearm or weapon on the Airport except when such firearm or weapon is properly encased for shipment and not in the individual's immediate possession. The Airport reserves the right to restrict the carrying of firearms and weapons by contract security or tenant security personnel on the Airport.

- (1) Conditions Governing Use - No person shall discharge any firearm or weapon on the Airport except in the performance of lawful official duties requiring the discharge thereof.

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- (2) The carrying of a firearm or weapon on the Airport must be in conformity with all applicable federal, state, and local regulations.

9.13 ANIMALS

Prohibitions:

- (1) No person, other than one conducting a lawful, official or permitted act, shall hunt, pursue, trap, catch, injure or kill any animal on the Airport, without permission from the Airport Director.
- (2) No person shall feed or do any other act to encourage the congregation of birds or other animals on the Airport, unless authorized to do so by the Airport Director.
- (3) Dogs/Pets may be permitted on the Airport if controlled by a leash or other means by the owner. No person shall bring a dog/pet to the Airport except under complete control. Any person bringing a dog/pet on the Airport agrees to indemnify fully, defend and save and hold harmless the Airport Commission, its officers, agents and employees, from and against all losses, damages, claims, liabilities that may arise as a result of the dog/pet being on Airport property.

Dogs/pets will not be allowed in the Airport Passenger Terminal, with the exception of lawful service or guide dogs, guide dogs in training, or pets which are appropriately caged for air transportation.

9.14 FUEL STORAGE TANKS

No tenant or other person shall install, maintain, or permit to be installed or maintained fuel storage tanks on the Airport without the express written approval of the Airport Director, and such tanks must be installed and maintained in accordance with all federal, state and local laws, regulations and ordinances.

9.15 POLLUTION PREVENTION PLANS & COMPLIANCE

- (1) Background - Federal and state laws and regulations impose certain pollution prevention obligations (“Pollution Prevention Regulations”) upon the Airport and its tenants. One of these obligations is to prepare and implement the following pollution prevention plan: (a) Storm Water Pollution Prevention Plan (“SWPPP”) which includes the Spill Prevention Plan, and to maintain a Storm Water Permit under the State of Michigan Storm Water General Permit for Storm Water Discharges Associated with Industrial Activities (“Storm Water Permit”). The objective of the SWPPP is to reduce or eliminate, as required by the Pollution Prevention Regulations, the consequences of fire and explosion, accidental releases of hazardous materials, medical emergencies, natural disasters, and airport system failures with regard to all operations and activities conducted at the Airport.

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The Airport has prepared the SWPPP with regard to substantially all facilities and activities at the Airport, including some of the leased premises and operations performed by its tenants. The SWPPP contains, in part, certain requirements, obligations, and covenants regarding pollution prevention which must be performed in order to implement the SWPPP in accordance with the Pollution Prevention Regulations. A copy of the SWPPP and Storm Water Permit are on file with the MBS International Airport Commission Administration Office, and available for review upon request. The SWPPP and Storm Water Permit are incorporated by reference herein and are enforceable as described herein as if printed in their entirety.

- (2) Tenant Compliance & Annual Certification - Except as specifically described in paragraph 3 below, each tenant shall comply with the requirements, obligations, and covenants in the SWPPP with respect to the tenant's leased premises and all operations and activities conducted by the tenant at any location at the Airport. By way of example, and not by way of limitation, each tenant shall comply with the inspection, record keeping, personnel training, and emergency notification and response requirements in the SWPPP as they apply to the tenant's leased premises and/or the tenant's activities at any location at the Airport. The Airport shall have the right, but not the obligation, to perform any of the respective tenant's obligations contained in this paragraph or the SWPPP. Any tenant for whom the Airport so performs shall be responsible for all costs, fees, and expenses incurred by the Airport, which shall be payable upon demand.

Each tenant acknowledges that the SWPPP must be reviewed, evaluated, and if appropriate, updated annually. To assist with that process, each tenant, no later than December 31 of each year shall complete and submit to the Facility Representative (as designed in the SWPPP) the required Annual Certification of Compliance Form. Failure to file an Annual Certification of Compliance Form by this deadline shall be deemed acknowledgment and certification by the tenant of the representations and warranties contained in the form. Each tenant shall provide the Facility Representative or his or her designee with access to the tenant's premises and records and provide information as requested for purposes of evaluating activities performed by the tenant and updating the SWPPP based on such information as appropriate.

- (3) Airport Compliance - The Airport shall comply with the SWPPP with respect to only those areas of the Airport not leased to or used or occupied by a tenant. The Airport shall also provide and maintain the SWPPP and the Storm Water Permit for some of the facilities and activities and, subject to each tenant's compliance with paragraph 2 above, annually update the SWPPP as necessary, and distribute any updated SWPPP to the proper governmental agencies. The Airport shall provide emergency response assistance only to the extent described in the SWPPP. The Airport shall provide a Certified Storm Water Operator for the Airport, as required by the Storm Water Permit.

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- (4) Indemnification - Each tenant shall indemnify, hold harmless, and defend the Airport, owning communities, officers, directors, employees, agents, invitees, and licensees from any losses, claims, liabilities, damages, injuries to persons, property or natural resources, fees, costs, expenses, fines, or penalties arising from or in connection with that tenant's failure to comply with this Section 9.15 of the Rules & Regulations, the SWPPP, or the Storm Water Permit.

10 GENERAL CONDUCT

The MBS International Airport Commission will not be responsible for, nor assumes any liability for, loss, injury, or damage to persons or property on the Airport or using Airport facilities by reason of fire, theft, vandalism, collision damage, or Acts of God, including but not limited to wind, flood, earthquake or tornado.

10.1 VIOLATION OF RULES & REGULATIONS

It shall be unlawful and a violation of these Rules & Regulations for any person to violate any of the following provisions:

- (1) All alcohol consumption must be conducted in designated lease areas within the Terminal Building with concessionaire/lease holder with a valid liquor license. Alcohol consumed in this area must have been purchased from the lease holder.
- (2) No person shall commit any nuisance or any disorderly, obscene, indecent or unlawful act on Airport premises.
- (3) No person shall use or remain on the Airport for any purpose other than air transportation and activities related thereto and activities expressly authorized by the Airport Director.
- (4) No person shall operate or release any model aircraft, unmanned aerial vehicle/drone, rocket, kite, balloon, or parachute or other similar contrivance at or upon the Airport without the prior written approval of the Airport Director. Such prohibition shall not apply to the National Weather Service, which is a regular operational function on its part.
- (5) No person shall throw, drop, or otherwise propel any object or substance of any kind from any window or roof of any structures on the Airport. No person shall act to create foreign object debris (FOD), as defined by the Federal Aviation Administration.
- (6) No person shall travel upon the premises of the Airport other than on roads, walk, or other facilities provided for such specific purpose.

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- (7) No person shall use the roads or walks of the Airport in such a manner as to hinder or obstruct their proper use.
- (8) The use of studded tires on any paved Airport surface is forbidden.
- (9) The use of chain or metal cable to tie an aircraft down is forbidden.
- (10) No person shall fail to secure an unattended aircraft.
- (11) No person shall put in motion any aircraft without permission of the owner thereof.
- (12) No person shall interfere or tamper with any aircraft without permission of the owner thereof. This provision is not intended to include the moving of aircraft as authorized by the Airport Director.
- (13) No tenant or concessionaire shall deny any person a service or other public accommodation, or otherwise discriminate against any person, on the basis of race, religion, gender, or any other class protected by law.

10.2 TENANT CONSTRUCTION APPROVAL

Tenants desiring to construct, enlarge, modify, alter, repair, move, demolish, or change the occupancy of property or to install or erect a sign or banner of any description shall do so in accordance with the standards as set by the MBS International Airport Commission. Written approval issued by the Airport Director is required for this activity.

11 SEVERABILITY

If any section, subsection, sentence, clause or phrase of these Rules & Regulations is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these Rules & Regulations.