



*Rules
and
Regulations
2004*



FLAGSTAFF PULLIAM AIRPORT

History



The Flagstaff Pulliam Airport was constructed in 1949 on 795 acres of U.S. Forest Service land which was deeded to the City. In 1969 the original runway was lengthened to 7000 feet and widened to 150 feet. It was further extended to its current length of 8800 feet in 2007.

The facility is a non-hub commercial service and general aviation airport owned and operated by the City of Flagstaff. It is located three miles south of Flagstaff on Interstate 17. At 7014 feet MSL, it is one of the highest elevation air carrier airports in the United States.

The airport was named in honor of C.T. "Maggie" Pulliam. He was a forty-four year City employee and Flagstaff's first City Manager. Pulliam was instrumental in the airport's development.

Frontier Airlines commenced scheduled flights to and from Flagstaff in June of 1950. Several air carriers have provided continuous airline service since that time. The airport is presently served by Horizon Air and US Airways. Several air freight and air ambulance companies use the airport daily. The number of general aviation operations is steadily rising.

Air traffic control is provided by Serco ATC Services and is funded under the Federal Aviation Administration Contract Tower Program. An Instrument Landing System (ILS) was fully commissioned in 1994.

A new 23,000 square foot terminal building was completed in 1993. The terminal was enlarged to the present size of 25,000 sq. ft. in 2008.

Airport staff includes the Airport Director, Administrative Specialist, Operations Supervisor and six Airport Service Workers. The Airport is operated and maintained in accordance with FAR Part 139, and is typically manned from 0530 to 2300 daily, depending on commercial activity.

AIRPORT RULES & REGULATIONS

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TITLE 8. AIRPORT

CHAPTER 8-06. Airport RULES AND REGULATIONS

DIVISION 8-06-001. Airport RULES AND REGULATIONS

8-06-001-0001. PURPOSE

The Flagstaff City Council (City Council) has adopted these Airport Rules and Regulations (AR&R) as a City Ordinance. The AR&R are intended to ensure the safe, orderly and efficient operation of the Airport. The Airport is owned and operated by the City of Flagstaff. The Flagstaff Airport Commission (Commission) is organized under the City of Flagstaff Charter and serves in an advisory capacity to the City Council, the City Manager and the Airport Manager. The AR&R shall grant authority and responsibility for daily Airport management to the Airport Manager. Policymaking decisions concerning Airport management under the AR&R shall be made by the City Council after review and recommendation by the Commission.

When an emergency exists at the Airport, the Airport Manager is authorized to issue such directives and take such action as deemed necessary to protect people, property and assets to ensure the safe operation of the Airport. Such directives and actions of the Airport Manager shall have the authority of law as long as the emergency exists.

Should any part of the AR&R conflict with Federal, State or other local law, statute, ordinance or regulation, then that government authority shall take precedence. The AR&R shall in no way supersede or abrogate Federal regulations set forth in 17 CFR Part 139 (Certification and Operations of Airports) or 49 CFR Part 1542 (Airport Security).

If any provision of the AR&R is held to be invalid by any court of competent jurisdiction, the remainder shall remain valid and in full force and effect. Future amendments, additions, deletions, or corrections to the AR&R shall be incorporated into the AR&R as required and directed by the Flagstaff City Council.

8-06-001-0002. DEFINITIONS

The following words and phrases whenever used in this Chapter shall be construed as defined in this Section unless from the context a different meaning is intended, or unless a different meaning is specifically contained within 49 USC § 40101 et seq. or Title 14 CFR Chapter I. (FAA Act), and all amendments thereto shall be considered as included herein; and all definitions shall be interpreted on the basis and intention of the FAA Act and amendments thereto.

- A. *Accident* shall mean a collision between or involving an aircraft or a vehicle and an aircraft, vehicle, person, stationary or movable object or other personal property which results in property damage, personal injury, or death; or an entry into or emerging from a moving or stationary aircraft or vehicle by a person which results in personal injury or death to such person or some other person, or which results in property damage.

- B. *The Administrative Rules* shall mean such necessary administrative rules and regulations and amendments thereto as promulgated by the City Manager that may be necessary to carry out the provisions of this section.
- C. *Air Terminal* shall mean that central or primary facility or facilities in which Airport passengers, air cargo and general aviation activities are accommodated, housed and processed.
- D. *Air Traffic* shall mean aircraft operating in the air or on an Airport surface, exclusive of loading ramps and parking areas.
- E. *Air Transportation* shall mean interstate, intrastate, overseas, or foreign air transportation or the transportation of mail by aircraft.
- F. *Aircraft* shall mean a device that is used or intended to be used for flight in the air.
- G. *Aircraft Movement Area* shall mean any portion of the Airport specifically meant for the ground operation of an aircraft including, runway(s) and primary taxiway(s) or as defined in the Letter of Agreement between the Airport Control Tower and the Airport Manager.
- H. *Aircraft Operations* shall mean an aircraft landing, takeoff or taxi maneuver.
- I. *Aircraft Parking and Storage Area* shall mean and refer to the areas of the Airport to be used for aircraft parking and storage of aircraft, or areas for the servicing of aircraft with fuel, lubricants, and other supplies, or for making minor or emergency repairs or alterations to aircraft, or for any or all such other purposes as may be necessary.
- J. *Airport* shall mean an area of land or water that is used or intended to be used for the landing and takeoff of aircraft and includes its buildings and facilities. For the purposes of the AR&R, "Airport" or "Airport premises" shall mean all of the areas comprising Flagstaff Pulliam Airport which are owned by the City of Flagstaff and are now existing or as the same may hereafter be expanded and developed.
- K. *Airport Elevation* shall mean the established elevation of the highest point on the usable landing area.
- L. *Airport Layout Plan* shall mean Flagstaff Pulliam Airport Layout Plan as approved by FAA.
- M. *Airport Reference Point* shall mean the point established as the approximate geographic center of the Airport and so designated.
- N. *Airport Manager* shall mean the appointee of the City of Flagstaff or his designee.

- O. *Business or Concession* shall mean any person or entity that sells, offers for sale, or furnishes any commodity, article, facility or service for the production of revenue on the Airport premises.
- P. *Cargo* shall mean personal property transported or intended to be transported by air transportation.
- Q. *City* shall mean and have reference to the City of Flagstaff, Arizona, a municipal corporation organized and existing under and by virtue of the laws of the State of Arizona.
- R. *City Facility* shall mean any real property with improvements owned or leased by the City of Flagstaff.
- S. *City Manager* shall mean the City Manager of the City of Flagstaff or his designee.
- T. *Commercial Activity* shall mean the conduct of any aspect of a business or concession on the Airport premises for the production of revenue.
- U. *Commercial Ground Transportation* shall mean:
1. **Motorcoach:** Any vehicle for hire capable of carrying sixteen (16) or more persons with pre-contracted passengers which makes more than three (3) stops per year at a City Facility.
 2. **Courtesy Vehicle:** Any vehicle operated by a commercial enterprise for the purpose of transporting passengers to and from the commercial enterprise for which no specific fare is charged.
 3. **Loading or Picking up:** The actions of an operator of a commercial ground transportation vehicle making such vehicle available for hire for transporting a passenger or passengers from any City Facility to another location.
 4. **Taxicab, Limousine:** Any vehicle which is not a motorcoach or time scheduled or tour van and transports passengers for hire.
 5. **Time Scheduled or Tour Van:** Any vehicle for hire capable of carrying fifteen (15) or fewer persons with pre-contracted passengers.
 6. **Unloading or Dropping Off:** The actions of an operator of a commercial ground transportation vehicle in delivering any passenger or passengers to a City Facility.
- V. *Council or City Council* shall mean the City Council of the City of Flagstaff, Arizona.
- W. *Driver* shall mean any person who operates a ground transportation motor vehicle.
- X. *Fixed Base Operator (FBO)* shall mean a person, firm, corporation, or other entity that, subject to the provisions of a lease, is providing or offering general aviation services to the public.

- Y. *Flagstaff Airport* shall mean Flagstaff Pulliam Airport.
- Z. *Flying Club* shall mean any non-profit partnership or non-profit corporation. Each club member shall be a bona fide owner of a part of the aircraft or a share in the corporation. The club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance and replacement of its aircraft. Flying Clubs shall be considered Commercial Activities if they involve money, salaries, gift, barter or revenues.
- AA. *Fuel Dispensary* shall mean the authorized storage, transfer or other handling of aviation petroleum products in quantities greater than ten (10) U.S. gallons.
- BB. *Fuel Handling* shall mean the transportation, delivery, fueling, and draining of fuel or fuel waste products.
- CC. *Fuel Storage Area* shall mean and include any portions of the Airport designated, temporarily or permanently, by the Airport Manager as an area in which gasoline and any other type of fuel may be stored or loaded.
- DD. *General Aviation Specialty Shop Services* shall mean:
1. Air Taxi - non-scheduled air transportation of passengers and/or cargo under Federal Aviation Administration Regulations.
 2. Aircraft Accessories - sales, services, repair, exchange and installation of new and used aircraft accessories such as alternators, generators, starters, and oil coolers.
 3. Aircraft instrument and accessory sales and repair service - said services shall include aircraft radio and electronic repair sales and service.
 4. Aircraft Maintenance - inspection, repair, service, modification and replacement of airframes, powerplants, components and accessories.
 5. Aircraft Parts - purchase, sales and exchange of new, used or rebuilt aircraft parts, accessories, equipment or tools at retail or wholesale.
 6. Aircraft Refinishing - installation, replacement, modification or repair of aircraft interior upholstery and furnishings, and aircraft painting.
 7. Aircraft Rental - allowing the use of aircraft in return for payment.
 8. Aircraft Sales - purchase, sales, exchange and brokerage of new and used aircraft.
 9. Commuter Airline - published scheduled air transportation of passengers and/or cargo between two or more points at least five trips per week, operating under Federal Aviation Administration Regulations.
 10. Contract Operations - special contractual services such as helicopter sling operations, firefighting, cloud seeding and air sampling.
 11. Pilot Training - instruction by qualified ground school and flight instructors to prepare students to take written, oral and flight examinations for a pilot's license, aircraft rating or periodic review; and aircraft rental for dual or solo flight training, pilot proficiency and currency.
 12. Any other activities as approved in writing by Airport Manager.

- PP. *Non-Conforming Use* shall mean any structure, tree, or use of land lawfully existing as of the effective date of the AR&R, which does not conform to a regulation prescribed in the AR&R or an amendment thereto, as of the effective date of such regulation.
- QQ. *Non-Instrument* runway shall mean an aircraft runway other than an instrument runway.
- RR. *Off-Airport Vehicle Rental Company Courtesy Vehicle* shall mean any motor vehicle that is regularly operated by or on behalf of a vehicle rental company, or by any other person or business entity, for the purpose of transporting customers and baggage between the Airport and any vehicle rental facility located off the Airport where no direct fee is paid by the person or baggage transporter for the service so rendered and where such rental facility is owned and/or operated by a person or business entity not otherwise leasing Airport terminal counter space from the City.
- SS. *Operator* shall mean the person, or entity in care, custody or control of an aircraft or vehicle.
- TT. *Operational Area* shall mean any place on an airport not leased to any person or entity for exclusive occupancy.
- UU. *Owner* shall mean a person or entity who holds the legal title to or right to possess an aircraft, a vehicle or personal property on the Airport premises.
- VV. *Park* or *Parking* shall mean an aircraft, bicycle or similar vehicle, or motor vehicle standing or stored on the Airport premises attended or unattended.
- WW. *Pedestrian* shall mean any person afoot or using a mobility assisting device.
- XX. *Permission* or *Permit* shall mean permission granted by the Airport Manager unless otherwise herein specifically provided.
- YY. *Permittee* shall mean any person, partnership, association, firm or corporation operating or conducting business on the Airport premises under a commercial permit. A "Permittee" shall be vicariously liable for repeated violations by any person acting under the color and authority of the Permittee.
- ZZ. *Person* shall mean an individual, firm, partnership, corporation, company, association, joint stock association or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian or other representative.
- AAA. *Pilot* shall mean the person responsible for the operation and control of an aircraft.

- EE. *Instrument Runway* shall mean a runway equipped with electronic and/or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.
- FF. *Itinerant Operations* shall mean all aircraft arrivals and departures other than local operations.
- GG. *Landing Areas* shall mean any locality either of land or water, including airports and intermediate landing field, which are used, or intended to be used, for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft, or for receiving or discharging passengers or cargo.
- HH. *Loading Gate* shall mean that space reserved for the loading and unloading of aircraft.
- II. *Loading Ramp* shall mean the area used to aid in the loading and unloading of aircraft.
- JJ. *Loading Zone* shall mean that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers, baggage or materials.
- KK. *Local Aircraft Operations* shall mean aircraft operating in the local traffic pattern or within sight of the tower, aircraft that are known to be departing for or arriving from flight in local practice areas located within a twenty mile radius of the control tower, and/or aircraft making simulated instrument approaches or low passes at the Airport.
- LL. *Minimum Standards* shall mean requirements to be met for leasing of space and conducting business at Pulliam Airport.
- MM. *Motor Vehicle* shall mean any device, licensed or unlicensed within which any person is or may be transported upon a public highway excepting devices moved by human power or used exclusively upon stationary rails or tracks.
- NN. *Newsrack Vending Machine* shall mean an enclosed newspaper dispensing box in which a single newspaper publication is sold or distributed. Newsrack vending machine(s) shall be placed, installed, used and maintained pursuant to the Airport Manager's directive.
- OO. *Newspaper Vendor* shall mean any newspaper company, publisher, distributor, or owner of a newsrack who is distributing and/or selling newspapers through newsrack vending machines at the Airport pursuant to this section.

- BBB. *Police Officer* shall mean any officer of the Police Department of the City of Flagstaff or any other peace officer.
- CCC. *Public Use Areas* shall mean those areas of the Airport premises normally used by the general public. These areas include concessionaire shops, restrooms, passenger terminal lobbies, passenger concourses, hallways, passageways, public transportation waiting areas, viewing areas, roads, sidewalks and public motor vehicle parking lots.
- DDD. *Roadway* shall mean any street or roadway whether improved or unimproved whether dedicated or not, within the boundaries of the Airport premises set aside or designated for use by vehicles.
- EEE. *Runway* shall mean the paved strip of ground established for the landing and taking off of aircraft.
- FFF. *Safety Regulations* shall mean the Federal Motor Carrier Safety Regulations as adopted by the State of Arizona pursuant to Title 17, Chapter 5, Article 2 of the Official Compilation of Administrative Rules and Regulations and any amendments thereto.
- GGG. *Scheduled Air Carrier* shall mean any carrier who engages in published, scheduled air transportation of passengers and/or cargo between two or more points at least five trips per week operating under provisions of Part 121 of the Federal Aviation Administration Regulations.
- HHH. *Scheduled Vehicle* shall mean a ground transportation vehicle picking up a passenger or passengers at the Airport on a pre-arranged, contractual basis.
- III. *Structure* shall mean an object constructed or installed by man, including, but without limitation to, buildings, towers, smokestacks and overhead transmission lines.
- JJJ. *Traffic* shall mean pedestrians and vehicles, either singly or together while using any Airport area.
- KKK. *Unscheduled Charter Air Carrier* shall mean any air carrier who engages in the air transportation of passengers and/or cargo under provisions of the Federal Aviation Regulations.
- LLL. *Unscheduled Vehicle* shall mean a ground transportation vehicle picking up a passenger or passengers on the Airport premises other than on a prearranged basis.

- MMM. *Vehicle* shall mean a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a roadway or other ground surface.
- NNN. *Vehicular Parking Area* shall mean and include any portion of the Airport designated and made available, temporarily or permanently, by the Airport Manager for the parking of vehicles.
- OOO. *Walkway* shall mean any sidewalk, crosswalk, ramp, deck, concourse, lobby area or other such area designed for pedestrian traffic.

8-06-001-0003. PERMISSION TO USE AIRPORT CONDITIONAL ; DENIAL OF PERMISSION; USE OF AIRPORT PROPERTY

A. Permission to Use the Airport

Any permission granted by the City of Flagstaff directly or indirectly, expressly or by implication, to enter upon or use the Airport or any part thereof, including but not limited to, operators, off-Airport users, crew members and passengers, spectators, sightseers, pleasure and commercial vehicles, officers and the employees of airlines, lessees and persons occupying space at the Airport, persons doing business with the Airport, its lessees, sublessees and permittees and all other persons whatsoever, whether or not of the type indicated, is conditioned upon compliance with the AR&R and entry upon or onto the Airport by one person shall be deemed to constitute an agreement by such person to comply with the AR&R.

B. Conformance with FAA Rules and Regulations

No person shall navigate, land aircraft upon, or conduct any aircraft operations on or from the Airport otherwise than in conformity with the Federal Aviation Administration Rules and Regulations.

C. Authority to Establish Local Procedures

In addition to requirements of the Federal Aviation Administration, and the Arizona Department of Transportation, Division of Aeronautics, the City of Flagstaff may impose such additional rules and regulations relative to the use and operation of the Airport as established by the City Council. If such additional rules and regulations are established, they shall be published, posted, and/or otherwise made available for public inspection at reasonable times and places.

D. Denial of Use

The City of Flagstaff, through its Airport Manager as staff agent for the City, reserves the right to deny any or all usage of the Airport to any person or persons. The Airport Manager shall serve the notification and may deny the use and privileges of the Airport to any person violating any of the AR&R, subject to appeal through channels to the City Council.

E. Conformance of Fire Code

All tenants and operators on the Airport premises shall conform to applicable provisions of the current Uniform Fire Code as adopted by the City of Flagstaff.

8-06-001-0004. GENERAL CONDITIONS OF AIRPORT USE

8-06-001-0004.1 REVENUE-PRODUCING COMMERCIAL ACTIVITIES AT THE AIRPORT

No person shall utilize any portion of the Airport or any structure thereon, for revenue-producing commercial activities or solicit business or funds for any business or for any activity except by conducting the business operated under the terms of an existing lease or permit at the time of the passage of this ordinance, or unless hereafter specifically authorized by lease or permit. Such activities shall be considered commercial regardless of whether the business is non-profit, charitable, or tax exempt as long as revenues are produced.

8-06-001-0004.2 PROHIBITED ACTS

The following conduct is prohibited within the public use area of the Airport unless expressly allowed by a lease agreement or permit:

- A. The sale or distribution of any merchandise, including but not limited to the following: books; newspapers; jewelry; food stuffs; candles; flowers; badges; and clothing; and
- B. Solicitations and receipt of funds.

8-06-001-0004.3 PERIPATETIC NON-COMMERCIAL EXPRESSIVE ACTIVITY

- A. Any person or organization desiring to use the Airport for the purpose of peripatetic non-commercial expressive activity such as picketing, distributing literature, displaying signs and soliciting of contributions, except as otherwise prohibited by law, shall be permitted to do so providing such activities do not result in the impairment of, or interference with, the operational functions of the Airport and further provided that such activities are in compliance with the provisions hereinafter set forth. The following purposes are hereby declared to be served by proper regulation of peripatetic non-commercial expressive activity:
 - 1. To ensure that persons seeking to engage in peripatetic non-commercial expressive activity may reasonably do so upon the premises of the Airport,
 - 2. To restrict such activities to certain public use areas of the Airport,
 - 3. To protect all persons using the Airport from being subjected to unreasonable contacts by any persons or organizations seeking to exercise such rights,
 - 4. To ensure the free and orderly flow of pedestrian traffic through the Airport premises; and
 - 5. To ensure the efficient and safe operation of the Airport,

6. Nothing in this Section shall be construed to infer that the Airport premises constitute a traditional public forum or a designated public forum for First Amendment purposes.
- B. No group of four or more persons shall congregate within any terminal of the Airport to engage in peripatetic non-commercial expressive activity without a permit, which shall be obtained by making written application to the Airport Manager of their intent to do so at least three (3) business days prior to the date contemplated for commencing such activities.
- C. In the event multiple applications for a permit to engage in peripatetic non-commercial expressive activities are received by the Airport Manager for the same or overlapping time period or that said activities are simultaneously being conducted by a total of four or more people within any one (1) terminal building, the Airport Manager shall allocate space within the public use areas available for such activities dividing, if possible, the areas available equally between applicants. Choice of areas available shall be afforded to applicants in accordance with the time at which their written application was received by the Airport Manager. Such allocation of space shall impose on all persons or organizations limitations as to dates or hours or numbers of participants as reasonably may be required to provide fair and equitable opportunities for all.
- D. General Restrictions
 1. All persons shall conduct their proposed peripatetic non-commercial expressive activities in or upon the public use areas of the Airport premises with the number of persons allowed and at such time as set forth in their permits, if applicable, and as otherwise may be prescribed from time to time by the Airport Manager. However, any restriction shall be both reasonable and appropriate and prescribed only after a fact finding investigation and determination by the Airport Manager that the restrictions are necessary to avoid injury to persons or to property or to ensure the safe and orderly use of the Airport by the public.
 2. No more than the indicated number of persons set forth in the permit shall be allowed to engage in the activities permitted or as otherwise restricted by the Airport Manager pursuant to Subsection A, above.
 3. All activities as defined in the permit shall be conducted only in or upon those Airport premises which are open to the general public for common use, except as hereinafter set forth, and shall neither intrude upon nor take place within ten (10) feet from any location or area reserved to a particular use, such as baggage areas, security check points, offices, ticket sales counters, restaurants or any areas devoted to business enterprise.
 4. No person shall use sound or voice amplification systems, musical instruments, radio communication systems, or other mechanical sound devices or donation boxes or vending machines while conducting permitted activities.

5. No person, while engaging in any activities as defined in the permit, shall prevent or interfere with the free movement of pedestrian traffic within the Airport, nor shall such persons in any manner assail, coerce, threaten, or physically disturb any person or persons.
 6. The general restrictions contained in this Subsection shall apply only to the permitted activity as authorized in the permit.
- E. Revocation or denial of permit - Permits shall be revoked or denied by the Airport Manager when there is evidence that a permittee has violated any condition of the permit or regulation pertaining thereto. Notice of revocation or denial of a permit shall be in writing supported by a statement of facts and witnesses and shall be personally served on permittee or applicant, or served by certified mail, return receipt requested.

8-06-001-0004.4 USE OF PUBLIC ROADS AND WALKWAYS

No person shall travel on any road, walkway, or place on the Airport premises provided for the particular class of traffic in such a manner as to hinder or obstruct their proper use.

8-06-001-0004.5 PAYMENT OF CHARGES

All billings pertaining to Airport activities are payable upon presentation unless otherwise noted thereon or covered by express contract provisions indicating alternative payment options.

8-06-001-0004.6 ASSIGNMENT OR SUBLET OF PROPERTY

Rented or leased Airport property shall not be assigned or sublet except as approved in writing by the City or expressly authorized under approved leases. Any violation of this rule shall subject the tenant's rental agreement or lease to immediate termination.

8-06-001-0004.7 USE OF LANDING AREA, RAMP AND APRON AREA

- A. No person or entity conducting a commercial activity shall land or take off an aircraft on or from a landing area, or use a landing area, ramp and apron area, passenger ramp and apron area, cargo ramp and apron area, or an aircraft parking and storage area, except upon the payment of such fees and charges as may from time to time be established, unless such person is entitled to use such areas under a lease or special contract.
- B. No person shall enter upon the ramp and apron areas except: (1) persons assigned to duty thereon; (2) persons authorized by the Airport Manager; or (3) persons enplaning or deplaning passengers.

- C. No person shall operate a vehicle in excess of 15 mph on the ramp(s) or apron(s) area. This Subsection shall not apply to emergency response vehicles.

8-06-001-0004.8 USE OR OCCUPANCY OF OPERATIONAL AREAS

No person shall use or occupy an operational area for any purpose whatsoever except for a purpose pertaining to the servicing of tenants, concessionaires, airlines, activities

associated with airlines, or governmental agencies, or in connection with maintenance and operation of the Airport.

8-06-001-0004.9 USE OF SHOP AREAS

All shops, garages, equipment and facilities on the Airport premises are expressly for the conduct of the owner's or lessee's business and operations. No person other than employees of the owner or lessee shall make use of these facilities or remain on such premises without individual and specific permission of the owner or lessee.

8-06-001-0004.10 DAMAGES TO AIRPORT PROPERTY

- A. Tenants, lessees, and grantees, in addition to any terms that might be contained in their lease, shall be fully responsible for all damages to buildings, equipment, real property and appurtenances in the ownership or custody of the Airport Manager, caused by intentional acts, negligence, abuse, or carelessness on the part of their employees, agents, customers, visitors, suppliers, or persons with whom they may do business.
- B. Any person causing or liable for any damage shall be required to pay to the City of Flagstaff on demand the full cost of repairs. Any person failing to comply with these rules shall be refused the use of any Airport facility until the City of Flagstaff has been fully reimbursed for damage done.

8-06-001-0004.11 FIRE EQUIPMENT

- A. All tenants or lessees at the Airport shall supply and maintain such adequate and readily accessible fire extinguishers as may be required by the City of Flagstaff Fire Department.
- B. Hangar tenants shall be supplied with fire extinguishers by the City of Flagstaff. Use of any City fire extinguishing equipment under any circumstances shall be reported to the Airport Manager immediately after use.

8-06-001-0004.12 STORAGE AND EQUIPMENT

No tenant or lessee on the Airport shall store or stack materials or equipment in such a

manner to constitute a hazard to persons or property as determined by the Airport Manager or Fire Department.

8-06-001-0004.13 STRUCTURAL AND DECORATIVE CHANGES

No person, tenant or lessee shall make any alterations of any nature whatsoever to any buildings, ramps or other Airport space, or erect any buildings or other structures without prior permission from the Airport Manager. All persons, tenants or lessees shall comply with all Building Codes of the City of Flagstaff and, if engaging in on-site construction activities, shall deliver to the Airport Manager an as-built plan upon completion.

8-06-001-0004.14 AIRPORT LIABILITY

The City of Flagstaff neither assumes responsibility nor liability for loss, injury or damage to persons or property on the Airport premises by reason of fire, vandalism, wind, flood, earthquake or other acts of God, civil disorder, or armed conflict, nor does the City assume any liability for injury to persons or property while using the facilities of same.

8-06-001-0004.15 TRASH CONTAINERS

No person shall keep uncovered trash containers in any open area of the Airport. No vehicle used for hauling trash, dirt or any other materials shall be operated on the Airport premises unless such vehicle is constructed so as to prevent the contents thereof from dropping, sifting, leaking, or otherwise escaping therefrom. Areas to be used for trash or garbage containers shall be designated by the Airport Manager and no other areas shall be used. Such areas shall be kept clean and sanitary at all times.

8-06-001-0004.16 FIREARMS AND EXPLOSIVES (See 8-06-001-0008.10)

No person shall carry any unauthorized firearms or explosives on the Airport premises in violation of applicable City codes, State statutes, Federal laws or Federal Aviation Administration Regulations.

8-06-001-0004.17 DOGS AND OTHER ANIMALS

Dogs and other animals are permitted on the Airport premises only if on a leash or confined in such a manner as to be under control and shall not present any hazard or nuisance to the operation of the Airport. Service animals shall be exempt from this Subsection.

8-06-001-0004.18 COMMERCIAL PHOTOGRAPHY

No person shall take still, motion, or video pictures which, may or may not include recorded audio, of or at the Airport for commercial purposes without a Class "D" permit obtained from the Airport Manager.

8-06-001-0004.19 AIRPORT USE LIMITED TO AVIATION RELATED ACTIVITIES

Rented or leased property at the Airport shall be used for aviation and aviation affiliated or related industries and businesses except where specifically authorized for other use by the City Council. The Airport Commission shall advise the City Council in determining whether an industry or business is affiliated or related to aviation.

8-06-001-0004.20 INDEMNIFICATION CLAUSE

Every lease in connection with the Airport shall include an indemnification clause that indemnifies the City against all intentional or negligent acts or omissions of the lessee, or the lessee's agents or employees.

8-06-001-0004.21 OPERATING LOCATIONS FOR SCHEDULED AIR CARRIERS.

Any scheduled air carrier providing passenger service at the Airport shall operate from the air terminal only.

8-06-001-0004.22 CONTROL DURING EMERGENCIES

In the event of an aircraft emergency on the Airport premises, the Airport Manager shall have the authority to control all Airport operations until a unified command structure is established.

8-06-001-0004.23 RULES AND REGULATIONS

- A. The Airport Manager shall enforce such rules and regulations deemed necessary to ensure the safe, efficient and orderly operation of aeronautical activities and operations on the Airport premises.
- B. Each Airport lessee or permittee is responsible for training and familiarizing its employees with regard to knowledge of, and compliance with, the AR&R, Airport minimum standards and relevant provisions of its lease agreement or permit with the City.

8-06-001-0005. AIRCRAFT RULES

8-06-001-0005.1 CATEGORIES OF AIRCRAFT

Final determination as to proper category designation of any aircraft shall rest with the Airport Manager. Rates and charges shall be determined according to the following classifications:

- A. Private:
 - 1) An aircraft that is being operated in accordance with the privileges and

- limitations of FAR part 61 (61.118) extended to a private pilot;
- 2) An owner or operator of an aircraft may allow another pilot to use the aircraft on an occasional basis provided the pilot using the aircraft pays only the operating cost of the aircraft for the flight. The aircraft is subject to the restrictions under (1) above; and
 - 3) A company or corporate-owned aircraft providing free transportation of personnel and/or products in furtherance of its business is classified as a private aircraft.
- B. Commercial:
- 1) Aircraft used to carry passengers for hire on local flights;
 - 2) Aircraft used for rental, hire or charter;
 - 3) Aircraft used for student instruction and its kindred occupations;
 - 4) Any aircraft used for commercial activities and not otherwise covered in these regulations; and
 - 5) Flying Club aircraft.

8-06-001-0005.2 AUTHORITY TO CLOSE THE AIRPORT; PROHIBIT, DELAY, OR RESTRICT LANDINGS AND TAKEOFFS

The Airport Manager may prohibit aircraft from landing and taking off, or from using any portion of the Airport, at any time and under any circumstances which the Airport Manager deems such activity likely to endanger persons or property.

8-06-001-0005.3 NEGLIGENCE OPERATIONS PROHIBITED

No aircraft shall be operated on the Airport premises in a careless or negligent manner or in disregard for the rights and safety of others. Aircraft shall be operated with due caution and at a speed which does not endanger persons or property. No pilot or other member of the crew of an aircraft in operation, or any person attending or assisting in said operations, shall be under the influence of intoxicating liquor or drugs.

08-06-001-0005.4 OPERATION OF MOTORLESS AIRCRAFT

No motorless aircraft, kite, model aircraft, balloon, or model rocket may land or take off from the Airport without permission having first been obtained from the Air Traffic Controller and the Airport Manager.

8-06-001-0005.5 AIRCRAFT ENGINE GROUND OPERATIONS

- A. No aircraft shall be taxied or hovered at the Airport where the exhaust or propeller blast may cause injury to persons or do damage to property. If it is impossible to taxi or hover such aircraft without compliance with the above, the engine shall be shut off and such aircraft towed to the destination or safe operating area.

- B. No aircraft engine(s) shall be run-up except in authorized areas.
- C. No aircraft shall start its engine(s) in hangars or t-shades.

8-06-001-0005.6 CLEARANCE OF LANDING RUNWAY

Aircraft landing at the Airport shall exit the landing runway, associated taxiways, ramps and aprons as soon as safely practical.

8-06-001-0005.7 AIRCRAFT ACCIDENTS

- A. Upon request, an owner/operator who filed an FAA/NTSB accident report(s) shall be responsible for delivering a copy of the report(s) to the Airport Manager in a timely manner.
- B. The owner/operator in possession of the aircraft at the time that an aircraft accident occurs on the Airport premises shall be responsible for the expeditious removal of such aircraft and/or debris from the area. When deemed necessary by the Airport Manager, such aircraft and/or debris shall be removed from the area at the expense of the owner or person(s) in possession at the time of the accident.

8-06-001-0005.8 AEROBATIC FLIGHT

No aerobatic flight shall be conducted on, over, or in close proximity to the Airport without the express approval of the Control Tower.

8-06-001-0006. MOTOR VEHICLE OPERATION, PARKING, AND PEDESTRIAN TRAFFIC REGULATION

8-06-001-0006.1 RESTRICTION AS TO OPERATION OF VEHICLES

- A. Every driver of a motor vehicle on the Airport premises shall exercise due care to avoid colliding with pedestrians or vehicles upon any roadway or any parking area.
- B. Motor vehicles shall be operated only in those areas of the Airport authorized from time to time by the Airport Manager and then under the rules as are established therefore.
- C. No motor vehicle shall be operated on the Airport premises in a careless or negligent manner in disregard of the rights and safety of others, or without due caution or circumspection.
- D. Motor vehicles operated within an Aircraft Movement Area shall be operated in strict compliance with speed limits and other vehicular traffic management regulations prescribed by the Airport Manager as indicated by posted signs.

- E. Every driver of a motor vehicle operated in an Aircraft Movement Area shall exercise due care to avoid colliding with any aircraft, and shall yield the right of way to such aircraft.

8-06-001-0006.2 LOADING OR UNLOADING PASSENGERS, CARGO OR EQUIPMENT FROM A MOTOR VEHICLE

No vehicle shall load or unload passengers, cargo or equipment at the Airport at any place other than those designated by the Airport Manager. A.R.S. §28-644

8-06-001-0006.3 VEHICLE PARKING RESTRICTIONS - A.R.S. §28-644

- A. No person shall park any motor vehicle on the Airport premises, except within designated parking areas.
- B. No person shall park a motor vehicle or permit the same to remain halted on a vehicular parking area, aircraft movement area, fuel storage area or cargo facility except at such places and for such periods of time as may be prescribed by the Airport Manager.
- C. No aircraft refueling, defueling, or other aircraft servicing equipment or apparatus shall be parked except in areas designated by the Airport Manager.
- D. No person shall park a motor vehicle within any vehicular parking area except upon the payment of such parking fees and charges as may be prescribed.
- E. Certain areas of the Airport shall be designated and properly marked with signs by the Airport Manager as reserved parking areas for "rental car" companies or other Airport tenant use only.
- F. No camping is allowed on the Airport premises except by express permission of the Airport Manager.

8-06-001-0006.4 MOTOR VEHICLE OPERATING IN OR ON THE AIRCRAFT MOVEMENT AREA - REQUIRED EQUIPMENT

- A. Any motor vehicle authorized to operate in or on the Aircraft Movement Area shall be appropriately marked or equipped with display lights which are visible to the control tower personnel. All such vehicles shall be equipped with a functioning two-way radio and be in communication with the control tower. The installation of two-way radio equipment does not inherently permit the operation of vehicles in or on the Aircraft Movement Area without prior permission from the Airport Manager or Control Tower.

- B. Motor vehicles not equipped with the prescribed markings, lights and radio equipment must make prior arrangements with the Airport Manager before operating in the Aircraft Movement Area.

8-06-001-0006.5 REPAIR OF MOTOR VEHICLES

No motor vehicle shall be permitted in or upon the Airport premises unless it is in sound mechanical order, has adequate lights, horn and brakes, and has clear vision from the driver's seat. No person shall clean or make any repairs to motor vehicles anywhere on the Airport premises other than in designated shop areas, except those minor repairs necessary to remove such motor vehicles from the Airport premises. No person shall move, interfere, or tamper with any motor vehicle, or put in motion the engine, or take or

use any motor vehicle part, instrument, or tool thereof, without the permission of the owner or satisfactory evidence of the right to do so duly presented to the Airport Manager's office.

8-06-001-0006.6 AUTHORITY TO REMOVE VEHICLES

- A. The Airport Manager may cause to be removed from any area of the Airport premises, at the owner's expense, any vehicle which is disabled, abandoned, not properly licensed, parked in violation of the AR&R, or which presents an operation problem to any area of the Airport premises. Impoundment shall be as prescribed in the Flagstaff City Code Section 9-01-001-0005.
- B. Any unauthorized vehicle which has parked in space reserved for specific parking; may be removed or caused to be removed by a Police Officer.

8-06-001-0006.7 PROCEDURE IN CASE OF MOTOR VEHICLE ACCIDENT

The driver of any motor vehicle involved in an accident on the Airport premises which results in injury or death to any person, or damage to any property, shall immediately stop such vehicle at the scene of the accident and render such assistance as may be needed. The operator of such vehicle shall make a report of such accident in accordance with the law of the State of Arizona to the Airport Manager. A.R.S. §§28-661,670.

8-06-001-0006.8 SOLICITING RIDES

No person shall stand or walk in or upon a roadway or adjacent parkway for the purpose of soliciting a ride from the driver of any vehicle, nor shall any person solicit rides from any area of the Airport premises. A.R.S. §28-796(C).

8-06-001-0006.9 MOTOR VEHICLE REQUIREMENTS; DEFINITION; PENALTY

- A. No person shall operate a motor vehicle on or within an Aircraft Movement Area or a hangar area on the Airport premises without having in force and effect a valid registration and an automobile liability insurance policy to provide coverage for

liability arising from bodily injury or property damage. The operator of such vehicle shall have available and produce on demand proof of registration and liability insurance for said vehicle.

- B. No person shall operate a motorized ground vehicle of any kind on the Airport premises without a valid Drivers License or Commercial Drivers License. A.R.S. §28-3151.

8-06-001-0006.10 REGULATIONS FOR BICYCLES

Every person riding a bicycle, or similar device propelled by human power, upon the Airport premises, shall be granted all of the privileges and shall be subject to all of the responsibilities imposed by the State law of Arizona and by the AR&R on each driver of a motorized vehicle. A.R.S. §28-812.

8-06-001-0006.11 SAFETY; ENTRANCE INTO RESTRICTED AREAS

- A. No person shall enter upon the Aircraft Movement Area or other restricted areas of the Airport premises so designated by signs without the express permission of the Airport Manager or the Airport Control Tower.
- B. No person or vehicle shall cause an incursion on the Airport Movement Area.

8-06-001-0006.12 MOTORIZED EQUIPMENT

All equipment must be parked so that it may be readily driven or towed away from the aircraft in case of an emergency.

8-06-001-0007. COMMERCIAL GROUND TRANSPORTATION VEHICLE RULES AND REGULATIONS

8-06-001-0007.1 PERMIT DECAL ; TRANSFER; UNLAWFUL DISPLAY

- A. Decal Display: No commercial transportation vehicle shall be stopped or parked at any City Facility for the purpose of loading or unloading a passenger or passengers without displaying on said vehicle a valid permit decal in a manner as directed by the City Manager, except as authorized by Section 8-06-001-0007.2B.2.
- B. Transfer: Any permit decal issued by the City shall be issued to a specific permittee for a specific motor vehicle and such permits shall not be transferable from person to person or from motor vehicle to motor vehicle without the written permission of the City Manager.

8-06-001-0007.2 PERMIT REQUIRED; APPLICATION; EXPIRATION

- A. Permit Required: No owner of a commercial ground transportation vehicle shall engage in the business of picking up or dropping off a passenger or passengers at any City Facility without first having obtained a commercial ground transportation permit as provided in this Section.
- B. Application: Permits as provided in A above shall not be issued until the permittee has completed an application form, available at City Hall, containing such information and certifications as deemed necessary by the City Manager, which shall include, but is not limited to the following:
1. The name and address of the applicant.
 2. The description of the motor vehicles to be used, including license and registration number, when available. In the event a permittee leases or rents a vehicle for more than thirty (30) days for use at City Facilities, permittee shall notify the City of the information required by this paragraph. Leases, rentals or subcontracts of less than thirty (30) days shall be automatically covered under permittee's existing permit.
 3. A certificate of motor vehicle liability insurance in such policy limits as required by the State law of Arizona naming the City of Flagstaff as an additional insured by endorsement.
 4. An indemnification clause indemnifying the City of Flagstaff.
 5. A certification that all statements provided by the applicant are true and that any falsification is grounds for revocation of the permit.
 6. A statement as to whether the motor vehicle shall be operated on a scheduled and/or unscheduled basis.
 7. Payment of the appropriate fee. Payment shall include any fee which may be due for any period prior to the date of permit application or renewal.
- C. Expiration: Unless otherwise terminated, suspended or revoked as provided in this Section, all commercial ground transportation permits shall expire one year from issue date.

8-06-001-0007.3 RULES AND REGULATIONS

The City Manager shall establish such rules and regulations deemed necessary to ensure the safe, efficient and orderly operation of commercial ground transportation vehicles at City Facilities where the operation of such vehicles are allowed.

08-06-001-0007.4 COMPLIANCE

The permittee and/or driver authorized to operate at any City Facility pursuant to this Section shall at all times be and remain in compliance with the AR&R and all applicable

Federal, State or local laws, statutes and ordinances, and any rules or regulations promulgated thereunder, including, but not limited to, the safety regulations as adopted by said governmental agencies.

8-06-001-0007.5 NATURE OF PERMITS

A commercial ground transportation permit issued pursuant to this Section shall be revocable and shall not constitute a franchise, contract or agreement, nor shall such a permit confer any property right upon the holder thereof.

8-06-001-0007.6 TERMINATION

The City Manager may terminate any and all commercial ground transportation permits issued pursuant to this Section with six (6) months written notice. Any unused fee shall be refunded on a pro rata basis.

8-06-001-0007.7 REVOCATION BY THE CITY MANAGER; ORDER TO SHOW CAUSE REQUIRED; EFFECT OF SUSPENSION; EFFECT OF REVOCATION:

- A. Revocation: The City Manager may revoke for a period up to six (6) months, a commercial ground transportation permit, issued pursuant to this Section upon the occurrence of any one of the following events:
 - 1. A violation of the provisions of this Section or any of the AR&R; or
 - 2. Falsification of any permit application information.
- B. Order to Show Cause: Upon the ordering of a revocation, the aggrieved party shall forthwith surrender the subject permit decal or show cause as to why the permit should not be revoked.
- C. Effect of Revocation: After a revocation, any person responsible for committing the acts constituting the basis for the revocation, shall be ineligible to re-apply for a permit issued pursuant to this Section for a designated period of up to six (6) months from the date of revocation. A partnership, corporation or association which has as a partner, officer or majority stockholder, any person ineligible for reapplication as provided by this Subsection shall also be ineligible for a like period.
- D. Prohibited Motor Vehicles: Any motor vehicle identified under a revoked permit shall not be authorized to operate at City Facilities during the period of revocation until or unless bona fide evidence, such as a sales contract and a title transfer showing a change in ownership, has been submitted to and approved by the City Manager.
- E. Immediate Suspensions: Notwithstanding the provisions of this Section to the contrary, the City Manager may summarily suspend the commercial ground transportation vehicle permit of any vehicle owner charged with an offense relating to lack of insurance, theft of property, assault and battery or such other similar

offense as may be an indication of imminent threat to the public's health, safety and welfare.

8-06-001-0007.8 OUT OF SERVICE GROUND TRANSPORTATION VEHICLE VIOLATIONS; RETURN TO SERVICE

- A. The City Manager shall impound a permit decal displayed on a commercial ground transportation vehicle that is in violation of the AR&R.
- B. Upon correction of the deficiency, the City Manager shall immediately reinstate the impounded permit decal.

8-06-001-0007.9 APPEAL

Any action taken by the City Manager pursuant to this Section may be appealed to the City Council. The City Council shall hold a Public Hearing to review the facts of the appeal and render a decision within ten (10) working days of receipt of a written appeal. This process is in addition to any other appeal permitted by law. The vehicle owner(s) subject to the action may continue to operate at City Facilities until final disposition of the appeal by the City Council.

8-06-001-0007.10 UNLAWFUL ACTS

- A. Parking: All commercial ground transportation vehicles shall be parked at any City Facility only in designated areas as identified and posted by the City.
- B. Loading Zones: Drivers shall load passengers only in designated loading zones as identified and posted by the City.
- C. Unattended Vehicles: Commercial ground transportation vehicles shall be attended by the driver while in a loading zone at any City Facility, except as may be necessary for loading and unloading passengers.
- D. Taxicab Requirements: No driver shall stop, stand, and/or park a taxicab at any City Facility for the purpose of picking up a passenger or passengers without meeting the following requirements:
 - 1. Permanently displaying in a manner readily visible to both prospective and actual passengers the fares to be charged the passenger and the name of the permittee in a manner as directed by the permit.
 - 2. Having a roof or top sign mounted on the vehicle which readily identifies the vehicle as a taxi.
- E. Passenger Pick-up: Pick-up of passengers shall be as follows:
 - 1. Airport:
 - a. Off-Airport vehicle rental company, taxicab and limousine drivers shall

make initial contact at curbside or within the area identified by the two double doors on the northwest side of the terminal. Once initial contact is made, the driver may enter the terminal to assist the passenger(s) with baggage. Once inside the terminal, solicitations for business shall not be allowed.

- b. Motorcoach, time-scheduled or tour van and courtesy vehicle drivers may enter the terminal for the purpose of meeting their scheduled passengers. Once inside the terminal, solicitations for business shall not be allowed.

- 2. Other City Facilities: Except as otherwise prohibited or regulated by City Code or other applicable law, all permitted service providers may enter other City Facilities for the purpose of meeting their scheduled passengers. No solicitations for business shall be allowed.

- F. Soliciting: A driver of a commercial ground transportation vehicle shall not solicit passengers for hire at any City Facility. Fare negotiations with passengers shall take place only in passenger loading zones as designated outside the City Facility.
- G. Charging Excessive Rates: No permittee or driver shall charge rates exceeding any rate displayed on said vehicle.
- H. Direct Routes: A driver of a taxi shall take the most direct route to the passenger's destination unless otherwise directed by the passenger.
- I. Fighting: No permittee or driver of a commercial ground transportation vehicle shall engage in any physical fighting or loud, boisterous verbal disputes while at any City Facility. Violators shall be subject to immediate permit suspension pursuant to the provisions of Section 8-06-001-0007.7 (E).

8-06-001-0007.11 FEES:

Schedule of payment; miscellaneous fees:

- A. There is hereby established the following annual per company fee for all commercial ground transportation vehicles picking up any passenger or passengers at any City Facility. The company shall total the number of all vehicles covered by the permit and pay the single highest fee associated with that total:

	<u>1-5 vehicles</u>	<u>6 or more vehicles</u>
Motorcoach (Charter)	\$ 150.00	200.00
Rental Car	50.00	50.00
Courtesy Vehicle	50.00	50.00
Unscheduled - Limousine	50.00 each	300.00
Unscheduled - Taxicab	50.00 each	300.00
Time Schedule or Tour Van	50.00 each	300.00
V.I.P. Vehicle	50.00 each	300.00

- B. The annual fee per company as provided in subsection A above shall be due and payable on an annual basis on the anniversary date of the issuance of the permit.
- C. An off-Airport vehicle rental company fee, in addition to the annual fee, shall be paid by the off-Airport vehicle rental company and shall be measured by the gross receipts of such company. The rate of such fee shall be four percent (4%) of the gross income from that portion of the off-Airport vehicle rental company's rental receipts derived from persons transported from the Airport to such vehicle rental facility by courtesy vehicle or other vehicle of such company.

The City, or its designated representative, shall have the right to examine, inspect and audit the books and other records of the off-Airport vehicle rental company, including the reservation register and rental contracts, in a manner that is in compliance with generally acceptable accounting principles including, but not limited to, statistical sampling.

Rental receipts and exclusions shall be governed by Section E below. Fees shall be paid on a monthly basis on or before the twenty-fifth (25th) day of the month next succeeding the month in which the fee accrues.

- D. The forms for reporting, computing and remitting fees imposed by this section shall be provided by the City Sales Tax Division.
- E. Definition of gross receipts and exclusions:
 - 1. The term "gross receipts" as used herein shall be construed to mean the aggregate amount of all revenue realized by the off-Airport vehicle rental company from the vehicle rental services provided to customers transported from the Airport to such vehicle rental facility by courtesy vehicle or other company vehicle ("transported customers"), except as hereinafter provided. "Gross receipts" shall include but are not necessarily limited to:
 - a. All monies paid for personal accident insurance coverage incidental to the rental of automobiles by transported customers;
 - b. All time and mileage charges, after discount, for the rental of vehicles by transported customers, after discounts, including all revenue received by the company from rental of vehicles delivered elsewhere; or, from exchanges whereby a vehicle, delivered to a transported customer, is exchanged for another vehicle within a radius of 30 miles from the Airport, wherein rental agreements run consecutively;
 - c. Credits given to transported customers for such things as out-of-pocket purchases for gas, oil, or emergency service, and deposits regardless of where made; and
 - d. Revenue, of any type, generated at off-Airport facilities, the origin of which involved services provided to transported customers;

2. Gross receipts, however, shall not include:

- a. Federal, State or municipal sales taxes or similar taxes which are separately stated and collected from transported customers;
- b. Revenue realized by the off-Airport vehicle rental company as reimbursement for refueling an automobile rented pursuant to a rental agreement under which the transported customer is obligated to return the automobile with a full tank of gasoline;
- c. Amounts received as insurance proceeds or otherwise for damages to automobiles and other property of the off-Airport vehicle rental company;
- d. Sums received for loss, conversion or abandonment of such company's vehicles;
- e. Sums received from transported customers under such company's right to recover from transported customers for damages to rental vehicles;
- f. Proceeds received by the off-Airport vehicle rental company from the sale of its vehicles;
- g. "Drop charges" charged to transported customers for delivering a rental vehicle to another dealer at the destination point;
- h. Loss damage waiver insurance proceeds; and
- i. Mechanical exchanges.

8-06-001-0007.12 EXEMPTIONS:

The provisions of this Chapter shall not apply to a ground transportation vehicle owned and operated by the United States, the State of Arizona, or any political subdivision thereof or to any vehicle operated on City Facilities pursuant to a separate lease or permit with the City.

8-06-001-0008. TENANT OBLIGATIONS

8-06-001-0008.1 HANGAR STORAGE

Aircraft storage hangars shall be used primarily for aircraft storage. Unless otherwise approved by the Airport Manager, no commercial activities or other activities prohibited by Federal, State, or local laws, permits, regulations and ordinances shall be conducted within any aircraft storage hangar located on the Airport premises.

8-06-001-0008.2 SANITATION

No person shall discard garbage, papers, oil, or other solid waste, liquid or hazardous materials or waste on the Airport premises, except in appropriate receptacles provided for that purpose.

8-06-001-0008.3 PRESERVATION OF PROPERTY

No person shall destroy, damage, deface or disturb, in any way, any Airport property.

8-06-001-0008.4 INTERFERING OR TAMPERING WITH AIRCRAFT

No person shall interfere or tamper with any aircraft on the Airport premises without permission of the owner of the aircraft, unless specifically directed to by the Airport Manager.

8-06-001-0008.5 ABANDONING PERSONAL PROPERTY

No person shall abandon any personal property on the Airport premises. Any personal property so abandoned shall be disposed of in the manner prescribed by applicable law.

The owner of any abandoned property on the Airport premises shall be subject to the recovery of applicable storage and/or transfer charges.

8-06-001-0008.6 CLEANING AND PAINTING AIRCRAFT

Painting, paint stripping, washing or degreasing of aircraft on the Airport premises shall be conducted only in areas designated for that purpose by the Airport Manager.

8-06-001-0008.7 REMOVAL OF GAS, OIL AND GREASE

- A. Spillage or dripping of gasoline, oil, grease, or any material which may be unsightly or detrimental to the pavement or apron in any area on the Airport premises; shall be removed immediately. The responsibility for the immediate removal of such gasoline, oil, grease, or other material shall be assumed by the operator or owner of the aircraft or equipment causing same or by the tenant or concessionaire responsible for the deposit thereof on the pavement. Upon failure of the responsible party to clean such area, the City may provide the necessary cleaning and recover all reasonable expenses incurred from the responsible party.
- B. Any fuel spillage on the Airport premises in excess of one gallon shall be immediately reported to Airport personnel.

8-06-001-0008.8 WASTE

No petroleum products or industrial waste matter shall be dumped or allowed to drain into or upon any runways, sidewalks, drainage ditches, canals, rivers, ponding areas, sewer systems, storm drains, aprons, or any other paved or unpaved areas on the Airport premises.

8-06-001-0008.9 SMOKING

No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any open flame in or upon any place where smoking is specifically prohibited by City ordinance, or any Federal, State or local law, statute, ordinance or regulation.

8-06-001-0008.10 EXPLOSIVES AND OTHER DANGEROUS ARTICLES

- A. No person shall store, keep, handle, use, dispense or transport at, in or upon the Airport premises any Class A or Class B explosives, radioactive substances or material, or any other material at any such time or place, or in any manner or condition as to endanger, or as to be likely to endanger, persons or property.
- B. Aircraft transporting explosives shall request and be granted permission from the Airport Manager before landing. If such permission is granted, the Airport Manager shall designate an appropriate loading and unloading area at the Airport.

8-06-001-0008.11 LUBRICATING OILS

- A. No person shall keep or store lubricating oils on the Airport premises, except that such materials may be kept or stored in the aircraft or hangar in appropriate retail receptacles provided with suitable draw off devices, and kept or stored only in such places as approved by the Fire Chief in accordance with the Uniform Fire Code, Article 79.
- B. Lessees or owners of hangars, other aircraft servicing or maintenance buildings, or other areas on the Airport premises where lubricating oil is present, shall provide suitable metal receptacles with self-closing covers for the storage of oily wastes, rags, and other rubbish and trash.

8-06-001-009 AIRCRAFT SERVICING

8-06-001-009.1 BONDING OF ELECTRICAL POTENTIAL DURING FUEL HANDLING

During all fuel handling operations at the Airport, including aircraft fueling, the aircraft and the fuel dispensing or draining apparatus shall be bonded by wire to prevent the possibility of static ignition of volatile liquids.

8-06-001-009.2 STORAGE OF FUEL TRUCKS AND FUEL TRAILERS

All refueling units shall be stored outside and not less than fifty (50) feet from a building. Except for the performance of minor repairs or maintenance, no gasoline truck, empty or otherwise, shall be brought into, kept or stored within any building on the Airport premises, unless such building is designed, equipped and used exclusively for providing safe shelter for gasoline hauling vehicles.

8-06-001-009.3 FIRE EXTINGUISHERS AVAILABLE

- A. During commercial fuel handling operations in connection with any aircraft at the Airport, at least two (2) approved/required fire extinguishers shall be immediately available for use in connection therewith.
- B. During self-fueling handling operations in connection with any aircraft at the Airport, fire extinguishers shall be available as required by Fire Code.

8-06-001-009.4 SELF-FUELING; COMMERCIAL SELF-FUELING

A. ALL SELF-FUELING

The aircraft owner/operator may bring fuel onto the Airport to service an owner/operator aircraft in conformance with the reasonable safety standards or other reasonable requirements of the Airport and of the National Fire Prevention Association for the type of dispensing equipment in use.

- 1. All self-fuelers shall have their equipment inspected by the Airport Manager/Fire Department.
- 2. All self-fueling shall take place in lessee's allotted areas or directly in front of lessee's hangar.
- 3. No aircraft may be self-fueled which is not owned or operated by the self-fueler. Any violation of this provision shall constitute an automatic material breach of the rental agreement or lease, and shall provide a basis for immediate termination of the rental agreement or lease.
- 4. All aircraft owners or operators who desire to self-fuel shall apply for an aircraft fuel dispensing and handling permit, and shall provide proof of public liability and environmental impairment liability insurance to the Airport Manager prior to permit issuance.

B. COMMERCIAL SELF-FUELING ONLY

- 1. All commercial enterprises engaged in self-fueling shall pay a flowage fee as established in the Airport rates and charges. The operator shall provide the Airport Manager with monthly fuel purchase and delivery documents in a form acceptable to the Airport Manager.
- 2. All commercial enterprises engaged in self-fueling shall train their employees annually, or more frequently if necessary, on safe fueling practices, fire fighting procedures, and spill containment. All such commercial enterprises shall provide the Airport Manager with proof of training certification NFPA# 407 FAA AC 150/5230-4.

8-06-001-009.5 REFUELING & DEFUELING AIRCRAFT; DISPENSARY

No aircraft shall be refueled or defueled except by contractually authorized commercial enterprise or via a self-fueling permit issued by the Airport Manager.

8-06-001-0010. FBO & SPECIALTY SHOP - MINIMUM STANDARDS

There is hereby incorporated into the AR&R by reference the Minimum Standards for all service providers on the Airport premises. The Minimum Standards may be amended from time to time as Airport management guidelines by the City Manager upon recommendation by the Airport Commission. The Minimum Standards shall be established to provide the threshold entry requirements for those wishing to provide aeronautical services to the public on the Airport premises. The Minimum Standards shall be based on existing and planned Airport service facilities, and shall enhance the public interest and the future aviation role of the Airport by ensuring fair and responsible standards for all Airport service providers. Pursuant to the Minimum Standards, all prospective FBO or specialty shops shall agree to offer specific services, or a variety of services at least at a specified minimum level, in order to operate on the Airport premises. The procedures to be followed and services to be provided by individual service providers at the Airport shall be determined by the Minimum Standards. Such minimum service specifications shall be set forth in all lease agreements or operating permits. The Airport Minimum Standards shall establish the minimum requirements to be met by individuals and companies as a condition for the privilege of providing commercial aviation services on the Airport premises.

8-06-001-0011. RATES & CHARGES

The Airport is an enterprise fund and is expected to provide revenue-producing services at a rate which will allow the Airport to be reasonably self-sufficient in its funding. Rates and charges shall be established for the following: tiedown, t-hangar, corporate hangar, executive hangar, t-shade, overnight tiedown, landing fee, fuel flowage, parking, leases and all permits. The Airport Manager shall establish rental rates and charges with assistance of the Airport Commission and approval by the City Manager.

8-06-001-0011.1 MONTHLY LANDING REPORTS OF COMPANIES

- A. As a condition precedent to the right to use and occupy said Airport, each certificated air carrier and air transportation related company shall be required to furnish the Airport Manager on or before the 10th day of each month hereafter, duly certified as true and correct by the person delegated by said air carrier or air transportation company as its official representative having custody of the records of same, the number of its flights which have landed at the Airport during the preceding month, together with the manufacturer, type and maximum allowable gross landing weight, of each of its aircraft, scheduled, nonscheduled, and chartered, which have landed at the Airport during the preceding month.
- B. In tabulating weights, the weight of each aircraft shall not be less than the maximum allowable gross landing weight as computed at mean sea level by the Federal Aviation Administration.
- C. Each certificated air carrier or air transportation company using the Airport shall include in the monthly landing report the quantity of cargo, mail, and express

handled upon its aircraft on its flights and the number of enplanements/deplanements.

8-06-001-0011.2 LANDING FEES

- A. The monthly landing report as provided in Section 8-06-001-0011.1, shall be the basis for calculation and payment of landing fees for said air carrier or air transportation company. Landing fees shall be paid according to the following:

Each air carrier and air transportation related company shall, not later than the 20th day of the month, pay the landing fees for the previous month based upon the monthly landing report described in Section 8-06-001-0011.1. Fees not timely paid shall be considered delinquent after the 20th day of the month and shall from said date bear a delinquent account charge of 1.5% per month until paid. If landing fees are not timely paid, occupancy rights on the Airport premises may be considered expired by the City.

8-06-001-0011.3 EXEMPTIONS

Sections 8-06-001-0011.1 & 11.2 shall not apply to FBOs, specialty shops or privately owned aircraft.

8-06-001-0011.4 AERONAUTICAL COMMERCIAL USE PERMITS; COMMERCIAL USE PERMIT CLASSIFICATIONS

- A. Individuals or companies who provide services within the classifications herein described, shall be required to obtain a Commercial Use Permit authorizing their commercial activity on or from the Airport premises as follows:
- 1) A Class A Permit is required of sublessees. Individuals or companies who provide services as certificated air carriers are exempt from the Class A Permit requirement, but shall be required to pay landing fees pursuant to Sections 8-6-001-0011.1 and -0011.2.
 - 2) A Class B Permit is required of individuals or companies who provide service for general aviation aircraft or ancillary groundside services, including but not limited to, small aircraft washing, propeller repair service and aircraft maintenance.
 - 3) A Class C Permit is required of Airport based individuals or companies who provide unscheduled air passenger and/or air cargo pick-up or delivery service.
 - 4) A Class D Permit is required of non-Airport based individuals or companies including rental car companies utilizing the facilities for Commercial Activities.
 - 5) A Class E Permit is required for placement, usage and maintenance of newsrack vending machines at the Airport. Permits shall be issued upon application made to and on forms provided and approved by the Airport

Manager. The application shall also contain provisions indemnifying the City of Flagstaff for any liability arising out of the vendor's acts or omissions in maintaining, operating or servicing said newsrack vending machines.

- B. The provisions of this Section shall not be in conflict with or in derogation of the Minimum Standards, lease agreements or operating permits of FBO's and specialty shops on the Airport premises.

8-06-001-0011.5 PERMIT REQUIRED; APPLICATION; EXPIRATION

- A. No individual or company shall engage in the business activities permitted in connection with the issuance of Class A, B, C, D & E permits as described in Section 8-06-001-0011.4 on the Airport premises without first having obtained a Commercial Use Permit as provided in this section.
- B. Permits as described in Section 8-06-001-0011.4 shall not be issued until the permittee has executed a permit agreement with the City, which, at a minimum, shall contain the following information and certifications as deemed necessary by the Airport Manager:
 - 1) The name and address of the permittee.
 - 2) A description of the activity, equipment to be used, and copies of all appropriate licenses.
 - 3) A certificate of comprehensive general liability insurance in amounts as specified by the City of Flagstaff.
 - 4) An indemnification clause indemnifying the City of Flagstaff against the acts or omissions of the permittee and the permittee's agents or employees.
 - 5) A certification that all statements provided by the permittee are true and that any falsification is grounds for immediate revocation of the permit.
 - 6) A City business license.
- C. Unless otherwise terminated, suspended or revoked as provided in this Section, all Commercial Use Permits shall expire at the end of each calendar year except as same may be renewed in a manner provided by the Airport Manager. The fees for such permits shall be pro-rated the first year.

8-06-001-0011.6 COMMERCIAL USE PERMIT FEES

Commercial Use Permit fees shall be as established and approved by the City Manager after review and recommendation by the Airport Commission.

8-06-001-0011.7 PARKING AND REMAIN OVERNIGHT FEES

- A. Parking fees - Remain Over Night (R.O.N.) parking fees for aircraft shall be based upon the following categories:
 - 1) Single Engine Piston
 - 2) Twin Engine Piston

- 3) Single or Twin Engine Turbo Prop
 - 4) General Aviation Jet Aircraft
 - a. under 12,500 lbs.
 - b. over 12,500 lbs.
 - 5) All Transport Category Aircraft
 - a. over 12,500-20,000 lbs.
 - b. over 20,000-50,000 lbs.
 - c. over 50,000 lbs.
 - 6) Helicopters
- B. All parking fees for the Airport, including R.O.N. parking fees for aircraft, shall be published and adjusted on a yearly basis. The Airport Manager shall be authorized to waive parking fees as deemed necessary or appropriate under the circumstances.
- C. All parking fees assessed in accordance with this Section are due and payable upon presentment by the (FBO) or City representative.
- D. The parking fees set forth in this Section shall not be applicable to Airport tenants.

8-06-001-0011.8 TERMINATION BY THE CITY COUNCIL

The City Council may, by ordinance, terminate any and all aeronautical Commercial Use Permits issued pursuant to Section 8-06-001-0011.5 at the end of any calendar month. Any unused fee shall be prorated and refunded.

8-06-001-0011.9 REVOCATION BY THE AIRPORT MANAGER; ORDER TO SHOW CAUSE REQUIRED; APPEAL TO CITY MANAGER

- A. The Airport Manager may revoke, for a period up to six months, an aeronautical Commercial Use Permit issued pursuant to Section 8-06-001-0011.5, upon the occurrence of any one of the following events:
- 1) A violation of the provisions of the Commercial Use Permit or any AR&R; or
 - 2) Falsification of any Commercial Use Permit information.
- B. Any action taken by the Airport Manager pursuant to Section 8-06-001-0011.9, may be appealed to the City Manager. The City Manager shall review the facts of the appeal and render a decision within three (3) working days of the City Manager's receipt of a written appeal. This right of appeal shall be in addition to any other appeal permitted by law.

8-06-001-0011.10 GENERAL AVIATION AIRCRAFT STORAGE CHARGES; PERMIT

Hangar and tie-down storage charge rates for small, non-commercial aircraft using t-hangar and tie-down facilities at the Airport shall be established and published annually for the following facilities:

Small T-Hangar
Large T-Hangar
Covered Tie Down (T-Shade)
Open Tie Down (3 mo. min.)
Open Tie-Down with Electricity
Corporate Hangar
Executive Hangar

All hangar and tie-down rates assessed in accordance with this Section shall be due and payable as provided in an aircraft storage permit, which shall be required for the storage of all small, non-commercial aircraft on the Airport premises.

8-06-001-0012 FLAGSTAFF PULLIAM AIRPORT COMMISSION;

8-06-001-0012.1 POWERS AND DUTIES

The Airport Commission shall:

- A. Submit to the City Council recommendations on basic municipal policies concerning the Airport;
- B. Study and promote the advancement of scheduled airline service to the community, and recommend to the City Council steps that should be taken to secure additional scheduled airline service;
- C. Study and promote the development of general aviation and commercial activity at the Airport and airpark, and recommend to the City Council strategies for promotion of such development;
- D. Review and make recommendations to the City Manager regarding amendments to the Minimum Standards for the establishment of effective Airport management guidelines pertaining to Airport service provider leases and operating permits;
- E. Review and make recommendations concerning rate structures and fees at the Airport for: monthly hangar, t-shade and tie-down fees; Commercial Use Permit fees; parking and R.O.N. fees; annual business permit or license agreement fees; annual easement agreement fees; fueling vehicle inspection and storage fees; and fuel flowage fees. The rates and charges shall be developed by the Airport Manager with the advice and consent of the City's Administrative Services Director prior to review and recommendation by the Airport Commission to the City Manager. Authorization for implementation of fees shall be delegated by the City Council to the City Manager;
- F. Review Airport leases negotiated by the Airport Manager utilizing lease formats approved by the City Attorney and then bid by the Purchasing Division. The lease

proposal, after review, shall be recommended by the Airport Commission and conveyed to the City Council for approval; and

- G. Refer Airport zoning matters to the Flagstaff Planning & Zoning Commission with recommendations by the Airport Commission and Airport Manager as necessary.

8-06-001-0013. ZONING

8-06-001-0013.1 DEFINITION OF AIRPORT AVIGATION EASEMENT AND OVERFLIGHT ZONE

As per the following City Code Sections:

- 10-03-009-0001. PULLIAM AIRPORT AREA HEIGHT LIMITATIONS
- 10-03-009-0002. PULLIAM AIRPORT AVIGATION AREA ZONE AND AVIGATION EASEMENT POLICY:
 - 10-03-009-0002.A Purpose
 - 10-03-009-0002.B Avigation area zone
 - 10-03-009-0002.C Avigation easement policy
 - 10-03-009-0002.D Avigation easement
 - 10-03-009-0002.E Appeal

8-06-001-0014. PENALTIES

Unless otherwise provided or designated, any person convicted of a violation of any provision of the AR&R shall be guilty of a misdemeanor, and shall be fined in a sum not to exceed two thousand five hundred dollars (\$2,500.00) for any one offense, and a person may be confined in the County jail for a period not exceeding ninety (90) days. Any violation which is continuing in nature shall constitute a separate offense on each successive date the violation continues as per Ord. 1642, 11-7-89 and City Code 1-04-001-0001.

8-06-001-0014.1 PERSONAL PROPERTY POSSESSORY LIEN – A.R.S. Section 33-1023

The City shall hold a possessory lien on all aircraft, vehicles or other personal property stored, parked or kept on City property on the Airport premises without payment of any fees or charges thereon due and owing. In the event that any such aircraft, vehicles or other personal property are stored, parked or kept on City property on the Airport premises for a period of twenty (20) days or more after any fees or charges, including fees or charges imposed under lease, permit or license agreements, for such storage or parking have accrued and remain unpaid, the City shall notify the owner, if residing in Coconino County, to pay all such fees or charges. If, within ten (10) days after such notification, the owner fails to pay all such fees or charges in full, the City may sell the aircraft, vehicles or other personal property at public auction and apply the proceeds to payment of the overdue fees or charges. If the owner does not reside in Coconino County,

the City shall not be required to give the ten (10) days notice before proceeding to sell. The City shall give the owner five (5) days' notice of sale, or, if the owner cannot be located, the City shall give such notice of sale by two publications in a newspaper published in Coconino County. A.R.S. Section 33-1023.

8-06-001-0015. CONFLICTING REGULATIONS

Where there exists a conflict between any of the AR&R and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or other matter, the more stringent limitation or requirement shall govern and prevail.

8-06-001-0016. AMENDMENTS

The provisions of the AR&R may from time to time be amended, supplemented, changed, modified or repealed by following the procedure prescribed by law for the amendment and repeal of comprehensive zoning regulations.

08-06-001-0017. SEVERABILITY

In the event any portion of the AR&R is declared invalid for any reason, the remainder of the provisions shall not be thereby invalidated but shall remain in full force and effect, all parts being declared severable and independent of all others.