

CITY OF MONROE
AN ORDINANCE TO AMEND
TITLE XIII, CHAPTER 130
OF THE CITY OF MONROE CODE OF ORDINANCES
0-1998-19

Pursuant to authority conferred by N.C.G.S. §§ Chapter 63 and for the purpose of promoting the health and safety of the general public working at and using the facilities of the Monroe Municipal Airport,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE XIII, CHAPTER 130 OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

To add new Section 130.09 as follows:

130.09 Airport Safety Regulations

(A) Purpose. The purpose of this document is to provide written rules and regulations concerning safe operating procedures at the City of Monroe Airport pursuant to authority granted in NCGS 63-53. These rules are in no manner intended to alter or change existing State and Federal requirements applying to Airport and Aircraft operations. If State or Federal requirements exceed the intentions or expectations of this document, the more stringent standard will be the accepted practice.

It is the intent of this document to ensure the safety of persons and property at the City of Monroe Airport.

(1) **Airport Use.** The City of Monroe obligates itself to operate the airport for the use and benefit of the public and to keep the airport open to the various types, kinds, and classes of aeronautical use for which the airport facility is designed and intended to serve.

(2) The City of Monroe has established these regulations to be met by all users to provide for the safe and efficient use of the airport and otherwise to protect the safety of persons and property both on the ground and in the air.

(3) It is understood that the landing area facilities constructed are primarily intended for powered aircraft whose weights are not in excess of the published strengths of the paved surfaces concerned.

(4) No operations involving parachuting and other unusual and special classes of activities will be permitted at the airport without the prior written approval of the City of Monroe.

(5) No operations involving unlicensed or unregistered aircraft will be permitted on the airport without prior approval of the City of Monroe.

(6) Persons seeking to conduct crop dusting or spraying of agricultural chemicals will be required to satisfy to the City of Monroe that:

(a) Suitable arrangements have been provided for the safe storage and containment of noxious chemical materials; no poisonous or flammable materials will be kept or stored within 100 feet of other facilities or installations at the airport.

(b) The operator will have available properly certified aircraft suitably equipped for the agricultural operation undertaken.

(c) No crop dusting operation will be conducted on the principal public use apron of the airport. The City of Monroe or its designated representative will assign adequate operational space.

(d) That all operations will be conducted according to all appropriate Federal Aviation Regulations, and other Federal, State, and Local requirements concerning the handling of pesticides and other noxious substances.

(e) Thirty days prior to the start of any such operation, Material Safety Data Sheets (MSDS) for all pesticides and other noxious substances will be provided to the Airport Manager and to the City of Monroe Safety Coordinator.

(f) During the entire length of the operation on Airport Property, a copy of all applicable MSDS sheets will be available for immediate access to emergency responders. The operator will maintain this information in a highly visible and accessible location near the site twenty-four hours a day throughout the length of the operation.

(7) Considering the obligation of the City of Monroe to keep the airport open to the public for aeronautical purposes, the airport facilities will not be used for non-aviation events which conflict with its intended aeronautical use.

(8) All ordinances or parts of ordinances in conflict with this are hereby repealed.

(B) Definitions.

Reserved for future additions

(C) Enforcement.

(1) This document is created to ensure the safety of the Airport Operation. Its requirements are enforceable under the provisions of NCGS 160A-175 which grants local governments the authority to establish and enforce local ordinances. Any failure to comply with any or all specifics in this document will be dealt with in accordance to the provisions detailed in the General Statutes to the fullest.

(2) The City of Monroe Public Safety Department is one of the agencies responsible for enforcing City Ordinances.

(D) Motor Vehicle Regulations.

(1) Licensing and Regulations. No Person shall operate motorized vehicles of any kind on the Airport property without a valid Operators license giving that individual the authority to operate that particular vehicle where such license is required by law.

(2) No person shall operate any motor vehicle in the public Aircraft Facilities Area without having first registered same with, and having received permission from the City of Monroe or its designated representative.

(a) Rules of Operation. No person will operate a motor vehicle of any kind on the Airport in a reckless or negligent manner or in the excess of the speed limits prescribed by the City of Monroe or its designated representative. Never should the speed exceed 10 miles per hour in ramp, apron, aircraft parking, and hanger areas.

(b) Pedestrians and aircraft shall at all times, have the right-of-way over vehicular traffic. All vehicles shall pass to the rear of taxiing aircraft.

(c) No person operating a motor vehicle shall fail to give proper signals, or fail to observe the directions of posted traffic signs, if such signs are present.

(d) No person under the influence of alcohol or narcotic drugs shall operate a motor vehicle or aircraft on the Airport property.

(e) No person shall operate any motor vehicle on the Airport overloaded or carrying more passengers than that for which the vehicle was designed. No person shall ride on the running board, stand up in the body of a moving vehicle or ride on the outside of the body of the vehicle, or with arms or legs protruding from the body of the motor vehicle. This shall include the prohibition of riding in the bed of pick up trucks.

(f) No vehicle shall be operated on the Airport property if it is constructed, equipped or loaded as to endanger persons or property.

(g) No person shall operate a motor vehicle without exhausts protected by screens or baffles to prevent the escape of sparks or the propagation of flame.

(h) All parking at the airport shall be in designated areas by the City of Monroe or its designated representative, unless airport maintenance requirements dictate otherwise.

(3) Radio Equipment.

(a) The City of Monroe reserves the right to control all vehicles entering aircraft areas notwithstanding the fact that said vehicle may have two-way radio equipment installed for purposes of communicating with aircraft.

(b) No person shall operate any radio equipment in any aircraft when such aircraft is being refueled, or when such aircraft is in a hangar except when radio maintenance is being performed on the aircraft.

(4) Repair of Motor Vehicles. No person shall make repairs to motor vehicles anywhere on the Airport property other than in designated shop areas, or as approved by the City of Monroe, except those minor repairs required to move a disabled vehicle to a repair location.

(5) Parking.

(a) No person shall park a vehicle for loading, unloading or any other purpose, on the Airport other than in designated areas specifically designed for parking. Parking shall be consistent with established parking lines, blocks and signs.

(b) Considering the imminent danger created by unlawful parking at the airport, the City of Monroe or its designee shall have the authority to tow or otherwise move motor vehicles which are parked by their owners or operators on the Airport in which are in violation of these parking regulations, at the owners expense and without liability for damage which may be a result from the towing.

(c) Lessees and passengers may park their vehicles in their respective hangar while the aircraft is in use. No vehicle may be left in the hangar for a period in excess of 24 hours unless aircraft is in use.

(E) Aircraft Operation.

(1) Aeronautical Activities. All aeronautical activities at this airport and aircraft departing from or arriving in the air space above the airport shall be conducted in conformity with the current pertinent regulations and directives, and/or advisories of the Federal Aviation Administration to the extent applicable.

(2) No fixed wing or rotary wing aircraft shall be allowed to operate at the City of Monroe Airport unless said aircraft has a current Airworthiness Certificate (unless operated as a public or governmental aircraft) and is operated by a licensed pilot or student pilot holding a valid medical certificate, except aircraft being taxied or ferried by a licensed A & P mechanic.

(3) All aircraft and operators shall comply with all applicable Federal Regulations, as amended including, but not limited to:

Federal Aviation Requirements (FAR)

Part 61 Certification: Pilots & Flight Instructors

Part 67 Medical Standards & Certifications

Part 91 General Operating & Flight Rules

Part 93 Special Air Traffic Rules and Airport Traffic Patterns

Part 135 Air Taxi Operators & Commercial Operators

Part 137 Agricultural Aircraft Operators

Part 141 Pilot Schools

Part 145 Repair Stations

National Transportation Board Regulations (NTSB)

Part 830 Rules pertaining to the Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo and Records.

(4) Control of Incoming and Outgoing Air Traffic. The Airport Manager shall have authority to prohibit aircraft landing and takeoffs at any time and under any circumstances when the Manager deems such landings/takeoffs likely to endanger persons or property, except for emergency landings. Further, the Airport Manager may delay or restrict any flight or other operation at the airport when the same causes any of these rules and regulations to be violated in any manner.

(5) Accidents.

(a) Persons involved in accidents occurring on the Airport causing personal injury or property damage shall make full report thereof to the Airport Manager as soon after the accident as possible. When a copy of an accident report is required by the FAA or the NTSB, the Airport Manager shall provide the City of Monroe with a Copy.

(b) In the event of an accident, the aircraft owner, through the Airport Manager, may, in compliance with FAR's and other governmental regulations, move the damaged aircraft from the landing areas, ramps, aprons, or other areas at the expense of the aircraft owner and without liability to the City of Monroe, its designated representative or authorized employees or agents, for damages resulting from such moving.

(c) Airport property damaged or destroyed by an accident or otherwise shall be paid for by the parties responsible.

(d) All aircraft accidents shall be reported to the FAA in accordance with all FAA and NTSB regulations.

(6) Non-Airworthy Aircraft.

(a) All non-airworthy and/or otherwise disabled aircraft and parts thereof on the Airport shall be promptly removed from the Airport property by the Aircraft owner.

(b) If any person(s) refuses to move said aircraft or part thereof as directed by the City of Monroe or its designated representative said aircraft or part thereof may be removed by the City of Monroe at the owner's expense, and without liability to the City of Monroe, its designated representative or authorized employees, agents, or contractors for damage which may result in the course of, or after such moving.

(7) Refusal of Airport Use. The City of Monroe or its designated representative may delay any flight or other operations at the Airport for any safety reason it believes justifiable. The City of Monroe or its designated representative may also prohibit in whole or in any part, the use of the Airport for any purpose that may be detrimental to person(s), the airport facility or property of any individual or group.

(8) Repairing of Aircraft. The performance of aircraft and engine repair and maintenance is considered to be a commercial operation regulated by the City of Monroe except where such services or repairs are preformed by the aircraft owners or their permanent employees which is subject to any rules prescribed by the City of Monroe. The City of Monroe reserves the right to designate reasonable areas where such operations may be preformed safely. If such areas are designated, the City of Monroe may prohibit the performance of such services in any other areas.

(9) Engine Run-Up.

(a) Aircraft shall not perform run-up or prolonged engine test operations in any area that would result in a hazard or nuisance to other aircraft, persons or property.

(b) Such run-ups will be preformed only in areas designated by the City of Monroe or its designated representative.

(10) Parking of Aircraft.

(a) No person shall park aircraft in any area on the Airport other than that prescribed by the City of Monroe or its designated representative.

(b) At the direction of the City of Monroe or its designated representative, the operator, owner, or pilot of any illegally parked aircraft on the airport shall move the aircraft to a legally designated parking area on the airport.

If the operator refuses to comply with the directions, the City of Monroe or its designated representative, may tow the aircraft to such a place, at the operator's expense and without liability to the City of Monroe, Airport Management or authorized employees or agents for damage that may result from such moving.

(11) Lighting Facility Damage. Any person damaging any light or fixture by operation of an aircraft, or otherwise, shall report such damage to the City of Monroe or its designated representative immediately and shall be fully responsible for any costs required to repair to replace the damaged item.

(12) Operations.

(a) No person shall start or run any engine in an aircraft unless a licensed person is in the aircraft attending the engine controls. Chocks shall always be placed in front of the wheels before starting the engine or engines unless the aircraft is provided with adequate parking brakes.

(b) No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft, or persons being personally conducted by airport attendants shall be permitted to enter the landing area, taxi space, or aprons. However, this does not give any person or persons so excepted the privilege of unrestricted use of the airport. These privileges are confined to the necessary use of these spaces in connection with flights, inspections, and routine duties.

(13) Landing and Take-off.

(a) In all cases, take-offs and landings over populated areas shall be kept at a minimum in the interest of public safety and convenience. No turn shall be made after take-off until the end of the departure runway has been reached and the aircraft is within 300 feet of pattern altitude. Aircraft shall climb to the appropriate traffic pattern altitude as soon as possible.

(b) Prior authorization is required before air ships, dirigibles, motorless aircraft, aircraft with a total gross weight in excess of 60,000 pounds dual wheel, or FAA Certified Air Carriers can land or take off at the Airport. (The Airport is NOT certified under 14 CFR Part 139, and ARFF protection is not provided.)

(c) All take-offs and landings shall be confined to the runway and all movement of aircraft shall be confined to the hard surface areas, except as specifically authorized by the City of Monroe.

(d) Additional traffic rules are as follows:

1. Landings and take-offs shall be made on the runway subject to the wind direction.

2. Unless otherwise authorized by the Airport Manager, aircraft will start their initial take-off from the runway end.

3. No landing or take-off shall be made except at a safe distance from buildings and other aircraft.

4. Aircraft entering the traffic pattern shall exercise caution and courtesy so as not to cause aircraft already in the pattern to deviate from their course.

5. Rotary aircraft shall conform to the pattern described herein for light aircraft, and shall not be operated within 200 feet of any area where unsecured light aircraft are parked or operating.

6. Unless an emergency situation exists, aircraft are expected to utilize prescribed traffic patterns.

7. Simulated engine-out procedures and practice for multi-engine aircraft is forbidden within the traffic pattern and approach area, unless notice is given immediately prior to execution of such maneuver and continually during the maneuver by Radio.

(e) Taxi rules are as follows:

1. No person shall taxi an aircraft until he has ascertained by visual inspection of the area that there will be no danger of collision with any person or object in the immediate area.

2. Aircraft shall be taxied at a safe and reasonable speed with due respect for other aircraft, persons, or property.

3. Aircraft not equipped with brakes shall have an attendant at a wing when the aircraft is taxied near buildings or other aircraft.

4. Aircraft awaiting take-off shall stop at the taxiway or hold lines for the runway in use and in a position so as to have a direct view of aircraft approaching for landing, and shall ascertain that the way is clear prior to entering the active runway.

5. Aircraft taxiing shall conform to the designated taxi patterns.

6. Landing and take-offs will not be permitted on the taxiways.

7. Engine checks and run-ups prior to take-off will be performed behind the taxiway hold lines.

8. Flight operations are to be conducted under responsible auspices and control. No person shall operate an aircraft in a careless or reckless manner so as to endanger the life or property of others by buzzing, diving or low altitude flying, or aerobatic maneuvers in the vicinity of the Airport.

(14) Flight Instruction. No person or firm shall engage in commercial flight instruction at the airport unless prior to giving such instruction he has registered and submitted for inspection, his current flight instructor's certificate with the City of Monroe or its designated representative, and has filed with the City a certificate of insurance, said insurance to be for the protection of the City of Monroe, its members, employees, instructors and students.

(15) No person or firm shall utilize the services of a certified airframe and power plant mechanic, authorized inspector or flight instructor at the Monroe Airport unless such mechanic, inspector or flight instructor is in the permanent employ of said person or firm, or is in the employ of a Fixed Base Operator holding a current operating agreement with the City of Monroe.

(F) - Aircraft Fueling and Defueling Operations

(1) Fueling and Defueling of Aircraft

(a) All aviation fuels and oils for sale on airport property will be dispensed only as authorized by the City of Monroe pursuant to the *City of Monroe Schedule of Minimum Standards for Commercial Aeronautical Operations for Fixed Base Operators*. No other company, group, or individual will be allowed to transport, store, fuel or otherwise introduce petroleum products to the Airport property without the express written permission of the City of Monroe and after approval of the City's Fire Marshal. Only then will this operation be allowed in areas designated by the City of Monroe and which meet all operational and safety procedures and requirements.

(b) No MOGAS (automotive fuel) will be brought onto airport property for the purpose of transferring such fuels to any aircraft which is on the airport and is not owned by the person dispensing such fuel. All uses of MOGAS will be in accordance with all applicable FAA and industry guidelines and regulations.

(c) No fuel storage and/or dispensing equipment shall be installed or used at the airport without the prior written approval of the City of Monroe. All such equipment shall be kept in a safe and non-leaking condition. The use of any surface equipment such as skid tanks, or other such device is expressly prohibited.

(d) No aircraft shall be fueled or defueled while the engine is running, or being warmed by applications of exterior heat, or while such aircraft is in a hangar or enclosed space.

(e) No aircraft is to be fueled or defueled within 50 feet of a hanger or building.

(f) Smoking or lighting of an open flame is prohibited within 100 feet of any fueling operation.

(g) No person shall operate any radio transmitter or receiver or switch electrical appliances off or on in an aircraft during its refueling or defueling.

(h) During refueling the aircraft and the fueling dispensing apparatus shall both be grounded to a point or points of zero electrical potential.

(i) No person shall use any material during fueling or defueling of aircraft which is likely to cause a spark or be a source of ignition.

(j) Adequate fire extinguishers shall be within ready reach of all persons engaged in fueling or defueling aircraft.

(k) Fueling hoses and equipment shall be maintained in a safe, sound and non-leaking condition and shall be approved by the National Board of Fire Underwriters in all respects and parts.

(l) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a grounding device to prevent ignition of volatile liquids.

(m) No aircraft shall be fueled or defueled while passengers are on board the aircraft.

(n) Persons engaged in the fueling and draining of aircraft fuel shall exercise care to prevent overflow of fuel. Persons responsible will take proper measures to remove any volatile liquid when it is spilled.

(o) Any company, group or individual performing fueling and defueling operations shall have accessible necessary containment and absorbent materials to contain the maximum potential of a spill.

(p) All spills, in excess of one gallon, should be reported to the Airport Manager and the City of Monroe Safety Coordinator immediately.

(G) Facility and Grounds Fire Regulations

(1) Fire Safety Regulations. Smoking or lighting of an open flame is prohibited at places with posted signs, within 100 feet of any aircraft and within 100 feet of hangars, fuel trucks, or fuel loading stations, and tank farms.

(2) No person shall start an open fire any place on the airport without written permission of the Airport Manager and the Monroe Public Safety Department.

(3) No person shall use flammable volatile liquids having a flash point of less than 100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose, unless such operations are conducted in open air, or in a room specifically set aside for that purpose, which must be properly fire-proofed and equipped with adequate and readily accessible fire extinguishing apparatus.

(4) No person shall store material or equipment, use inflammable liquids or gases, or allow their premises to become in such condition so as to violate, in any manner the *State of North Carolina Building Code Volume 5, Fire Prevention*, provided, that such materials may be kept in an aircraft in the proper receptacles installed in the aircraft for such purpose, or in rooms or areas specifically approved for such storage by the City of Monroe or its designated representative, or in Underwriters Laboratory approved safety cans with appropriate grounding and bonding per NFPA 30.

(5) Storage of paint thinners, fuels or other volatile materials in hangars is prohibited.

(6) Tenants of all hangers and buildings shall provide approved fire extinguishers and equipment, and they shall be kept in operating condition and inspected at least every twelve months by trained personnel. This shall conform with requirements detailed in *NFPA 10 Portable Fire Extinguishers* and the *Volume 5 of the NC State Building Code*.

(7) Lessees shall provide suitable Underwriters Laboratory approved metal receptacles with self-sealing covers for the storage of waste and waste contaminated rags. All used waste and rags or other rubbish shall be removed by the lessees at least daily per *NFPA 502*. Lessees may contract with other agencies or persons for the removal of this material, subject to the approval of the City of Monroe or its designated representative. If after warning by the City, the area is not cleaned, cleaning will be arranged by the City of Monroe or its designated representative and billed to the tenant or person. All waste operations shall conform to the requirements of *29 CFR 1910.120 Hazardous Waste Operations*.

(8) The procedure and precautions outlined in the criteria of the National Fire Protection Associations standards: NFPA 409 *Aircraft Hangers*, NFPA 410 *Aircraft Maintenance*, NFPA 410 D, *Safeguarding Aircraft Cleaning, Painting, and Paint Removal*, NFPA 410 F, *Aircraft Cabin Cleaning and Refurbishing Operations*, and NFPA 415 *Airport Terminal Buildings, Fueling Ramps, and Loading Walkways*, shall be adhered to in all operations on the Airport Property.

(9) All applicable provisions of *Volume 5 of the North Carolina State Building Code, Fire Prevention*, shall be adhered to in all operations on the Airport Property.

(H) Insurance Requirements

Reserved for future additions

(I) Special Use and Demonstration Requirements. No flight or ground demonstrations involving unusual or aerobatic maneuvers shall be conducted on or in the vicinity of the Airport without the express written approval of the City of Monroe or its designated representative. All such activity shall entail indemnifying the City of Monroe, its employees, or agents and the City of Monroe, its employees, or agents shall be named as co-insured on required liability and property damage insurance as detailed in *City of Monroe Schedule of Minimum Standards for Commercial Aeronautical Operations for Fixed Base Operators*.

(J) Accident/Incident Reporting Procedures

(1) In the event of an accident/incident responding priorities shall be placed on life safety. Emergency responders can be summonsed by utilizing public service telephones by dialing 911.

(2) All necessary reporting to Federal, State, and Local authorities shall be done immediately after life safety issues have been accommodated.

(3) The City of Monroe Safety Coordinator is to be notified of any accident or incident immediately. He can be reached by contacting Monroe Public Safety.

(4) If City of Monroe property is damaged, the responsible parties(s) must complete the City of Monroe Accident report within 24 hours of the incident.

(5) The site of any accident or incident should be protected in order to preserve any evidence so that the investigating authorities can make appropriate observations and reconnaissance of the area.

(6) Witness(es) to the accident or incident should be directed to meet with investigators. If the witness(es) are not available to await the arrival of the investigators their full name, address and phone number should be retained and given to investigation personnel.

(K) Closure of Runways

(1) Closing of Field. In the event the City of Monroe or its designated representative believes Airport conditions to be unsafe for takeoffs, landings or other related operations, it shall be within the City of Monroe's authority to have issued a NOTAM closing the Airport or any part thereof.

This ordinance shall be in full force and effect from the date of its adoption.

ADOPTED this 19th day of May, 1998.

Judy L. Davis, Mayor

Attest:

Jeanne M. Deese, City Clerk

[City Home](#)