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**TOLEDO-LUCAS COUNTY PORT AUTHORITY**

**TOLEDO EXPRESS AIRPORT**

**AIRPORT RULES AND  
REGULATIONS**

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TOLEDO | LUCAS COUNTY  
**PORT AUTHORITY**

Effective: July 1, 2011

APPROVED BY BOARD JUNE 23, 2011

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# SECTION ONE – PREAMBLE & POLICY

## GENERAL

The Port Authority has established Airport Rules and Regulations (ARR), a document for various airport requirements to foster professional operational conduct of aviation activities on the Toledo Express Airport. The ARR is supported by the Airport Minimum Standards, and the Airport Leasing, Rates & Charges Policy.

The following ARR will govern the conduct and activities, aeronautical or other, on Toledo Express Airport operated by the Toledo-Lucas County Port Authority. As used herein, compliance with the ARR includes compliance with the Toledo Express Airport Security Program and the submittal by certified air carriers of their security programs as required by Transportation Security Administration 1542 and 1544, and by FAR Parts 121, 125, 129, 135 and 139 of the Federal Air Regulations.

This ARR shall become effective **July 1, 2011** and shall be applicable to any and all current or future business operators, corporations, other tenants and users of the Airport. Any person, firm or corporation may apply for a waiver of any of these regulations applicable to such permit holder, and the Airports Director may issue a waiver upon finding that:

1. The application of such regulation would impose an unreasonable hardship on such permit holder;
2. There has been no change in the ownership or the issuance of permit holder's permit or last renewal thereof; and
3. Permit holder has made reasonable efforts to comply with the applicable regulations sought to be waived.

## ADMINISTRATION AND POLICY OVERSIGHT

While the Board is responsible for the administration of the Airport and has the ultimate policy-making authority in this regard, the Port Authority President and the Airports Director, in conjunction with the Chair of the Airport Committee of the Board, shall interpret and enforce these Rules and Regulations. Copies of the ARR will be made available through the offices of the Port Authority to any person requesting same.

### AMENDMENT OF ARR

In adopting the ARR set forth herein, the Board expressly acknowledges that the same are subject to change by amendment or cancellation, in whole or in part, from time to time, by this or any future Board.

### SEVERABILITY

In the event any covenant, condition or provision herein contained is held to be invalid by any court of competent jurisdiction, such invalidity shall in no way affect any other covenant, condition or provision herein contained.

### NOTICES, REQUESTS FOR APPROVAL, APPLICATIONS, AND OTHER FILINGS

Any notice, demand, request, consent, or approval that an entity may or is required to give to the Board, shall be in writing, and shall be either personally delivered or sent by first class mail, postage prepaid, addressed as follows:

Toledo-Lucas County Port Authority  
Toledo Express Airport  
11013 Airport Highway, Box 11  
Swanton, OH 43558

#### **VARIANCES AND DEVIATIONS**

The Board reserves the right to authorize variances or deviations from these Rules and Regulations. Such variances or deviations may include waiving or modifying certain criteria or requiring Operators to meet additional criteria. All requests for variances or deviations shall be presented to the Board in writing in a form described by the Board.

#### **ENFORCEMENT**

Any Operator that desires to provide any aeronautical services at the airport must have an agreement with the Port Authority and comply with these Rules and Regulations. The Director shall enforce the provisions of these Rules and Regulations and may call upon law enforcement for such assistance as the Director may, from time to time, require.

Permits: Failure to comply with the applicable standards set forth herein may result in the temporary suspension of the applicable activity permit issued to Operator. Subsequent violations may result in permanent revocation of the associated permit thereby removing any right of the Operator to conduct the activities granted under the permit. Operator may also be subject to further penalty and/or enforcement in accordance with the ARR.

Furthermore, failure to comply may also result in the termination of other Agreements between the Operator and the Port Authority.

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## SECTION TWO - DEFINITIONS

AERONAUTICAL ACTIVITY - any activity that is carried out by or with any flying apparatus as defined by FAR Part 23 and 61.. Activities within this definition, commonly conducted on Airport, include, but are not limited to, the following: general and corporate aviation, air taxi and charter operations, scheduled and nonscheduled air carrier operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, parachute or ultralight activities, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities. Activities, such as model aircraft and model rocket operations, are not aeronautical activities.

AERONAUTICAL SERVICE - any service which involves, makes possible or is required for the operation of Aircraft, or which contributes to or is required for the safety of Aircraft operations commonly conducted on the Airport by an entity who has a lease, Sublease, Sublicense, or operating Agreement (and a permit) from the Airport owner to provide such service.

AFFILIATED AIR TRANSPORTATION COMPANY - means an Airline that is owned in whole or in part by, or has common ownership with, an Airline holding a valid current Airport Operating Permit or one that has an existing contract with such permitted Airline as a regional carrier or has code-sharing marketing arrangement in which Airline places its designator code on a flight operated by another airline, and sells and issues tickets for that flight.

AGREEMENT - a written contract, executed by both parties, between the Port Authority and an entity granting a concession, transferring rights or interest in land and/or improvements, and/or otherwise authorizing and/or prohibiting the conduct of certain Activities. Such Agreement will recite the terms and conditions under which the Activity will be conducted at the Airport including, but not limited to, term of the Agreement; rents, fees, and charges to be paid by the entity; and the rights and obligations of the respective parties. For purposes of clarification, the following terms may be substituted for the term Agreement – Aeronautical Activity Permit, Payment Agreement, Lease or Concession.

AIRCRAFT - any contrivance now known or hereafter invented which is used or designed for navigation of or flight in air, except a parachute or other contrivance designed for such navigation but used primarily as safety equipment. This includes, but is not limited to, airplanes, airships, balloons, dirigibles, rockets, helicopters, gliders, gyrocopters, ground-effect machines, sailplanes, amphibians, and seaplanes.

AIRCRAFT OPERATOR – shall mean any entity, including Airline, operating aircraft into and out of the Airport under Part 121 or Part 135 of the Federal Aviation Regulations (“FARs”), or the practical equivalent of said Parts.

AIRLINE APRON - means the aircraft apron that is adjacent to a terminal or cargo building.

AIRPORT - means the Toledo Express Airport and all land, improvements, and appurtenances within the legal boundaries of the Airport as it now exists on the Airport Layout Plan (or Exhibit A of the most recent FAA grant) and as it may hereinafter be extended, enlarged, or modified.

AIRPORT LAYOUT PLAN (ALP) - The drawing (currently approved by the FAA) depicting the physical layout of the Airport and identifying the location and configuration of current and proposed runways, taxiways, buildings, roadways, utilities, nav aids, etc.

AIRPORT OPERATIONS AREA (AOA) - is a restricted area of the Airport, either fenced or posted, where Aircraft are parked or operated, or operations not open to the public are conducted. Areas include, but are not limited to, the aircraft ramps, ramps, taxiways, runways, unimproved land attributed to the taxiways and runways, safety clear areas, areas beneath the terminal building, areas beneath the concourses and contiguous areas delineated for the protection and security of aeronautical activity.

AIRPORT SECURITY PLAN - a document required by the Transportation Security Administration detailing the Airport's requirements as contained in the applicable security regulations.

AIRPORTS DIRECTOR (DIRECTOR) – shall mean the person designated by the Port Authority to manage the Airport on its behalf and to act for the Port Authority with respect to the rights and obligations of the Port Authority under this Agreement or his or her designated representative.

BOARD - the Toledo-Lucas County Port Authority Board of Directors, acting for and on behalf of the Toledo-Lucas County Port Authority, and responsible for the administration of the Toledo Express Airport and Metcalf Field.

COMMERCIAL - for the purpose of securing earnings, income, compensation (including exchange for service), and/or profit, whether or not such objectives are accomplished.

COMMERCIAL ACTIVITY - means to provide or offer to provide goods, services or entertainment in return for financial remuneration or remuneration in kind, or a promise of financial remuneration or remuneration in kind, or to accept or agree to accept financial remuneration or remuneration in kind for the provision of goods, services or entertainment.

COMMERCIAL AERONAUTICAL OPERATOR - means any operator engaging in FBO or SASO activities as defined in the Toledo-Lucas County Port Authority Minimum Standards.

COMMERCIAL AIR CARRIER - means any person or business entity that undertakes directly by hire, lease, or other arrangement to engage in the carriage by aircraft of persons or property for compensation. This definition includes, but is not limited to, the following: all classes of air carriers as defined by the Federal Aviation Administration, commuter and air taxi operators, and commercial operators of large and small aircraft.

COMMERCIAL TRANSPORTER – means any entity operating a commercial vehicle or vehicles for the purpose of soliciting or transporting persons and/or baggage to and/or from the Airport for hire. Examples of commercial transporters include, but are not limited to taxicabs, limousines, hotel/motel courtesy vehicles, rental car courtesy vehicles, off-airport courtesy vehicles, delivery vehicles and chartered or scheduled buses.

COMMERCIAL VEHICLE – means any motor vehicle used for the transportation of passengers, for hire or so constructed, or used to transport goods, wears or merchandise, and/or all motor vehicles designated and used for drawing other vehicles and so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

COMMERCIAL VEHICLE LANE – designated traffic lane, generally located in front of the Airport Terminal Building. Such lane is reserved for use by commercial transporter vehicles or rental car vehicle returns.

COMMON USE PREMISES – shall mean the passenger hold room security check-point area, baggage claim area, baggage tug cart area and any other areas in the Terminal Building used in common by Airline and other Operators together with all facilities, improvements and equipment which have been or may hereafter be provided for use in connection with such premises.

CO-OPERATIVE (CO-OP) FUELING - an organization formed by Aircraft Owners, air carriers or flight departments for self-fueling purposes. **This type of fueling is prohibited at the Airport.**

COST RECOVERY RATE – means a schedule of rates and charges designated to recover from each user its proportionate share of the cost of providing, maintaining, operating and administering the facilities it uses.

CURB FRONT - Designated area along the Vehicle Traffic Lane and adjacent to the Airport Terminal Building for the loading/unloading of passengers and baggage into and out of vehicles.

CUSTOMER FACILITY CHARGE OR “CFC” – shall mean the fee imposed by the Port Authority on each and every customer of the Car Rental Concessionaires with respect to Customer Contracts at the Airport for each day that each such Customer Contract is in effect (“Contract Day”). The amount of the CFC shall be determined by the Port Authority from time to time as herein provided and the total amount of CFCs charged to each customer shall be added to each such customer’s Customer Contract.

DERELICT EQUIPMENT – means any equipment that is not used on a regular basis for its intended purpose or that is not reasonably required to be available for unscheduled use (i.e. seasonally needed/used ground support equipment). For purposes of clarification, the term “not used on a regular basis” shall mean not used for its intended use for a period of more than sixty (60) days.

EXCLUSIVE RIGHT - a power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right can be conferred either by express agreement (i.e. lease agreement), by the imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties, but excluding others from enjoying or exercising a similar right or rights, would be an exclusive right. Note: An exclusive right to conduct an Aeronautical Activity, which is forbidden by federal regulation, is distinguished from an exclusive right to occupy real estate, which is permitted by federal regulation under certain conditions.

EXCLUSIVE USE SPACE – shall mean those premises which Tenant has the right to use exclusively.

FAA - Federal Aviation Administration. The division within the Department of Transportation of the United States government that has the responsibility of promoting safety in the air, by both regulation and education.

FBO (FIXED BASE OPERATOR) - a commercial business granted the right by the Port Authority to operate on an airport and provide aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, flight instruction, etc.

FEDERAL GRANT ASSURANCE - is a provision within a Federal grant agreement to which the recipient of Federal airport development assistance has agreed to comply in consideration of the assistance provided. Grant assurances are required by statute, 49 U.S.C. Section 47101.

FUELING AGENT - means any entity, including its employees and agents, authorized by the Director to dispense aviation or motor vehicle fuels at the Airport.

GRANTEE - means the term commonly used in various agreements to identify an entity that has been granted certain rights while operating at the Toledo Express Airport and Metcalf Field.

GRANTOR - the term commonly used in various agreements identifying the Toledo-Lucas County Port Authority Board and/or the Toledo-Lucas County Port Authority.

INDEPENDENT OPERATOR - A person or entity that conducts Aeronautical Activities, retaining total and free control over the means or methods used in conducting activities on the Airport but is based on land either adjacent to and/or located other than on the Airport, and whereby such land is not part of the Airport. **This type of operator is not authorized to provide services at the Airport.**

LANDING FEE(S) – shall mean the payment required of Airline each month for the use of the Airfield and, except for credits authorized by the Port Authority, such payments shall be without further deduction or set off.

MINIMUM STANDARDS - those qualifications, standards, and criteria set forth by the Port Authority as the minimum requirements that must be met as a condition for the right to engage in Aeronautical Activities at the Airport.



NON-COMMERCIAL - not for the purpose of securing earnings, income, compensation (including exchange of service) and/or profit.

NONSCHEDULED AIRLINE – means any Airline operating on an unscheduled, on-demand basis to or from the Airport.

OFF-AIRPORT PARKING BUSINESS – means any person or a firm, corporation or other entity engaged in the business of providing parking space for vehicles of Airport patrons outside the Airport premises for a fee.

OFF-AIRPORT RENTAL CAR COMPANY – means any person or a firm, corporation or other entity engaged in the business of renting motor vehicles to and for use by the public who conducts no part of their business operations, other than advertising, inside the Terminal Building. Off Airport Rental Car Companies will be authorized to drop off and pick up passengers in accordance with an Off Airport Car Rental Agreement with the Port Authority.

OPERATOR - any FBO, SASO, and/or any entity subject to the standards set forth herein.

PASSENGER FACILITY CHARGE OR PFC – shall mean any charge imposed from time to time by the Port Authority on Passengers enplaning aircraft at the Airport pursuant to the Aviation Safety and Capacity Expansion Act of 1990 (Pub. L. 101-508), enacted November 5, 1990, as amended, and the implementing regulations (“FARs”) promulgated thereunder from time to time and any interest or investment earnings thereon.

PERSON – means every natural person and every firm, association, partnership, corporation, society or other organization.

PORT AUTHORITY – shall mean the Toledo-Lucas County Port Authority.

PRIVATE FLYING CLUB - a private non-commercial organization, whose members own equal shares, established to promote flying, develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques.

RAMP (APRON) - an area of the Airport within the AOA designated for the loading, unloading, servicing, or parking of Aircraft.

RAMP PRIVILEGE - the driving of a vehicle upon an Aircraft-parking ramp on the AOA of the Airport to deliver persons, cargo or equipment to an Aircraft as a matter of convenience or necessity.

REGULATORY MEASURES - Federal, state, county, local, and Airport, laws, codes, ordinances, policies, rules, and regulations, including, without limitation, those of the United States Department of Transportation, the United States Department of Homeland Security, TSA, FAA, National Fire Protection Agency (NFPA), Environmental Protection Agency (EPA), OSHA, ARFF Standard Operating Guidelines, and the Airport Certification Manual, the Airport's primary guiding documents; all as may be in existence, hereafter enacted, and amended from time to time.

RENTAL CAR – means any motor vehicle, including but not limited to, any automobile, truck, van or motorcycle whose owner holds such vehicle out for hire to the general public.

SASO (SPECIALIZED AERONAUTICAL SERVICE OPERATOR) - SASOs are sometimes known as service providers or special FBOs performing less than full services. These types of companies differ from a full service FBO in that they typically offer only a specialized aeronautical service such as aircraft sales, flight training, aircraft maintenance, or avionics services for example.

SCHEDULED AIRLINE – means any Airline operating according to a published schedule to or from the Airport.

SELF-FUELING AND SELF-SERVICE - self-fueling means the fueling or servicing of an aircraft (i.e. changing the oil, washing) by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling and other self-services cannot be contracted out to another party. Self-fueling implies using fuel obtained by the aircraft owner from the source of his/her preference. As one of many self-service activities that can be conducted by the aircraft owner or operator by his or her own employees using his or her own equipment, self-fueling differs from using a self-service fueling pump made available by the Airport or an FBO. The use of a self-service fueling pump is a commercial activity and is not considered self-fueling as defined herein. In addition to self-fueling, other self-service activities that can be performed by the aircraft owner with his or her own employees includes activities such as maintaining, repairing, cleaning, and otherwise providing service to an aircraft, provided the service is performed by the aircraft owner or his/her employees with resources supplied by the aircraft owner.

SUBLEASE - an Agreement entered into by an entity with an Operator or tenant that transfers rights or interests in Operator's Premises.

SUBLICENSE - a license giving rights of products or services to a person or company that is not the primary holder of such rights.

TENANT – means a person who occupies or rents property on the Airport, or who conducts business operations of any kind upon the Airport premises, regardless of whether there exists a written agreement with the Port Authority.

TERMINAL BUILDING – shall mean the Airport's passenger Terminal Building.

THROUGH-THE-FENCE OPERATION - through-the-fence operations are those activities permitted by the Port Authority through an agreement that permits access to the public landing area by independent entities or operators offering an aeronautical activity or to owners of aircraft based on land adjacent to, but not a part of, the Airport property. The obligation to make an airport available for the use and benefit of the public does not impose any requirement for the Port Authority to permit ground access by aircraft from adjacent property. **This type of operator is not authorized to provide services at the Airport.**

TSA - Transportation Security Administration.

VEHICLE TRAFFIC LANE – means the designated traffic lane, immediately adjacent to the front of the Airport Terminal Building. Such lane is generally reserved for use by non-commercial transporter vehicles, Airport shuttle buses, valet, and private vehicles, unless otherwise authorized/designated.

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## **SECTION THREE – GENERAL CONDITIONS**

The Port Authority has established ARR governing the activities on the Airport. It is the intent of the Port Authority to promote fair competition at the Airport for the betterment of the aviation industry.

### **1. GRANTING OF RIGHTS**

No person shall have access to or use the property of the Airport for the purpose of conducting a commercial flight activity or any aeronautical activity unless that person first obtains the permission of the Airports Director and meets the requirements of the Minimum Standards and ARR for aeronautical activities. The conduct of any and all Aeronautical Activities shall be subject to the ARR, as amended from time to time. No person shall engage in the sale of food, drink, or any commodity, gasoline, oil, or any fuel-based product, or offer service or solicit funds from the public at the Airport for any purpose, or post, distribute, or display signs, advertisements, handbills, circulars, printed or written matter at the Airport, except upon terms and conditions prescribed by the Port Authority including without limitation obtaining any written authorization or permit as may be required.

### **2. LAWS, RULES, AND REGULATIONS**

Operators comply with all laws, regulations, orders, advisory circulars, rules, and other standards applicable to the Airport and aeronautical activities, including the Rules and Regulations and the Airport Certification Manual, promulgated by federal, state, and local governmental authorities including but not limited to the FAA, TSA, the State of Ohio, the Port Authority and the Airports Director.

### **3. DISCRIMINATION**

Operators shall not discriminate on the grounds of race, creed, color, sex, handicap, marital status, age, ancestry, or national origin in the furnishing of services, the selection and retention of employees or in any other manner related to aeronautical activities conducted at the Airport. Operators furnishing services related to commercial aeronautical activities shall furnish such goods and services on a fair, equal, and not unjustly discriminatory basis to all users.

### **4. RIGHT OF INSPECTION**

The Airports Director shall at all times upon reasonable notice (except in the case of an emergency for which no notice shall be required) be entitled to enter premises used by an Operator for the purpose of inspecting the premises and their operations and determining compliance with the ARR and other applicable rules and regulations.

## **5. TERMINATION**

The Port Authority reserves the right to terminate all or any part of the rights and privileges granted to an Operator upon the failure of said entity to observe the terms and conditions of the ARR as set forth under any applicable agreement in connection with any such failure or as otherwise permitted by law.

The completed ARR shall be in addition to any terms, conditions, and covenants imposed on any person under an agreement with the Port Authority, under any permit or license, under applicable law, and/or under the Airport Minimum Standards and Leasing, Rates & Charges Policy.

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## **SECTION FOUR – COMMERCIAL AND NON-COMMERCIAL ACTIVITIES**

To enhance safety, preservation of facilities and protection of public interests, commercial and non-commercial activities are restricted as follows:

### **1. CONDUCT OF BUSINESS**

No person shall conduct, for commercial purposes, any activity or business at or from the Airport, except by contract with the Port Authority. No person shall use, for commercial purposes, the Airport for revenue-producing activities, except by contract with the Port Authority.

### **2. ADVERTISEMENTS**

No person shall, for commercial purposes, post, distribute, or display signs, advertisements, circulars, or any other printed or written matter at the Airport, except by contract with the Port Authority.

### **3. PARKING AND STORAGE OF AIRCRAFT**

No person shall use any area of the Airport for parking and/or storage of aircraft, except by contract with the Port Authority.

### **4. SOLICITING**

No person shall solicit, for commercial purposes, funds for any purpose at the Airport, except by contract with the Port Authority.

### **5. PICKETING, MARCHING, AND DEMONSTRATING**

No person shall, for commercial purposes, conduct or participate in parading, marching, patrolling, demonstrating, distributing of pamphlets or other materials, carrying or displaying of signs or placards in or upon buildings, grounds, roads, walks, approaches, or any other property of the Airport, except by contract with the Port Authority.

### **6. FEDERAL, STATE, AND/OR LOCAL LAWS OR REGULATIONS**

Every person using the Airport shall comply with all federal, state, and/or local laws, regulations, orders, and/or decisions, including those of executive, legislative or judicial agencies or bodies, now or hereafter in effect, and applicable to the person's use of the Airport.

Every commercial and non-commercial operator, tenant, and/or lessee of the Airport, or any other person doing business with the Port Authority or at the Airport, shall comply with all federal, state, and/or local laws, regulations, orders, and/or decisions, including those of executive, legislative, or judicial agencies or bodies, now or hereafter in effect, and applicable to that tenant's, lessee's, or other person's operations at the Airport.

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## **SECTION FIVE – PUBLIC SAFETY RULES**

### **1. GENERAL PRUDENTIAL RULE**

No person in or upon the Airport shall do or omit to do any act if the doing or omission thereof endangers unreasonably or is likely to endanger unreasonably persons or property.

### **2. INSPECTION OF PREMISES**

The Airports Director or designee has the right to inspect all tenant premises and to observe tenant activities as a method of preventing unsafe practices at the Airport.

### **3. FIRE CODE**

The provisions of fire code as adopted by the State of Ohio Fire Marshall are hereby adopted by the Port Authority and incorporated as part of the ARR document.

### **4. AIRCRAFT ACCIDENTS**

All aircraft accidents occurring on the Airport shall be reported immediately to the Airports Director or designee. If an aircraft accident occurs, only authorized personnel will proceed to the accident.

Witnesses of, and persons involved with, accidents on or near the Airport shall report to the Port Authority as soon after accidents as possible, leaving their names and addresses and rendering such reports as may be required.

At Toledo Express Airport, the Air Traffic Control Tower shall notify the Airport Police / Aircraft Rescue Firefighting (ARFF) Section in case of an impending or declared emergency. Control Tower personnel shall advise the ARFF Section on duty of the type of emergency that exists. After the emergency is declared, fire, rescue, and other vehicles shall take their positions as directed by the ranking officer on duty.

### **5. SMOKING**

No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any naked flame in or upon any fuel storage area, public landing area, public ramp or apron area, public passenger ramp and apron area, public cargo ramp and apron area or public aircraft parking and storage area, on any open deck, gallery or balcony contiguous to and overlooking any such area, in any other place where smoking is specifically prohibited by signs, or upon any open space within fifty feet of any fuel carrier which is not in motion.

### **6. OPERATION OF FLAME or SPARK PRODUCING DEVICE**

No person shall operate an oxyacetylene torch, electric arc or similar flame or spark producing device on any part of the Airport except in areas within leased premises designated for such use by the Port Authority.

**7. OPEN FLAME**

No person shall start any open fires of any type, including flare pots, torches or fires in containers formerly used for oil, paint, and similar materials on any part of the Airport without permission of the Port Authority.

**8. EXPLOSIVES and OTHER DANGEROUS ARTICLES**

No person shall store, keep, handle, use, dispense, or transport in or upon the Airport any explosive such as dynamite, nitroglycerine, black powder, or gaseous poisons, without the permission of the Port Authority.

**9. FIRE EXTINGUISHER EQUIPMENT**

No person shall tamper with fire extinguisher equipment at the Airport at any time nor use it for any purpose other than fire fighting or fire prevention. All such equipment shall be maintained in conformity with the National Board of Fire Underwriters regulations. Tags showing the date of the last such inspections shall be left attached to each unit.

**10. STORAGE OF FLAMMABLE MATERIAL**

No person shall keep or store any flammable liquids, gases, signal flare, or other similar material in the hangars or in any buildings on the Airport, provided, however, that such materials may be kept in aircraft in the proper receptacles installed in aircraft for such purpose, or in rooms or areas specifically approved for such storage by the Port Authority.

**11. WASTE PREVENTION**

Lessees of hangars or other aircraft servicing or maintenance buildings, terminal buildings, or other areas shall provide suitable receptacles with self-closing covers for the storage of oily wastes, rags, and other rubbish and trash. All waste within this general classification shall be removed by the lessees from the Airport premises daily.

**12. FLOOR CARE**

All Lessees on the Airport shall keep the floors of the hangars or other buildings, aprons, pits and areas adjacent thereto leased or used by them respectively, free and clear of oil, grease and other flammable material. The floors of hangars and other buildings shall be cleaned regularly and continuously kept free of rags, waste material, and other trash or rubbish.

**13. CARE OF APRON AREAS**

Any person, including the operators of aircraft, causing overflowing or spilling of excess fuel, oil, or grease on any apron area shall be responsible for cleaning such areas immediately.

**14. WELDING OPERATIONS**

All welding operations shall be conducted in approved welding booths or approved aircraft maintenance areas according to the State Fire Marshall.



**15. STORAGE OF LUBRICATING OIL AND COMPOUNDS**

Storage of lubricating oils must be in code-approved locked storage cabinets.

Storage of volatile compounds having a flash point of less than 110 degrees fahrenheit is prohibited on the Airport unless use of the compound is required for aviation purposes, approved in writing by the local fire marshal and in a room fireproofed or otherwise fire protected according to code.

**16. FREE MOVEMENT**

No person shall intentionally obstruct, delay, physically disturb or interfere with the free movement of any other person on the Airport. Law enforcement officers are exempt from this rule.

**17. GROUNDING OF ELECTRICAL POTENTIAL**

During all fuel handling operations in connection with any aircraft at the Airport, the aircraft, and the fuel dispensing or draining apparatus shall be grounded by wire to prevent the possibility of static ignition of volatile liquids.

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## **SECTION SIX – NATURAL RESOURCE PROTECTION**

### **1. INJURING, REMOVAL, OR DAMAGING NATURAL ITEMS**

With the exception of landscape maintenance and critter removal, no person shall without lawful authority, or privileged to do so, cut down, destroy, remove, or injure a vine, bush, shrub, sapling, tree, or crop standing or growing therein, or sever, injure or destroy a product standing or growing therein or other thing attached thereto; nor shall any tree, flower, shrub, or other vegetation, or fruit or seed thereof, or soil, or rock, or mineral be removed, injured or damaged; nor shall any form of wildlife, be injured, damaged or removed without specific written permission from the Port Authority.

### **2. GRAZING**

No person shall herd, graze, drive or permit to run at large on Port Authority property any cattle, horse, mule, donkey, goat, swine, sheep, or other animal, any poultry, or other fowl without authorization from the Port Authority.

### **3. FEEDING WILDLIFE PROHIBITED**

No person shall distribute, leave, or provide any kind of food products for feeding of wild animals within the confines of Port Authority property unless authorized by the Port Authority.

### **4. DEPOSIT OF DEAD ANIMALS**

No person shall put the carcass of a dead animal or the offal from a slaughterhouse, butcher's establishment, packing house, or fish house, or spoiled meat, spoiled fish, or other putrid substance or the contents of a privy vault on Port Authority property, waterways, streams, ponds or lakes.

### **5. INTRODUCTION OF PLANTS OR ANIMALS**

No person shall introduce or bring any plant or animal or their reproductive elements into any Port Authority property or waterways.

### **6. HUNTING**

No person shall, unless authorized by the Port Authority, engage in the hunting of wildlife, either with a gun or with a bow and arrow, or participate in any type of target practice; nor shall anyone carry any hunting or target practice gun or bow and arrow on lands or waters operated by the Port Authority, unless otherwise granted written permission by the Port Authority. Firearms or weapons permits may be obtained from the Director or his/her agents in writing to allow firearms or weapons on property for special events, programs, functions, organizational events, or in certain designated areas.

### **7. FISHING**

No person shall take or catch fish or engage in fishing by any means in any of the ponds, streams, lakes or water sources in or on Port Authority property without having written authorization from the Port Authority.

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# **SECTION SEVEN – GENERAL PUBLIC AND AIR PASSENGER RULES**

## **1. RESTRICTED AREA**

No person shall enter into any area restricted from general public use by the Airports Director or designee, except those persons authorized to go into such area by the Airports Director or designee.

## **2. AREAS FOR ENPLANING AND DEPLANING**

No aircraft operator shall be permitted to enplane or deplane passengers except in areas designated for such purpose by the Airports Director or designee which said officials shall have authority to designate positions for such activities. All loading and unloading of aircraft shall be made in strict compliance with directives of the Airports Director.

## **3. SANITATION**

No person shall dispose of garbage, papers, or refuse or other material on the Airport except in the receptacles provided for that purpose; nor use a comfort station other than in a clean and sanitary manner; nor consume food or drink beverages in the terminal building other than in areas designated for such purposes; nor expectorate on the floors, walls, or other surfaces of any Airport building.

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

## **4. PRESERVATION OF PROPERTY**

No person shall destroy, injure, deface, or disturb in any way any building, sign, equipment, marker, or other structure, tree, flower, lawn, or other property on the Airport; nor willfully abandon any personal property on the Airport; nor walk on the lawns and seeded areas of the Airport.

## **5. INTERFERING OR TAMPERING WITH AIRCRAFT**

No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools, without permission of the owner or by specific direction of the Airports Director or designee.

## **6. CLEANING AND MAINTAINING AUTOMOTIVE EQUIPMENT**

Cleaning of or otherwise maintaining automotive equipment shall be accomplished by following EPA guidelines and only in areas designated for that purpose by the Airports Director or designee.

## **7. DOGS, PETS, and OTHER ANIMALS**

With the exception for the owner of an assist dog, all dogs, cats and other domestic pets, household or exotic animals are prohibited on Port Authority property except under the conditions stated below or in areas designated by the Airports Director or designee.

No person shall permit such pet or animal to enter Port Authority property or run at large or remain unattended at any time. All such pets and animals shall be controlled at all times when permitted on Port Authority property in the following manner: while outside Port Authority buildings, the animal shall be on a leash not more than eight feet long attended by, or otherwise under, the strict and immediate control of the owner or another; if the animal is inside Port Authority buildings, the animal must be contained within an animal tote, carrying case, portable animal kennel or cage.

If the menacing attitude of any animal under the control or supervision of any person upon Port Authority property incites fear in other persons, or if the animal disturbs the quiet enjoyment by other persons of any area upon Port Authority property by constant barking, whining, howling, crying or other sharp, excessive outcries, or other means, a Port Authority Police Officer or other law enforcement officer may direct that the animal be removed by the owner or handler from any area designated.

The owner of such a pet or animal shall remove animal waste from any areas of the grounds and must be carrying at all times a visible means of collecting and disposing waste properly in designated areas. Owners must comply with all state and local health and licensing requirements and any constraints imposed by law, ordinance or regulation. Waste removal shall be waived for the owner of an assist dog.

## **8. ABANDONMENT OR MISTREATMENT OF DOMESTICATED ANIMALS**

No person shall release, abandon, mistreat, or abuse any domesticated animal upon Port Authority property

## **9. USE OF AIRPORT AS FORUM FOR ACTIVITIES RELATING TO FREEDOM OF EXPRESSION or FREEDOM OF RELIGION**

The right to use the Airport for the purposes of exercising the rights of freedom of expression and religion, or other related rights, must be balanced against the right to use the Airport for freedom of travel, including safe and efficient travel. Accordingly, any person desiring to use the Airport primarily as a public forum in which to perform the activities of demonstrating, expressing her or his opinion to the public, distributing literature, picketing, displaying signs or soliciting contributions or converts, may do so only after written authorization from the Airports Director and payment of any fees required.

## **10. IDENTIFICATION BADGE**

No person, whether employee of the Port Authority (Airport), employee of a tenant of the Airport, or an employee of a contractor performing work at the Airport, or otherwise, shall enter into any restricted area as defined in the ARR without displaying a valid identification badge issued by the Port Authority to that person. No person shall allow any other person to use his or her identification badge for any reason. The identification badge must be displayed on the outermost garment above waist level and in plain view at all times. Said identification badge will be issued by the Port Authority as outlined in the TSA approved Airport Security Program:

## **11. FIREARMS and WEAPONS**

- A. The possession of, use or storage of any firearm, ammunition, explosive or destructive device, or other deadly weapon in any form, is **PROHIBITED** on any area of the Airport to which access is controlled by the inspection at the Toledo Express Airport of persons and property; in the Security Identification Display Area (SIDA) at the Toledo Express Airport; in any portion of the Airport licensed to dispense beer and alcoholic beverages; or any other place on airport property where the carrying of firearms is prohibited by federal or state law.
- B. No person shall release an arrow from a bow, crossbow, or longbow within or over Port Authority property unless approved in writing by the Airports Director designee.
- C. No person, except Port Authority Police, other law enforcement officers, or authorized persons, shall discharge any firearm while within the confines of Port Authority Property.
- D. No person shall discharge any device capable of propelling a capsule which upon impact with a person or object will release a dye, colorant, water, pellet, BB, ball bearing, pebble or rock on Port Authority property without written permission from the Airports Director or designee.
- E. To the extent authorized by law, the Port Authority also prohibits the carrying of firearms and concealed weapons by licensees in the airport terminal or other buildings controlled by the Port Authority.

## **12. DISORDERLY CONDUCT**

No person shall cause inconvenience, annoyance, or alarm to another by doing any of the following: engage in fighting, threaten harm to persons or property, participate in indecent, lascivious or lewd acts, or in violent or turbulent behaviors; or make unreasonable noise or an offensively coarse utterance, gesture, or display or communicate unwarranted and abusive language to any person; or insult, taunt, or challenge another, under circumstances in which that conduct is likely to provoke a violent response; or hinder or prevent the movement of persons on a public street, road, highway, or right-of-way, or to, from, within, or upon Port Authority property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the actor.

Any person or persons participating in a course of disorderly conduct and there are other persons in the vicinity whose presence creates the likelihood of physical harm to persons or property or of serious public inconvenience, annoyance, or alarm, a Port Authority Police Officer or other law enforcement officers may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

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# **SECTION EIGHT – SECURITY REQUIREMENTS**

## **1. IMPEDING SECURITY, CROWD, AND TRAFFIC CONTROL BARRICADES**

No unauthorized person shall cause, permit, allow or attempt to cause any unauthorized person to circumvent, impede or disable any security checkpoint, screening checkpoint, device, gate, doorway, crash door, fire exit or any person used for maintaining access control, detecting weapons, incendiaries, or prohibited items or any security device, barricade, barricade tape, doorway, crowd control stanchion barrier, traffic control device, security check point barrier, access control devices or alarms or personnel providing any type of access control security or check point inspections of any type.

## **2. SPOTLIGHTS, LASER DEVICES, LIGHTING**

No person shall, unless authorized by the Ohio Department of Natural Resources (ODNR), use or shine spotlights, lasers or any other lighting or illuminated devices, or unnecessarily or continuously shine automobile headlights in or onto Port Authority property or onto aircraft over or on Port Authority property except under the direction of Port Authority Police Officer or where necessary for the preservation of life or property.

## **3. LOITERING**

No person may stop, park or loiter on any Port Authority property or perimeter fence line and fencing gate areas unless authorized to do so.

## **4. CONVEYOR SYSTEMS**

No unauthorized person may ride, stand upon, sit upon, transport unauthorized items, deface damage, improperly operate, leave running, and leave un-secure any conveyor system.

## **5. COMMUNICATIONS**

No person may use any courtesy phone, two way radio system, or public address system unless authorized to do so. No person may use any of these systems in a manner either by word or act, shall indulge in any noisy, boisterous, disorderly or loud conduct, operate or play a radio, TV, musical instrument, or amplifying or sound equipment so as to disturb the peace and good order of the Port Authority.

## **6. SECURITY IN THE AOA**

- A. Restricted areas are established for safety and security reasons. Except for passenger enplaning or deplaning of aircraft, the general public is prohibited from the AOA unless escorted by an authorized Airport employee. The general public is also prohibited from all other areas of the Airport posted as being restricted areas.
- B. Only flight crews, passengers going to and from aircraft, aircraft service and maintenance technicians, FAA, ARFF and security personnel, or others authorized by the Airports Director or designee, shall be permitted into the AOA.

- C. When the condition or mission of an aircraft requires security guards or police, the owner or operator of the aircraft is responsible for obtaining and paying security service personnel.
- D. Tenants are responsible for the security of all aircraft and other private property entrusted to their care on the AOA or other locations on their airport tenant-leased areas of responsibility.
- E. Tenants and tenant employees are responsible for safeguarding doors, gates and other forms of passageways between the AOA and the landside of the Airport.
- F. A breach in security caused by a tenant, its agents or contractors that results in a TSA, FAA, other entity or Port Authority finding of negligence will be cause to review, fine and/or possibly cancel or curtail tenant access to the AOA.

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## **SECTION NINE – AIRCRAFT OPERATIONS**

The Airports Director or designee may prohibit aircraft from landing or taking off at any time when or under circumstances which he deems such landings and take-offs likely to endanger persons or property.

All aircraft shall be operated in conformity with current FAA rules and regulations.

### **1. RADIO COMMUNICATIONS**

All vehicles or aircraft entering the movement area at Toledo Express Airport must have a two-way radio capable of communicating with the Air Traffic Control Tower for landing, take-off, and taxiing instruction.

### **2. STARTING AIRCRAFT ENGINES and RUN UP**

Only pilots or qualified personnel will start aircraft engines. Except for starting, no aircraft will be run up in the terminal area. All run ups and power checks will be accomplished in areas as located and designated by the Airports Director or designee and at such times as the Airports Director or designee approves.

### **3. AIRCRAFT PARKING**

Overnight parking of aircraft shall be only in areas designated for such purpose by the Airports Director or designee. Aircraft operators or owners shall be responsible for the safety of their aircraft and shall have aircraft either tied down or chocked properly.

For the enplanement and deplanement of aircraft passengers, aircraft shall use gates as directed by the Airports Director or designee.

### **4. RAMP CLEANLINESS**

During shut down, starting, or servicing of any aircraft, if fuel, oil, hydraulic fluid, or other material is deposited on the ramp, the operator or operators of the aircraft shall be responsible to have such deposits removed immediately. Ground support equipment and materials shall be maintained and stored in a manner approved by the Airports Director or his/her designee.

### **5. AIRCRAFT ACCIDENTS**

The pilot or aircraft operator of any aircraft involved in any accident causing personal injury or property damage at the Airport shall make a prompt and full report of said accident to the Airports Director or designee, and a copy of the written report required by FAA regulations shall be given to such airport official.



The owner shall be responsible for the prompt disposal of disabled aircraft at the Airport after release by the National Transportation Safety Board, and/or the FAA and the Port Authority.

## **6. AUTHORITY TO DENY USE OF AIRPORT**

The Airports Director or designee shall have the authority to deny the use of the Airport to any aircraft or pilot violating Airport or FAA regulations.

## **7. AIRPORT CONTROL**

All aircraft at Toledo Express Airport shall be operated under the direction of the FAA Air Traffic Control Tower. No aircraft shall be operated except upon paved runways and taxiways, and only in such manner as directed by the Air Traffic Control Tower.

Any person using the Airport for landing or take-off of aircraft, specifically including but not limited to airlines, charter operators, and air cargo operators, shall comply with all lawful Federal laws, rules, regulations and Air Traffic Control Tower instructions or FAA directives with similar effect, that apply to aircraft operations at the Airport.

All aircraft shall observe and be governed by directives (covering but not limited to altitudes and traffic patterns applicable to the Airport traffic area), imposed from time to time by the Airports Director or designee and/or the FAA for use and control of aircraft, for the safety and protection of the Airport, and approved, if necessary, by the authorized agencies of the United States Government. Any violation of such directives or restrictions in the operation of aircraft shall be deemed a violation of the ARR.

## **8. AIR TRAFFIC RULES**

No aircraft shall be operated over or within the jurisdiction of the City of Toledo in violation of the air traffic rules which have been or may hereafter be established by the FAA and the ordinances of the City of Toledo.

No person shall navigate any aircraft over, land upon, or fly any aircraft from, or service, maintain or repair any aircraft on the Toledo Express Airport, or conduct any aircraft operations on or from the Airport otherwise than in conformance with the requirements of the Federal Air Regulations as established under the Federal Aviation Act of 1958. Further, the ARR promulgated herein shall in no way supersede or abrogate regulations set forth in FAA FAR Part 139 (Certification and Operations of Land Airport) or TSA – 49 CFR Part 1542 (Airport Security).

## **9. MINIMUM ALTITUDES**

Except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes:

**Anywhere:** An altitude allowing, if a power unit fails, an emergency landing without undue hazard to persons or property on the surface.

**Over Congested Areas:** Over any congested area of the City of Toledo, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.

**Over Other Than Congested Areas:** An altitude of 500 feet above the surface, except over open water or sparsely populated areas. In that case, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure.

**Helicopters:** Helicopters may be operated at less than the minimums prescribed in paragraphs (b) or (c) of this section if the operation is conducted without hazard to persons or property on the surface. In addition, each person operating a helicopter shall comply with the routes or altitudes specifically prescribed for helicopters by the administrator of the FAA.

All aircraft operators shall adhere to the Noise Compatibility Plan as approved by the approved FAA FAR Part 150 Study.

## **10. LICENSED AIRCRAFT AND AVIATORS**

Only aircraft and aviators licensed by the FAA shall be permitted to operate from the airport; provided, however, that this restriction shall not apply to aircraft and aviators of the federal government, or of the territory or possession thereof, or of any state, or of a political subdivision thereof, or to aircraft licensed by a foreign country, with which the United States has a reciprocal agreement covering the operation of such licensed aircraft and aviators.

## **11. AIRCRAFT CHARGES**

All aircraft using the Airport facilities shall pay such charges, rates, or fees as may from time to time be established by the Port Authority, either by contract or by rates applicable to non-contract users. Use of the Airport may be denied by the Airports Director or designee unless satisfactory arrangements have been made for payment of such charges.

## **12. GROUNDING OF AIRCRAFT**

During refueling operations, aircraft on ramps or aprons must be grounded.

## **13. TAXIING OF AIRCRAFT**

- A. No person may move an aircraft on the Airport in a careless or reckless manner.
- B. No person may start or run an engine in an aircraft on the Airport unless there is a competent person in the aircraft at the engine controls, and unless blocks have been placed in front of the wheels or the aircraft has adequate parking brakes.
- C. No person may run an engine of an aircraft parked on the Airport in a manner that damages any other property or aircraft, or that blows paper, dirt, or other material across taxiways or runways, so as to endanger the safety of operation of the Airport.
- D. Each person operating an aircraft on a part of the Airport that is not under the direction of air traffic control shall comply with the orders, signals, and directions of the authorized representative of the Airports Director.
- E. No person may start or taxi any aircraft on the Airport in a place where the exhaust blast is likely to cause injury to persons or property. If the aircraft cannot be taxied without violating this paragraph, the operator must have it towed to the desired destination.
- F. No person may move a rotorcraft at a place on the Airport (other than a heliport) while its

rotors are turning unless there is a clear area of at least 50 feet from the outer tip of each rotor. No person may move a rotorcraft at a heliport while its rotors are turning unless there is a clear area of at least 20 feet from the outer tip of each rotor.

#### **14. AIRCRAFT ACCIDENT / INCIDENTS ON OR ADJACENT TO THE AIRPORT**

Aircraft accidents/incidents shall be reported immediately to the Port Authority staff at Toledo Express.

Disabled aircraft are the responsibility of the aircraft owner. However, the Airports Director or designee has the authority and option to direct removal or relocation of a disabled aircraft from any location on the Airport.

Access to aircraft accident/incident scenes shall be controlled by the Airports Director or by the designated person-in-command at the scene.

#### **15. SUSPENDING FLYING OPERATIONS**

The Airports Director or designee shall have the authority to suspend flying operations on or from the Airport when, in the opinion of the Airports Director or designee, the condition of the landing area might make such operations unsafe.

Aircraft of any kind flying in or out of Toledo Express and used for any unlawful purposes shall be subject to confiscation and its occupants held for authorities.

#### **16. AIRCRAFT OPERATIONS-MANDATORY COMPLIANCE OR PROHIBITED ACTIVITIES**

- A. A qualified pilot or mechanic must be in the cockpit and at the controls of the aircraft when an aircraft engine is operating.
- B. Aircraft repair/maintenance will be performed only in designated areas.
- C. Operating aircraft engines inside a hangar is prohibited.
- D. Aircraft will be parked, serviced, loaded and unloaded at parking locations designed and designated for each type of aircraft.
- E. General aviation aircraft are prohibited from the passenger air carrier apron at the Toledo Express Airport.
- F. Any aircraft weighing more than runway, taxiway and apron load bearing capacity is prohibited.
- G. Based aircraft at the Airport are required to be accounted for on a regular basis to the Airports Director or designee by aircraft type and "N" number.
- H. "Touch and Go" operations are prohibited during snow removal operations.

#### **17. AIRCRAFT NOISE ABATEMENT**

Aircraft Noise Abatement shall be followed as per the current approved FAA Part 150 Noise

Study and Noise Compatibility Program.

THE FOLLOWING NOISE ABATEMENT PROCEDURES REQUIRE MANDATORY COMPLIANCE BY PILOTS AND TENANT/OPERATORS:

- A. Engine run-ups are prohibited on the aircraft parking aprons adjacent to the Airport passenger terminal at the Toledo Express Airport.
- B. Pilots are expected to use good judgment and flight procedures that result in minimum noise and avoidance of low altitude maneuvers while conducting flight in the airport traffic areas. Optimum power settings and maximum altitudes shall be maintained consistent with safety.
- C. Those noise abatement procedures contained in current and future FAA approved FAR Part 150 documents shall be adhered to by all aircraft using the Airport. All pilots should familiarize themselves with these documents.

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## **SECTION TEN – AIR OPERATIONS AREA (AOA)**

### **1. PERSONNEL AND MOTOR VEHICLES OPERATING IN THE AOA**

All vehicles operating on the AOA shall be registered with the Port Authority and no vehicle shall be operated in such area unless so registered and approval of such operation is granted by the Airports Director or designee.

No vehicle shall be operated on the Airport designated movement areas without permission of the Airports Director or his/her designee unless otherwise being escorted by trained and authorized personnel.

All vehicles shall yield the right of way to aircraft and shall be so operated as to avoid interference with aircraft operations, or other vehicle traffic.

All vehicles operating on the AOA will travel within the white lines that designate the ramp road and no vehicle that could create a fire hazard shall be parked closer than 10 feet from any facility buildings.

### **2. VEHICLES AUTHORIZED IN SECURITY IDENTIFICATION DISPLAY AREAS**

All agency vehicles within restricted areas must be readily identifiable, must display a decal or sign of the agency name and/or logo discernible at a distance of no less than 250 feet and must display a ramp permit registered with the Airport administration office. Passenger vehicles, including pickup trucks, must have an agency name and/or logo on both front doors of the vehicle, i.e., Port Authority, Airport FBO, Airport Police, etc.

- A. Construction vehicles requiring access to the AOA must be properly identifiable with company names and a ramp permit. Special equipment such as cranes, bulldozers, etc. will be exempt from this requirement.
- B. Vehicles having no distinctive markings will be required to display a ramp permit and/or a yellow rotating light or be escorted by an authorized vehicle under radio control.

### **3. AOA VEHICLE OPERATIONS**

All motorized equipment in the AOA will:

- A. Not be driven in a careless or reckless manner.
- B. Pass to the rear of taxiing aircraft at a safe distance (approximately 150 feet).
- C. Not be driven between a parked aircraft and its loading gate.
- D. Not be constructed, equipped, or loaded so as to be a danger to persons or property.
- E. Have passengers seated in seats permanently affixed to the vehicles.

#### **4. AOA ESCORTS**

- A. Only persons that have an approved Airport identification may escort in the AOA. These ID's are outlined in the Airport Security Program. Persons authorized to escort may only escort as many as they can properly control. The escort shall continuously accompany and monitor the escorted individuals while within the AOA in a manner sufficient to identify whether the escorted individuals are engaged in activities other than those for which escorted access was granted and shall maintain visual contact with the individuals they are escorting at all times.
- B. Persons doing vehicle escorts must have been trained to operate a motor vehicle in the AOA by the Port Authority, and escorts shall be done in a safe manner with the escorted vehicles under their control at all times.

#### **5. RESTRICTED AREA VEHICLE OPERATIONS**

No person shall operate motorized equipment in restricted areas except:

- A. Persons with valid state driver's license.
- B. Persons with Airport-issued identification badges designating the persons are authorized to drive and assigned to work within restricted areas.
- C. Persons under escort by Airport personnel, Port Authority Police, or ARFF vehicle.

#### **6. VEHICLE OPERATIONS**

During all hours of the day, no vehicle shall cross a runway or taxiway at Toledo Express without clearance from the Air Traffic Control Tower by radio communication or light gun. Such vehicles, with the exception of emergency vehicles, shall have overhead rotating amber lights.

Motor vehicles shall not be parked or maneuvered closer than ten (10) feet from any aircraft. Specialized vehicles needed to service an aircraft are exempt from this rule.

Aircraft and pedestrians have the right of way over motor vehicles. Motor vehicles shall pass to the rear of taxiing aircraft.

No automobiles, motor trucks, or tractors shall enter hangars without permission from the Airports Director or designee, except in connection with operations on the Airport, and hangar entrances shall be kept clear at all times. Storage or parking of fuel trucks in hangars is PROHIBITED.

#### **7. AIRPORT DRIVERS PERMIT**

- A. All motor vehicle drivers shall receive and pass Airport drivers training classes in order to operate any type of vehicle on the AOA.
- B. The airport drivers permit will be issued by the Operations Department.
- C. The Airports Director or designee has the authority to deny, restrict or cancel the privilege of any motor vehicle driver from operating on the AOA.

- D. Application for Airport driver's training classes will be made directly with the Port Authority Operations Department.
- E. Each applicant must possess a valid motor vehicle operator's license

**8. ENTRY/EXIT OF SECURITY IDENTIFICATION DISPLAY AREA (SIDA)**

All persons entering/exiting security gates/doors into restricted areas must do so one person or vehicle at a time. Every person must ensure that the gate/door is secure after each entry/exit and that no other person enters the restricted area while the gate/door is open.

No person may use any Airport-approved identification badge that provides unescorted access to any SIDA area or other restricted area to gain such access unless that medium was issued to that person by the Port Authority or other entity whose identification is approved by the Port Authority. It shall be unlawful for any person to allow another person to use his or her Airport-approved identification badge for access by such other person to any security identification display area or other restricted areas. It shall be unlawful for any person to disable, tamper with, or otherwise circumvent or bypass the security system or Airport-approved identification badge that provides unescorted access to any security identification display area or other restricted area.

**9. PEDESTRIANS**

All pedestrians shall walk only on designated pedestrian walkways in restricted areas and/or the AOA except to the extent necessary to perform and/or to provide services on behalf of the Port Authority, a tenant of the Airport, or a contractor performing work at the Airport.

**10. TAXIING, TOWING OR REMOVAL OF AIRCRAFT FROM THE AOA**

Requires clearance from the air traffic control tower at Toledo Express

The Airports Director or designee is authorized to tow or otherwise direct the relocation of aircraft parked or stored in unauthorized areas.

Aircraft will not taxi into or out of any hangar under aircraft engine power. Aircraft will be towed or pushed by machines or by hand into and out of hangars.

**11. ONLY AUTHORIZED PERSONS TO ENTER UPON THE AOA**

No non-badged persons are permitted into the AOA unless escorted by an authorized employee and must have an operational need to be on the airfield. Exception to this are pilots and duly authorized officers/officials charged with the duty of enforcing federal, state, local regulations.

No person(s) shall walk/drive without a two-way radio on any runway or taxiway unless proper clearance has been obtained from the Air Traffic Control Tower.

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## **SECTION ELEVEN – MOTOR VEHICLE OPERATIONS**

### **1. LICENSES**

No motor vehicle shall be operated on the Airport unless it is duly licensed as required by the Ohio Revised Statutes, and unless that operator thereof shall have a lawful driver's license to operate a motor vehicle as required by the Ohio Revised Statutes.

### **2. ROADWAYS**

No motor vehicle shall be operated on the Airport except on roadways or areas designated for such purposes by the Airports Director or designee.

### **3. SPEED LIMITS**

No motor vehicle shall be operated on the Airport at a speed in excess of 35 mph or such lesser speed in such areas as may be so marked and designated by road signs approved by the Airports Director or designee: Airport Access Roads - 35 mph; AOA - 20 mph, around aircraft – 10 mph.

### **4. APPLICABLE LAW**

Except as otherwise stated in these Rules and Regulations, the laws of the City of Toledo, Toledo-Lucas County Port Authority and State of Ohio in regard to the operation of motor vehicles, including traffic regulation, are hereby made applicable also to the operation of motor vehicles on the Airport.

The Airports Director or designee has the right to tow or otherwise move any motor vehicle for reasons of safety, security, abandonment, or police investigation. The Airports Director or designee shall also designate employee parking lots and establish fees for the use thereof.

### **5. LOADING or UNLOADING PASSENGERS**

No vehicle shall load or unload passengers in any area on the Airport roadways except as designated for such purpose by the Airports Director or designee.

### **6. PARKING**

- A. No person shall park or store any motor vehicle, bicycle, wagon, or other vehicle within any traveled roadway or at a location where posted signs prohibit parking upon any sod, gravel, or other surface not specifically designated as a "parking area" except in an emergency.
- B. All types of vehicles shall be parked within designated marked spaces where such spaces are provided.
- C. No person shall leave any motor vehicle unattended without first stopping the engine, removing the keys, and securing the vehicle.
- D. No person shall park in front of, over, or on a driveway, crosswalk, or sidewalk.
- E. No person shall park within a ground transportation stand (taxi, limo, shuttle, bus).



- F. No person shall park or drive over or onto a grass or landscaped area.
- G. No person may double park.
- H. No person may park in a reserved lot without proper permit.
- I. No person shall park in a designated fire emergency lane.
- J. No person shall park in designated no-parking areas as indicated by signs.
- K. No person shall park or stop in roadway or lane of travel.
- L. No person shall park in reserved handicap / disabled parking space without state issued identification.
- M. No person shall park within ten 10 feet of a fire hydrant.
- N. No vehicle that could create a fire hazard may be parked closer than ten feet from any facility building.

**7. REMOVAL OF VEHICLES**

Any vehicle parked in an unauthorized area, disabled, abandoned, or otherwise left by the owner, may be removed and impounded, at the expense of the owner, by the Airports Director, or his/her designee, without any liability for damage or other cause.

**8. REMOVAL AND IMPOUNDMENT OF VEHICLES**

**A. REMOVAL AND IMPOUNDMENT**

Any vehicle having against it four or more unpaid summons or other processes charging such vehicle was parked, stopped, standing, or operated in violation of any rule, regulation, or ordinance adopted by the Port Authority shall be deemed a public nuisance and the Port Authority Police and any other agency of the authority assigned to traffic duty is hereby authorized to remove the vehicle or cause it to be removed, at the sole cost and expense of the violator. Such police authority shall have the power, and is hereby authorized, to remove a vehicle by either private or government equipment to a lot or lots designated by the Port Authority for the storage of such vehicle.

**B. NOTICE**

Wherever the Port Authority Police or other agency has impounded a vehicle described above, a notice of such removal and the storage place of such vehicle shall be mailed to the last registered owner of such vehicle, if the name and address of such owner can be ascertained with reasonable diligence. Such notice shall state that if the owner fails to reclaim such vehicle within 60 days from the date of the mailing, title to such vehicle will vest in the Port Authority and such vehicle shall be sold at public auction to be held not sooner than 30 days after the expiration of the 60 day period contained in the notice.

**C. OWNER RESPONSIBLE**

Removal of outstanding summonses shall be presumed to be the responsibility of the owner at the time the summonses and/or processes were in fact issued and shall be severally responsible for the

offense and impoundment, except where the use of the vehicle was secured by the operator without the owner's consent.

#### D. RECORDS

It shall be the duty of the Port Authority Police to keep an impoundment vehicle until such vehicle shall have been repossessed by the owner or person legally entitled to possession thereof or otherwise disposed of as provided in this regulation. The Port Authority Police shall cause to be kept an accurate record of the description of such vehicle, including the name of the officer from whom such vehicle was received, the officer employed to tow or have delivered the same to the authorized lot, the date and time when received, the place where found, seized, or taken possession of, the make and color of car, style of body, identification number, state license number, if any, and general description of condition, the name and address of the person redeeming such said vehicle, the date of redemption, and the manner and date of disposal of said vehicle in case the same shall not be redeemed, together with the cost of outstanding summonses and/or processes and the towing and storage charges. This record shall be a form prescribed by the Port Authority.

#### E. RELEASE OF VEHICLE

Vehicles impounded pursuant to this regulation shall be released to their lawful owner (or person entitled to possession) upon showing adequate evidence of a right to its possession and paying the payment of all accrued fines and costs for each outstanding unpaid summonses and/or processes to the Lucas County District Court, and in addition thereto, the charges for towing and storage. The release should be signed by an authorized officer.

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## SECTION TWELVE – FUELING OPERATIONS

Every person conducting fueling operations shall meet requirements as hereinafter set forth:

1. **AVIATION FUEL SALES/BROKERING AND SERVICE – FIXED BASE OPERATOR.**
  - A. Persons conducting aviation fuel sales or service to the public on the Airport shall be required to meet the Minimum Standards of a Fixed Base Operator (FBO).
  - B. Fuel vendors, brokers and FBOs fuel facilities and equipment must pass inspections by the Port Authority and FAA.
  - C. Fueling of aircraft and fuel servicing of all types of over – the-road motor vehicles must be performed in locations designated by the Airports Director or designee.
  - D. All applicable National Fire Protection Association (NFPA) standards concerning fueling activities are hereby incorporated as part of this ARR.
  - E. Fuel storage areas shall be fenced, with gates and warning placards, prohibiting general public access.
  - F. Fueling of an aircraft with one or more of the aircraft’s engines running is prohibited.
  - G. Aircraft and fuel servicing equipment (trucks, carts, hydrants, and nozzles) must be bonded to each other and grounded before fuel flow starts.
  - H. Fueling of an aircraft within a hangar or building is strictly prohibited.
  - I. Automotive ramp equipment shall be fueled only at ground equipment service facilities or FBOs.
  - J. No aircraft shall be sumped or defueled onto any surface of the Airport.
  - K. Open flames are not permitted within fifty (50) feet of any fuel service activity or fueling equipment.
  - L. Smoking is prohibited on aircraft aprons, within fifty (50) feet of a fuel handling vehicle and at all other locations on the Airport where specifically prohibited by signs. Smoking is permitted only in designated areas.
  - M. Fuel service activity shall cease when lightning discharges occur within the vicinity of the Airport.
  - N. Fuel spills of any size must be reported to the Port Authority Public Safety Department immediately.
  - O. Electric switches and fixtures must be “explosion proof” when installed for use in the immediate vicinity of fuel vapors.

- P. No aircraft fuel servicing hydrant vehicle or aircraft fuel servicing tank vehicle (collectively, "Fuel Vehicle") shall be parked
  - 1. Closer than 10 feet to any other fuel vehicle.
  - 2. Closer than 50 feet to any aircraft which is not being fueled or defueled.
  - 3. In or within 50 feet of any building except in a fuel vehicle garage which complies with such applicable law.
- Q. A fuel vehicle which is not in active service and which has had its cargo tank, fueling valves, piping, hoses and nozzles completely purged of aviation fuel, in accordance with applicable NFPA, Ohio, and local fire code standards, may be parked or stored as a ground service vehicle.
- R. All ground service vehicles including fueling vehicles will use service roads to avoid crossing runways and taxiways where provided at the Airport.
- S. During fuel servicing, a minimum of 30 pounds of dry chemical fire extinguisher or CO2 equivalent will be available for immediate use.
- T. All tenants are responsible for supplying and maintaining fire extinguishers on tenant premises for fueling and other potentially dangerous or flammable activities.
- U. All fire extinguishing equipment must be inspected and tagged in accordance with NFPA standards and local codes.

**2. PRIVATE FUEL STORAGE AND FUELING OPERATIONS**

Any person having a lease and/or contract with the Port Authority for the use of the land and/or facility and such land and/or facility has authorized fuel storage tanks, may store aviation fuel in, and conduct fueling operations from such tanks for use in aircraft which such person owns, leases, or otherwise uses for the balance of the lease term including extensions provided in the original lease if such person:

- A. Conducts such storage and pumping in accordance with all applicable fire codes, federal, state, and local laws, statutes, ordinances, rules and regulations, and NFPA criteria pertaining to fire safety.
- B. Conducts fueling operations only in the areas approved by the Airports Director or designee.
- C. Submits to the Airports Director a proper monthly accounting of fuel put into such tanks and fuel pumped out of such tanks in a form approved by the Port Authority.
- D. Pays all applicable fees and taxes.
- E. Provides sufficient insurance at limits required in the Airport Minimum Standards and/or Leasing Policy for operators with fuel tanks, naming the City of Toledo and the Toledo-Lucas County Port Authority as additional party insured and furnishes a certificate of such insurance to the Airports Director or designee on a current basis.

**3. CO-OP FUELING**

An organization formed by aircraft owners, air carriers or flight departments for self-fueling purposes. **This type of fueling is prohibited at either airport.**

**4. FUELING BY AIRCRAFT OWNER OR PRIVATE INDIVIDUAL**

No person may store or dispense fuel into an aircraft owned by that person or owned by another person from mobile containers or other storage or transport devices unless approved by the Port Authority.

**5. REMOVAL OF GAS, OIL, GREASE, etc.**

In the event of spillage or dripping of gasoline, oil, grease, or any material which may be unsightly or detrimental to the pavement, or which might cause a safety hazard, the same shall be removed immediately. The responsibility for the immediate removal of such gasoline, oil, grease, or other material shall be assumed by the operator of the aircraft or vehicle causing the same or by the tenant or concessionaire responsible for the deposit thereof on the pavement.

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## **SECTION THIRTEEN – AIRCRAFT MAINTENANCE**

### **1. CONDUCT OF BUSINESS**

No person shall conduct, for commercial purposes, any activity or business at or from the Airport, except by contract with the authority. No person shall use, for commercial purposes, the Airport for revenue-producing activities, except by contract with the Port Authority.

### **2. REPAIR OF AIRCRAFT AND ENGINES**

All repairs to aircraft and engines shall be made in the spaces designated for this purpose, and not on the area reserved for landing and taking off.

### **3. REMOVAL OF GAS, OIL, GREASE, etc.**

In the event of spillage or dripping of gasoline, oil, grease, or any material which may be unsightly or detrimental to the pavement, or which might cause a safety hazard, the same shall be removed immediately. The responsibility for the immediate removal of such gasoline, oil, grease, or other material shall be assumed by the operator of the aircraft or vehicle causing the same or by the tenant or concessionaire responsible for the deposit thereof on the pavement.

### **4. AIRCRAFT HEATING EQUIPMENT**

Heating equipment, for the purpose of pre-heating aircraft, shall be restricted to steam, hot water, hot air, or approved electric heaters.

### **5. CLEANING OF AIRCRAFT AND PARTS**

Cleaning of or otherwise maintaining aircraft shall be accomplished only in areas designated for that purpose by the Airports Director or designee.

The cleaning of motor parts or other parts of the airplane shall preferably be with nonflammable liquids. If volatile inflammable liquids are employed for this purpose, cleaning operations shall be carried in the open air or in a separate room located in the repair shop section and separated by fire-resistive partitions, and complying with the requirements of the NFPA.

### **6. DISPOSAL OF AIRCRAFT WRECKAGE**

The aircraft owner, the pilot or agent of the owner shall be responsible for the prompt disposal of wrecked aircraft and the parts thereof, to avoid all interference with Airport operations, unless directed to delay such action pending investigation of the accident.

### **7. RECEPTACLES FOR OILY WASTE AND RAGS**

Suitable receptacles with self-closing covers shall be provided for the storage of oily waste, rags, and other rubbish. The contents of these receptacles shall be removed daily.

**8. EMPTY OIL CONTAINERS TO BE REMOVED**

All empty oil, paint, and varnish cans, bottles, or other containers shall be removed from the premises and not allowed to remain on floor or wall stringers.

**9. NO LITTER TO BE STORED IN HANGERS**

No rubbish, paper, or litter of any kind, shall be permitted to be stored in or about hangars.

**10. INFLAMMABLE LIQUIDS AND COMPRESSED GASES NOT TO BE STORED IN HANGARS**

Gasoline, kerosene, ethyl, ether, or other inflammable liquids, including those used in connection with the process of "doping," shall not be stored in hangars. The storage of such liquids shall be in compliance with the regulations of the NFPA for the construction and installation of containers for inflammable liquids. Lubricating oils may be kept within hangars when stored in containers and provided with draw-off devices, approved for this purpose.

The storage of compressed inflammable gasses shall not be stored in hangars. The storage of such compressed inflammable gasses shall be in compliance with the regulations of the NFPA for the construction and installation of containers for inflammable liquids.

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## SECTION FOURTEEN – TAXICABS, LIMOUSINES, VEHICLES FOR HIRE

The Port Authority may issue Airport operating permits at an annual fee, which will be set from time to time by the Port Authority. In lieu of issuing individual permits, the Port Authority may elect to contract out the ground transportation service based on services the company can provide to the Airport. The Airports Director or designee may also issue short-term operating permits for special events for a fee.

Contract companies shall have enforceable rules and regulations written in their operating agreement. Below are rules and regulations that would involve non-contractual companies:

1. All taxicabs, limousines or other vehicles for hire shall pick up or drop-off in the area designated for this just east of the baggage claim area doors. Drivers are to remain in or in close proximity to their vehicles at all times.
2. All taxicab, limousine, and vehicle for hire drivers shall notify the Port Authority Police at 419-865-2352 when picking up personals. The names and flight information must be given when notification is made.
3. All taxicab, limousine, and vehicles for hire must be properly licensed, display current inspection and rate cards and meet all other applicable federal, state, and local requirements.
4. No taxicab, limousine or other vehicle for hire, its operators, employees or agents, or servants shall be permitted to solicit fares anywhere on the premises of the Airport, nor to "cruise" the roadways of the Airport to solicit fares. Operators found to be soliciting fares shall be subject to removal from Airport grounds, and such operator's Airport operating permit may be suspended or revoked by the Airports Director or designee under such circumstances.
5. The driver of any taxicab, limousine or vehicle for hire shall remain in or about his/her vehicle. Drivers shall be permitted to enter the terminal building to utilize the restrooms, telephone, or food concession facilities, however, in no event shall any driver be permitted to stand in the terminal building or utilize the public seating areas of the terminal building. Drivers shall not engage in loud, boisterous or profane talk, or conduct themselves in a boisterous or disruptive manner at any time.
6. All taxicabs, limousines and vehicles for hire parked in the appropriate designated areas must be locked at all times when vehicles are unattended.
7. Nothing in these Rules and Regulations shall be construed as preventing a passenger from boarding a taxicab or limousine or vehicle for hire of his/her choice.
8. Current rates charged by taxicab, limousine or other vehicles for hire shall be posted in the vehicle.



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# **SECTION FIFTEEN – USE OF PASSENGER TERMINAL AIRLINE TICKET / CAR RENTAL COUNTER**

## **1. TICKET / CAR RENTAL ASSIGNMENTS**

The allocation and assignment of airline ticket counter, car rental counter, and limousine counter positions shall be made by the Port Authority in accordance with the following objectives and principals:

- A. The allocation and assignment of airline ticket, car rental, and limousine service counters shall be made in such a manner as to promote the efficient and balanced utilization of the passenger terminal as a whole.
- B. The allocation and assignment of counter space shall be based upon the principal of minimizing the amount of delay to the greatest number of passengers.
- C. In allocating and assigning counter space, the Port Authority shall use reasonable efforts to provide all airlines, car rental companies, and limousine services with sufficient space to accommodate their day-to-day operational requirements.
- D. The allocation and assignment of counter space shall be made in such a manner as to cause the least disruption for the airlines and ground transportation operators in total.
- E. The Port Authority will make reasonable efforts to incorporate airline specific operational parameters related to patterns of passenger arrival at the terminal: processing line, load factors, share of passengers requiring ticket counter services, and maximum staffing the airline will provide.
- F. The Port Authority shall reserve the right to deviate from these protocols in the allocation of counter space when it is deemed, solely by the Port Authority, to be in the best interest of the airlines, ground transportation services, or the traveling public to do so.

## **2. TICKET COUNTER OCCUPANCY RULES**

- A. A carrier/user can use a position only when it is assigned use of the position.
- B. Anytime a position is not assigned to a carrier, the carrier/user with the leased space directly behind the counter may use the position to sell tickets or to provide other passenger service.
- C. Each carrier/user shall ensure that bag belt doors are properly secured during and at the end of the assignment period.
- D. Each carrier/user should inspect its assigned counter(s) for functionality at the beginning and end of the assigned period. Discrepancies shall be reported immediately to the Port Authority.

- E. Each carrier/user must have the ticket counter in a neat and orderly manner at the end of the assignment period.

### **3. USE OF STANCHIONS**

- A. Stanchions will be provided for each airline ticket counter position.
- B. The location of the stanchions and the arrangements of the ribbons can be done at the discretion of the Port Authority.
- C. The stanchion arrangement will not extend into the public area or beyond the area directly in front of the ticket counter positions.
- D. The assigned carrier/user should check the stanchions for working condition at the start and end of each assignment period.
- E. Damage to the stanchions shall be reported immediately to the Port Authority.

### **4. BACK WALL SIGNAGE**

- A. During periods when an airline or car rental is assigned a counter, the airline or car rental may install signage directly behind the ticket counter. The Port Authority assumes no liability for damage to or destruction of signs.
- B. All signage must be approved by the Port Authority.

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## **SECTION SIXTEEN – ENFORCEMENT AND PENALTIES**

Any person who fails or refuses to promptly comply with the ARR contained herein following notice of violation by the Airports Director or designee, where such non-compliance interferes with the management, regulation or operation of the Airport and its facilities or creates any hazard or condition which endangers the public or Airport personnel, shall be removed or ejected from the Airport. Such person may be deprived of further use of the Airport and facilities for such length of time as may be required to insure the safeguarding of public interest. Any person deprived of the use of Airport facilities must apply to the Airports Director or designee for reinstatement of the privileges of use.

The Airports Director or designee is empowered to enforce the Rules and Regulations at the Toledo Express Airport. Additionally, for the purposes of enforcing the provisions of the ARR contained herein, full police authority is vested in each Port Authority Police Officer and each of said employees or officers is hereby specifically empowered to make arrests on Airport property for violations of the ARR. The Airports Director or designee is authorized to interpret these ARR whenever necessary, either by directives of general or specific application.

### **1. ENFORCEMENT OFFICIALS**

- A. The Toledo-Lucas County Port Authority, as operator of the Toledo Express Airport, provides that the ARR and the Airport Minimum Standards and Leasing, Rates & Charges Policy will be enforced by the Port Authority.
- B. The Port Authority, as operator of the Toledo Express Airport, through the Airport Division and the Port Authority Police Department, will enforce all sections of the ARR. Violators shall be prosecuted in the appropriate municipal court having jurisdiction.
- C. Additionally, the Airports Director or designee is hereby authorized to oversee any and all Notices of Violation proceedings pursuant to Section 16 of the ARR and/or applicable Airport Minimum Standards and Leasing, Rates & Charges Policy.

### **2. ENFORCEMENT PROCEEDINGS**

- A. Administrative – The Airports Director or designee is hereby authorized to issue a Notice of Violation through the Port Authority Police to any aircraft owner, operator, lessee, or any other persons on the Airport for any violation of the Airport Minimum Standards and Leasing, Rates & Charges Policy and the ARR.
- B. Notice of Violation – A Notice of Violation shall include a description of the provision violated, the time of the violation, the type and registration number of the aircraft if applicable, the name of the aircraft owner and/or operator, if known, address to mail in fines or contact number for court information, and any other pertinent information within 30 days of the violation.

- C. Denial of Use – In any event that any aircraft owner or operator has two or more violations of these provisions within any three year period, then for a period of one year after the date of the second violation, the aircraft owner or operator may be denied the right to land or take-off from the Toledo Express Airport, except in a bona fide emergency.

In the alternative, and at the option of the Airports Director or designee, any tenant whose violation of the mandatory provisions constitutes a default under any applicable lease shall be subject to the landlord's remedies as set forth in the applicable lease and in this section.

- D. Revocation of Permits, Leases, and Licenses – Any person or equity having a permit, lease, license or franchise with the Port Authority who violates any provision of this section shall to the extent permitted by law, have the permit, lease, license or franchise, subject to revocation.
- E. Appeals – Any person or entity who has been denied use of the Airport, or whose permit, lease, or license has been revoked pursuant to these provisions, shall be entitled to appeal to the Port Authority President by delivering written notice of appeal to the office of the Port Authority President within 10 days of notification that use has been denied or the permit, lease, or license revoked, and may appeal an adverse decision by the Airports Director or designee to the Port Authority Airport Committee by delivery of written notice to the Port Authority President within 10 days of the decision by the Airports Director or designee :
1. The Port Authority President shall conduct a hearing within 30 days of the Notice of Appeal and shall announce the decision promptly at the conclusion of the hearing.
  2. All parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, and to submit proposed findings of facts and conclusions of law.
  3. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.
  4. The Port Authority President shall complete and submit to the Airports Director or designee and all parties, an order consisting of findings of fact and conclusion of law, and the written order shall be consistent with the findings announced by the Port Authority President at the conclusion of the hearing. The decision of the Port Authority President shall be final, and subject to appellate review by the Port Authority Airport Committee Chair Person.

### **3. AIRPORT VIOLATIONS**

Any violations of federal, state or local laws or regulations shall be prosecuted there under. Any violations of these ARR not otherwise punishable under federal, state or local

laws or regulations shall be prosecuted as a minor misdemeanor. Violations of the provisions of the ARR for the Toledo Express Airport shall be punishable as set forth in the section hereunder:

- A. Any person charged with illegal parking in violation of Section 11 of the ARR, except as otherwise provided herein, may, in lieu of being summoned to the District Court for a hearing, pay a fine for such violation to the Toledo-Lucas County Port Authority. After ten days, payment of the fine shall not be permitted under this Section, and the violator shall be summoned to the District Court for a hearing, and shall be subject to the penalties set forth in the ARR. All fines under this Section for the Toledo Express Airport shall be paid to the Maumee Municipal Court at the addresses designated on the Notice of Violation. This Section shall not apply to parking penalties set forth in the ARR. All fines under this Section shall be paid to the Toledo-Lucas County Port Authority, at the address designated on the Notice of Violation.
- B. Any person violating any of the provisions of the ARR shall be fined not less than \$25.00, nor more than \$100.00, or imprisoned not more than ninety days or both.
- C. Any person violating any provision of the ARR shall be subject to penalties provided therein.
- D. In addition to the foregoing, any person violating any traffic or parking regulation may be denied permission to operate vehicles on the Airport, and any vehicle parking in violation of these regulations may be removed and impounded by the Port Authority Police or its designee, at the expense of the violator.
- E. In addition to the foregoing, any person violating any provision of these ARR pertaining to the issuance of identification badges and the performance of a ten-year criminal history records check may be denied access to restricted areas in accordance with FAR 1542. These regulations are spelled out in the Toledo Express Airport Security Plan as mandated by the TSA. Any falsification of documentation regarding this may be prosecuted in state or federal court. Civil penalties may also be administered.
- F. In addition to the foregoing, any pedestrian violating any provisions of these ARR pertaining to operations and/or the performance of services in restricted areas and/or the AOA may be denied permission to perform such services and/or work on the Airport.

#### **4. PENALTIES IN EFFECT AT AIRPORT**

All penalties prescribed for offenses and miscellaneous provisions as contained in these ARR, may be amended, deleted, or added to, shall be in full force and effect at the Airport with respect to the violation of said offenses and miscellaneous provisions.

Any violations of federal, state, or local laws or regulations shall be prosecuted there under. Any violations of the ARR not otherwise punishable under federal, state, or local laws or regulations shall be prosecuted as a minor misdemeanor with a fine not to exceed \$100.00. The following is a list of the Airport motor vehicle violations with applicable fines:

<b>Violation No.</b>	<b>Violation</b>	<b>Fine</b>
03	Parked or driving on sidewalk	\$20.00
04	Parked or driving on grass or landscaped area	\$20.00
05	Parked at an expired meter	\$20.00
06	Double-parking	\$20.00
07	Parked in reserved lot without proper permit	\$25.00
08	Failure to display valid parking permit	\$ 5.00
09	Parked in a fire lane	\$20.00
10	Parked in a "No Parking" Zone as indicated on signs	\$20.00
11	Parked in a roadway	\$20.00
12	Illegally parked in a handicapped space	\$75.00
13	Parked in a ground transportation stand (taxi, limo, shuttle)	\$20.00
14	Parked within 10 feet of a fire hydrant	\$25.00
15	Disregarding an officer's signal	\$25.00
16	Failure to obey a stop sign or traffic control device	\$50.00
17	Reckless Operation of a vehicle	\$75.00
18	Speed: driving 20 mph or less above the posted speed limit	\$50.00
19	Speed: driving in excess of 20 mph above the posted speed limit	\$75.00
20	Driving wrong way down one-way street	\$25.00

In addition to the penalties otherwise provided by municipal, state and federal law, any person operating or handling any aircraft or vehicle in violation of these rules and regulations, may be deprived of further use of the Airport and its facilities for such length of time as the Airports Director or his/her designee may determine.