

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROVIDING RULES AND REGULATIONS CONCERNING THE CITY OF MESQUITE'S PHIL L. HUDSON MUNICIPAL AIRPORT; PROVIDING THAT NO PERSON SHALL USE THE AIRPORT FOR CARRYING ON OF COMMERCIAL ACTIVITIES, FOR INSTRUCTION IN AVIATION IN ANY OF ITS BRANCHES, FOR SALE OF ANY COMMODITIES, UNLESS APPROVED BY THE MESQUITE CITY COUNCIL; PROVIDING FOR GENERAL RULES AND REGULATIONS IN THE USE OF THE AIRPORT; REGULATING AIR AND GROUND TRAFFIC; REGULATING THE USE OF AIRCRAFT ENGINES; PROVIDING FOR FIRE REGULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. In order to promote safety of persons and property and facilitate the orderly operation thereon the following penal provisions are adopted to regulate activity on the Phil L. Hudson Municipal Airport:

ARTICLE 1. USE OF AIRPORT RESTRICTED.

No person shall use the Airport for any commercial activity, unless approved by a written permit from the City of Mesquite or its duly authorized representative.

ARTICLE 2. GENERAL RULES AND REGULATIONS.

The following rules and regulations shall obtain and be observed in the use, operation and conduct of said Hudson Municipal Airport, viz:

Rule 1. T-Hangars owned by the City may be rented to persons on a monthly basis for the storage of aircraft and ancillary aircraft equipment only. No commercial activity may be operated from these T-hangars. (As used herein, the term "commercial activity" shall mean the provision for compensation goods or services to others on or from the Airport.)

Rule 2. REPAIRS TO AIRCRAFT. No aircraft shall be repaired on any part of the landing or take-off area, and all outside repairs shall be made at the places designated by the Airport Supervisor for such purpose.

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Rule 3. UNAUTHORIZED ENTRY. No person shall enter airport grounds either on foot or by motor vehicle, without permission from the Airport Supervisor. The term airport grounds as used in this rule shall not include carriage of passengers to and from the airport terminal, not persons using the airport passenger terminal in the normal course of business.

Rule 4. LICENSED PILOTS. Only properly registered aircraft and persons holding a current airman's license issued by the Federal Aviation Administration shall operate upon or over said Hudson Municipal Airport without written permission. Provided that this limitation shall not apply to students in training under licensed instructors nor to public aircraft of the federal government or of a state, territory or political subdivision thereof, or to aircraft licensed by a foreign government with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

Rule 5. REGISTRATION. Every person stationed, employed, receiving instruction or operating from Hudson Municipal Airport shall register at the office of the Airport Supervisor, shall give his name, address, telephone number and the nature of his business or occupation. Identification numbers of all aircraft hangared at Hudson Municipal Airport shall be registered at the office of the Airport Supervisor.

Rule 6. USE OF ANOTHER'S PROPERTY. Unless authorized by the owner in writing, the use of any aircraft, parts, equipment, accessories or tools of another, situated on said Airport, is forbidden.

Rule 7. INTOXICANTS AND NARCOTICS FORBIDDEN. No person under the influence of an intoxicant or narcotic shall operate any aircraft upon or over Hudson Municipal Airport.

ARTICLE 3. GROUND OPERATIONS.

Rule 8. VEHICULAR TRAFFIC. All vehicular traffic shall be confined to the roads, streets, avenues and alleys provided on the grounds for that purpose, and shall not be operated at a speed in excess of twenty (20) miles per hour.

Rule 9. FUELING OF AIRCRAFT.

- A. Aircraft shall not be fueled while the engine is running or while in a hangar or other enclosed place.
- B. All aircraft will be positively grounded when being serviced with fuel. Aircraft being serviced by a fuel truck will be grounded to the fuel truck and the fuel truck will be positively grounded.
- C. All aircraft shall be fueled at a fuel pump, or if

by truck, on the ramp clear of hangars by an approved Fixed Base Operator. 20067

- D. Aircraft fuel trucks will be equipped, operated and maintained in accordance with Mesquite Fire Department rules. A copy of which are on file in the office of the City Secretary and adopted by reference herein.
- E. No persons or aviation businesses may supply and dispense aviation fuel for their private use without first obtaining permission from the City of Mesquite. Private fueling facilities must be located on leased property and the fueling system installed and fuel dispensed in accordance with Aircraft Fueling Rules and Directives.
- F. Aviation or auto fuels shall not be stored in a hangar.

Rule 10. DAMAGE TO RUNWAY LIGHTS. Any person damaging any field light or fixture by operation of an aircraft or otherwise shall immediately report such damage to the Airport Supervisor.

Rule 11. CLEARING STREET. No aircraft shall land or take off in such a manner as to clear any public street or highway at an altitude of less than 30 feet over a highway or 50 feet over a railroad tract nor land or take off on the taxiway or over hangars or other structures, automobile parking areas or groups of spectators.

Rule 12. ALTITUDE AND NOISE OF ENGINES. No aircraft shall be operated over the City of Mesquite at an altitude of less than one thousand (1,000) feet above the ground. Aircraft engines shall not be accelerated nor decelerated while over the City of Mesquite or adjoining cities in such manner as to distract, excite or disturb persons on the ground, regardless of altitude.

ARTICLE 4. FIRE REGULATIONS.

Rule 13. FIRE REGULATIONS.

- A. Smoking or open flame within fifty (50) feet of any aircraft or fuel truck is prohibited.
- B. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Supervisor.
- C. No flammable substance shall be used in cleaning motors or other parts of an aircraft inside a hangar or other building.
- D. No one shall smoke, ignite a match or lighter in any building, except in offices, waiting rooms or buildings where specially permitted by the Airport Supervisor.

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- E. Hangar entrances shall be kept clear at all times.
- F. The floors in all buildings shall be kept clean and free from oil. Volatile, flammable substances shall not be used for cleaning the floors.
- G. No boxes, crates, cans, bottles, paper, tall grass/weeds or other litter shall be permitted to accumulate in or about a hangar.
- H. Prior to being fueled all aircraft will be positively grounded by a grounding cable which is connected to a copper, copper clad, galvanized or other approved ground rod 5/8" or greater in diameter buried to a sufficient depth to reach permanent subsoil moisture. The resistance of the ground rod should not exceed 10,000 ohms. The bonding/ground cable shall be of flexible, durable material. The grounding clip on the end of the grounding cable shall be connected to bare, unpainted metal on the aircraft, excluding the aircraft's propeller, landing gear or radio antennas.
- I. At least two 20B portable fire extinguishers shall be available within 50' of the fuel pumps where the open hose discharge capacity of the fuel pump is not more than 200 gallons per minute; at least one wheeled 80B fire extinguisher where the open hose discharge capacity is more than 200 gallons per minute, but not more than 350 gallons per minute; at least two wheeled 80B fire extinguishers where the open hose discharge capacity is greater than 350 gallons per minute.
- J. All aviation fuel nozzles will have "dead man" controls which will shut off the fuel flow when the nozzle hand control is released. Automatic fuel cut off nozzles will not be permitted for fueling aircraft.
- K. The pilot and passengers will exit the aircraft and the aircraft will be unoccupied during fueling operations.

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SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite including Ordinance No. 1249 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 17th of October, A.D., 1983.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Norma G. McGaughey
Norma G. McGaughey
City Secretary

Elland Archer
City Attorney

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