

## ORDINANCE NO. 2430

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING ORDINANCE NO. 1954 OF THE CITY OF MESQUITE, TEXAS, BY ADDING CERTAIN NEW LANGUAGE AND DELETING CERTAIN PRESENT LANGUAGE, THEREBY AMENDING CERTAIN MINIMUM STANDARDS AND RULES AND REGULATIONS GOVERNING ALL USERS OF THE PHIL L. HUDSON MUNICIPAL AIRPORT; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO-HUNDRED (\$200.00) DOLLARS FOR EACH VIOLATION OF THIS ORDINANCE; BY PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Ordinance 1954 of the City of Mesquite, Texas is hereby amended as follows:

That the Minimum Standards for Fixed Base Operators and Airport Tenants adopted as the official minimum standards for fixed base operators and airport tenants at Phil L. Hudson Airport are hereby amended to read and provide as stated in the attached minimum Standards for Fixed Base Operators, Commercial Operators and Airport Tenants at the Phil L. Hudson Municipal Airport, Mesquite, Texas.

That the rules and regulations adopted as the official rules and regulations for operation and use of the Phil L. Hudson Municipal Airport are hereby amended to read and provide as stated in the attached City of Mesquite Rules and Regulations for the Phil L. Hudson Municipal Airport.

SECTION 2. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a Class C misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two-hundred (\$200.00) dollars for each offense. This section is cumulative of all other penalties for violation of federal, state and local laws, rules, regulations and ordinances.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. The fact that the present Rules and Regulations and Minimum Standards for the Phil L. Hudson Airport do not adequately protect the safety and welfare of the inhabitants of the City 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 18 day of May, A.D., 1987.

*George A. Venner*

George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED AS TO FORM:

*Lynn Prugel*

Lynn Prugel  
City Secretary

*Elizabeth A. Lunday*

Elizabeth A. Lunday  
Assistant City Attorney

# CITY OF MESQUITE

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## Hudson Municipal Airport



### Minimum Standards

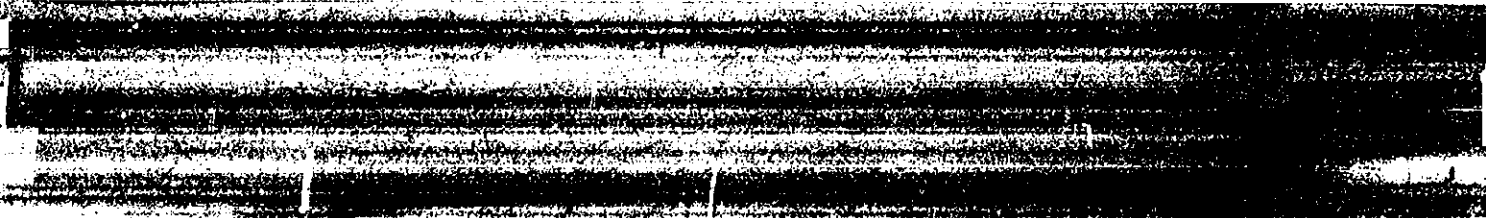
### Rules and Regulations

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MINIMUM STANDARDS FOR FIXED BASE OPERATORS  
AND AIRPORT TENANTS AT THE  
PHIL L. HUDSON MUNICIPAL AIRPORT  
MESQUITE, TEXAS

Section 1. The owners of the Phil L. Hudson Municipal Airport shall hereinafter be referred to as the City of Mesquite.

The following minimum standards and requirements for public interest for the safe and efficient operation of the Phil L. Hudson Airport; to enhance its orderly growth; to preclude the granting of an exclusive right to conduct an aeronautical activity in violation of Section 308(a) of the Federal Aviation Act of 1958; to conform to Title VI of the Civil Rights Act of 1964 and Part 21 of the Department of Transportation Regulations; and to assure to all lessees the availability of airport property on fair and reasonable terms and without unjust discrimination.

1. A **Fixed Base Operator** is defined as any person, firm or corporation performing as a fuel dealer by furnishing ramp service and the sale of aviation petroleum products and performing a minimum of one additional function or service as hereinafter set out for Fixed Base Operators at the Phil L. Hudson Municipal Airport. No person, firm, or corporation shall engage in any commercial activity as a Fixed Base Operator as herein defined unless the same is done in full compliance with the standards, rules and regulations herein set forth.

2. A **Commercial Operator** is defined as any person, firm or corporation providing goods or services to others on the Airport, except aviation fuel sales. No person, firm, or corporation shall engage in any commercial activity as a Commercial Operator unless the same is done in full compliance with the standards, rules and regulations herein set forth for Fixed Base Operators.

3. An Airport Tenant is defined as any person, firm, or corporation providing leasing or subleasing property at the Phil L. Hudson Airport who is not a Fixed Base Operator. An Airport Tenant may hangar his aircraft on his leased property subject to the provisions of Category "H" hereof.

4. All Fixed Base Operators, Commercial Operators and Airport Tenants shall protect the public generally, the customers or clients of such Fixed Base Operators, and the City of Mesquite from any and all lawful damages, claims, or liability and shall carry comprehensive general liability insurance in a company authorized to do business in the State of Texas with limits of not less than \$500,000 per person, \$1,000,000 for each occurrence for personal injury, and \$250,000 property damage.

This coverage must include:

- A. Premises and operations
- B. Independent contractors and their subcontractors
- C. Real property (Fire)
- D. Personal injury
- E. Contractual liability
- F. Worker's compensation employees' liability of \$50,000
- G. Comprehensive automobile liability of \$100,000
- H. Project and completed product coverage. In addition, the City of Mesquite is to be named as an additional insured, supplied with a policy copy, and the policy shall have a 30-day notice of cancellation in favor of the City. It is further understood that as circumstances in the future dictate, the City of Mesquite may require an increase in bodily injury and property damage insurance.

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5. A Fixed Base Operator shall satisfy the lessor that it is technically and financially able to perform the services of a Fixed Base Operator. This shall include the responsibility for demonstrating continued financial solvency and business ability by the submitting of an annual balance sheet, credit references and any other proof that the lessor may require from time to time. In cases of doubt by the lessor to such ability of a Fixed Base Operator, the lessor may conduct a hearing to determine appropriate action. In each instance, the lessor shall be the final judge as to the qualifications and financial ability of the lessee.

6. Any person, firm or corporation capable of meeting the minimum standards set forth herein for any of the stated Fixed Base Operator categories is eligible to become a Fixed Base Operator at the airport, subject to the execution of a written lease for not less than five (5) years containing such terms and conditions as may be determined by the City of Mesquite. A Fixed Base Operator or Airport Tenant shall not engage in any business or activity on the airport other than that authorized under his particular category or categories. Any Fixed Base Operator desiring to extend his operation by expansion or sublease into more than one category or to discontinue operations in a category, shall first apply in writing to the City of Mesquite for permission to do so, setting forth in detail the reasons and conditions for the request. The City of Mesquite shall then grant or deny the request on such terms and conditions as the City deems to be prudent and proper under the circumstances. Each Fixed Base Operator shall provide his own buildings, personnel and equipment, and other requirements as herein stated upon land leased from the City of Mesquite.

7. All Fixed Base Operators at said airport shall provide ample lounges and restrooms for their customers and shall make telephone service conveniently and readily available for public use.

8. All construction required of such operators shall be in accordance with design and construction standards required or established by the City of Mesquite for the facility or activity involved. Title to any and all buildings and appurtenances, which may be built on City property, shall revert to the City of Mesquite when and if the subject lessee vacates the lease for any reason. All operators shall be required to furnish the City of Mesquite payment and performance bonds commensurate with any construction required under the standards herein fixed or under any contract or lease by and between such operator and the City of Mesquite.

9. The rates or charges for any and all activities and services of such operators shall be determined by the operators, subject to the review of the City of Mesquite, and subject, further, to the requirement that all such rates or charges shall be reasonable and be equally and fairly applied to all users of the services.

10. All operators at the airport shall be full-time, financially sound and progressive business enterprises, with adequately manned and equipped facilities, including ample office facilities, and who observe normal or specifically required business hours.

11. All Fixed Base Operators shall, at their own expense, pay all taxes and assessments against any buildings or other structures placed on the premises by them, as well as all taxes and assessments against the personal property used by them in their operations.

12. All operators shall abide by and comply with all state, county and city laws and ordinances, the rules and regulations of the City of Mesquite, and the rules and regulations of the State and Federal Aviation Administration.



13. In the event the City of Mesquite constructs or owns the physical plant facilities (hangars, etc.) for use by any operator under the provisions of any lease or other contract, such lease or contract with such operators shall be on such terms and conditions as to guarantee a reasonable return of the investment.

14. All operators shall provide and pay for all telephone, gas, electrical service, water, sewer charges and garbage collection charges used or incurred anywhere in or about the leased premises, and shall pay the charges made therefor by the suppliers thereof when due.

15. All contracts and leases between such operators and the City of Mesquite shall be subordinate to the provisions of any existing or future agreement between the City of Mesquite and the United States, relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of Federal funds for the development of the airport properties. This provisions not intended to prevent damages for improvements subject to the laws of eminent domain.

16. No Fixed Base Operators shall sublease or sublet any premises leased by such operator from the City of Mesquite, or assign any such lease, without the prior written approval of the City of Mesquite, and any such subletting or assignment shall be subject to all of the minimum standards herein set forth.

17. In the event the lessee sublets any portion of his lease, the sublessee must agree to assume the full obligations of the lease as set out herein and must agree to fully cooperate with the City of Mesquite in seeing that these standards are complied with. The sublessee shall immediately comply with any reasonable request or direction of the City of Mesquite as it relates to the enforcement of these standards.

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18. In the event that the lessee or sublessee fails to comply fully with these standards or fails to comply with the reasonable request or direction of the City of Mesquite as it relates to these standards, said lessee or sublessee shall be in default. If said default continues for more than thirty (30) days after written notice of said default, the City of Mesquite may terminate the lease. Said lessee is responsible for the performance of the sublessee with respect to lessee and sublessee obligations to the City of Mesquite.

19. Fixed Base Operators shall have the right to use common areas of the airport, including runways, taxiways, aprons, roadways, floodlights, landing lights, signals and other conveniences for the takeoff, flying and landing of aircraft of lessee.

20. Beginning with the effective date of adoption of these minimum standards, leases to Fixed Base Operators and airport tenants shall be limited to a maximum of thirty (30) years. In addition, leases shall, at the discretion of the City of Mesquite, be subject to review and reevaluation at the end of each five (5) year period thereof, in relation to the Consumer Price Index. In this regard, when at the end of each of said five (5) year periods, the cost of living index is determined by the City of Mesquite to be five (5) or more percent higher than at the date the lease became effective, the rental terms thereof may be increased to such percentage of increase or of said cost of living index. If at the end of such five (5) year period the said cost of living index has changed less than five (5) percent, the City of Mesquite shall take no action to review or reevaluate the lease.

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21. Lessees will, at all times during the continuance of the term of the lease and any renewal or extension thereof, conduct, operate and maintain for the benefit of the public, the Fixed Base Operation provided for and described therein, and all aspects and parts and services thereof as defined and set forth, and will make all such services available to the public and that it will devote its best efforts for the accomplishment of such purposes and that it will at all times make charges to patrons and customers for all merchandise or materials and services furnished or rendered, but that it will refrain from imposing or levying excessive or otherwise unreasonable charges or fees for any facilities or services. Notwithstanding anything contained in a lease that may be or appear to the contrary it is expressly understood and agreed that the rights granted thereunder are nonexclusive and the lessor reserves the right to grant similar privileges to another operator or operators upon formal application by that operator, and upon demonstration of compliance with paragraphs 4 and 5 herein.

22. The City of Mesquite reserves the right to take any actions it considers necessary to protect the aerial approaches to the airport against obstructions, together with the right to prevent any Fixed Base Operator from erecting, or permitting to be erected, any building, sign, or other structure on the airport which, in the opinion of the City of Mesquite, would limit the usefulness of the airport or constitute a hazard to aircraft.

23. All contracts and leases between such operators and the City of Mesquite shall be subordinate to the right of the City

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during time of war or national emergency to lease the landing area or any part thereof to the United States Government for military or naval use, and, if any such lease is so made, the provisions of any contracts or leases between such with the provisions of the lease to the Government, shall be suspended.

24. These standards shall apply to all parties defined herein or as amended from time to time by the City of Mesquite.

25. The lessee shall remove from the airport or otherwise dispose of in a manner approved by the Airport Supervisor all garbage, debris, and other waste material (whether solid or liquid) arising out of its occupancy of the premises or out of its operations. Said lessee shall keep and maintain his leased premises in a neat and orderly manner; lessee shall keep the grass cut and the buildings painted. Any garbage debris waste which may be temporarily stored in the open shall be kept in suitable garbage or waste receptacles, the same to be made of metal and equipped with tight fitting covers and to be of a design safely and properly to contain whatever may be placed therein. The lessee shall use extreme care when effecting removal of all such waste.

26. The City of Mesquite reserves the right to further develop or improve all areas of the airport as it sees fit, regardless of the desires or views of any Fixed Base Operators, and without interference or hindrance from any such Fixed Base Operators.

27. The City of Mesquite reserves the right to enter upon any premises leased to Fixed Base Operators at reasonable times

for the purpose of making such inspections as it may deem expedient, to the proper enforcement of these minimum standards and for the proper enforcement of any covenant or condition of any Fixed Base Operator's contract or lease agreement.

28. The City of Mesquite recognizes the rights of any person, firm or corporation operating aircraft on the airport to perform services on its own aircraft with its own employees (including, but not limited to maintenance and repair) that it may choose to perform. However, said persons, firms or corporations may not hire any vendors of services, or fuel from off-airport premises to perform services on the airport, except on a temporary basis for experimental, antique, military, or other unusual aircraft, as determined by the City of Mesquite. Aircraft fueling accomplished under this provision shall be in strict accordance with any safety regulations and/or ordinance as referenced in paragraph 12.

FIXED BASE OPERATOR CATEGORIESCATEGORY A. FLIGHT INSTRUCTION AND AIRCRAFT RENTAL:

A Fixed Base Operator in this category shall:

1. Have available on a full-time employment basis a minimum of one flight instructor with appropriate and current Federal Aviation Administration flight instruction certificates.
2. Provide and at all times maintain a minimum of two (2) aircraft owned or leased by and under the exclusive control of this Fixed Base Operator which are properly equipped and Federal Aviation Administration certified for flight instruction and rental.
3. Lease from the City of Mesquite sufficient land on which to locate all required improvements, and provide a minimum of 1,000 square feet of classroom and/or office space, to include restrooms. Parking space for customers shall be consistent with City of Mesquite development standards.
4. Demonstrate the continuing ability to meet requirements for certification of flight instructor personnel and aircraft by the Federal Aviation Administration.
5. Assure that personnel operating rental equipment obtained from the subject Fixed Base Operator have appropriate and current Federal Aviation Administration pilot and approved medical certificates.

CATEGORY B. AIRCRAFT CHARTER AND TAXI:

A Fixed Base Operator in this category shall:

1. Have available on a full-time employment basis a minimum of one Federal Aviation Administration certified pilot with

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current commercial and instrument ratings and approved medical certificate.

2. Lease from the City of Mesquite or provide under terms agreeable to the City for his exclusive use a minimum of 1,000 square feet in a building for passenger shelter, restrooms, telephone, etc.

3. Provide satisfactory arrangements for the checking in of passengers, handling of luggage, ticketing, and ground transportation, etc.

4. Provide and at all times maintain at least one (1) currently certified and continuously airworthy aircraft owned or leased by and under the exclusive control of this Fixed Base Operator, properly certified for air charter or air taxi service.

5. Lease from the City of Mesquite sufficient land on which to locate all required improvements.

CATEGORY C. CROP DUSTING AND SPRAYING:

A Fixed Base Operator in this category shall:

1. Furnish suitable arrangements for the safe loading, unloading, storage and containment of noxious chemical materials.

2. Furnish a minimum of one (1) aircraft with pilot. The aircraft will be suitably equipped for agricultural operations with adequate safeguard against spillage of chemical spray mixtures or materials on runways and taxiways or dispersal by wind force to other operational areas of the airport. The pilot will have appropriate and current Federal Aviation Administration pilot and approved medical certificates.

3. Lease from the City of Mesquite sufficient land on which to locate all required improvements and lease from the City of Mesquite or provide under terms agreeable to the City for his exclusive use a minimum of 1,000 square feet of shop or storage space.

CATEGORY D. AIRCRAFT SALES:

Fixed Base Operators in this category shall:

1. Have available during normal working hours of 8:00 a.m. to 5:00 p.m. Federal Aviation Administration certified and currently airworthy aircraft for sale.

2. Have a minimum of one (1) fully qualified demonstrator pilot employed with current and appropriate Federal Aviation Administration pilot and approved medical certificates.

3. Lease from the City of Mesquite sufficient land on which to locate all required improvements.

4. Lease from the City of Mesquite or provide under terms agreeable to the City for his exclusive use a minimum of 1,000 square feet of office space to include restrooms.

CATEGORY E. AIRCRAFT, ENGINE, PROPELLER, AND ACCESSORY MAINTENANCE:

Fixed Base Operators in this category shall:

1. Lease from the City of Mesquite or provide under terms agreeable to the City for his exclusive use a minimum of 5,000 square feet of hangar, shop, and storage space.

2. Furnish facilities and equipment for airframe and power plant repairs with at least one duly Federal Aviation Administration certified A & P Mechanic and such other personnel as may be



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necessary. Such airframe and power plant repair shall include facilities for both major and minor repair of aircraft and engines used in general aviation in this area.

3. If so specified in the lease, and as City of Mesquite's agent, demonstrate the ability to and assume responsibility for promptly removing from the public landing area as soon as permitted by cognizant Federal Aviation Administration and Civil Aeronautics Board authorities any disabled aircraft.

4. Lease from the City of Mesquite sufficient land on which to locate all required improvements.

5. A Fixed Base Operator in this category may engage in the buying and selling of new and used aircraft, aircraft parts and equipment; however, for aircraft sales, FBO must comply with requirements 1, 2, and 4 of Category D, Aircraft Sales.

CATEGORY F. RADIO AND INSTRUMENT:

Fixed Base Operators in this category shall:

1. Lease from the City of Mesquite sufficient land on which to locate all required improvements; lease from the City of Mesquite or provide under terms agreeable to the City for his exclusive use a minimum of 1,000 square feet of shop and storage space.

2. Have available on a full-time basis Federal Aviation Administration certified technicians in the field of aircraft electronics and/or aircraft instruments with proper Federal Communications Commission license to conduct complete aircraft transmitter, receiver and antennae repair.

3. Provide satisfactory arrangements for access to and storage of aircraft being worked on.

CATEGORY G. SALE OF AVIATION PETROLEUM PRODUCTS AND RAMP SERVICE:

A Fixed Base Operator in this category shall:

1. Lease from the City of Mesquite sufficient land on which to locate intended storage and dispensing equipment, buildings, aircraft parking area, tiedowns, auto parking, taxiways, apron or other facilities.
2. Construct, lease, or otherwise have available at least one building with a minimum of 1,000 square feet, conveniently located, to accommodate anticipated customer use, and incorporating properly lighted and heated/air conditioned floorspace for office(s), public lounge, restrooms, and public telephone.
3. Have personnel on full-time duty during normal business hours of dawn to dusk, seven days a week, adequately trained to operate fuel dispensing equipment in accordance with all applicable local, state, and federal laws. On call service shall be required during all hours of darkness.
4. Provide, in addition to fueling services, aircraft parking and tiedown facilities, including approved tiedowns and chocks, for a minimum of six (6) aircraft. Demonstrate capability to efficiently and safely conduct or move aircraft to such areas and park them. (Additional services, such as aircraft washing, tire inflation, changing engine oil or providing other minor repairs, car rental, and operation of UNICOM, may be required.)
5. Comply with the following criteria regarding fuel storage and dispensing facilities:
  - a. Provide and maintain a minimum of 5,000 gallons tank storage capacity below ground for each grade of aviation fuel usually required for aircraft using the airport.

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b. Maintain separate pumping equipment for each grade of fuel, meeting all applicable safety requirements with reliable metering devices subject to independent inspection, and with a pumping efficiency capable of servicing all aircraft normally using the airport.

c. Provide and maintain metered filter-equipped dispensers, fixed or mobile, for dispensing each grade of aviation fuel usually required. Mobile dispensing truck(s) shall have a 400 gallon capacity for each grade of fuel.

d. Prohibit any fuel transfer from a common carrier transport into anything except underground storage tanks.

e. Provide adequate grounding rods at all fuel locations to reduce the hazards of static.

f. Provide adequate fire extinguishers in all fuel dispensing areas and on all mobile dispensing trucks.

6. Have the following minimum amounts of liability insurance in force:

Bodily Injury	\$ 500,000 each person \$1,000,000 each accident
Property Damage	\$ 250,000 each accident

7. A Fixed Base Operator in this category may engage in the buying and selling of new and used aircraft, aircraft parts and equipment; however for aircraft sales, FBO must comply with requirements 1 and 2 of Category D, Aircraft Sales.

CATEGORY H. AIRPORT TENANT:

An airport tenant in this category shall:

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1. Lease from the City of Mesquite, sublease from an FBO, or provide under terms agreeable to the City sufficient land for his exclusive use which shall be improved in accordance with applicable zoning pertaining to the airport.

2. Be prohibited from engaging in any of the activities of Fixed Base Operators defined by Category A through G, unless specifically approved by the City of Mesquite in the lease and sublease agreement between the City and the tenant.

3. Be responsible that aircraft owned by him or operated from the property leased or occupied by him are operated by personnel who hold appropriate and current Federal Aviation Administration pilot and approved medical certificates.

CATEGORY I. NON-PROFIT FLYING CLUBS:

1. The following requirements pertain to all non-profit flying clubs desiring to base their aircraft on the airport and be exempt from the minimum standards.

2. Each club must be a non-profit corporation or partnership having a membership of not less than three members. Each member must be a bonafide equal owner of the aircraft or an equal stockholder in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual use of operation, maintenance, and replacement of its aircraft. The club shall file and keep current with the City of Mesquite a complete list of the club's membership and investment share held by each member. In addition, the club shall maintain a set of books showing all club income and expenses. Said books

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shall be available for inspection by the Airport Supervisor to determine compliance with this provision.

3. The club's aircraft facilities and services will not be used by other than bonafide members and by no one for commercial operations as defined by Category A through G. Student checkout and/or instruction can be given in a club aircraft to club members by either a Fixed Base Operator on the airport who provides flight training or by an instructor who is a bonafide club member, but who shall not receive remuneration in any manner for such service.

4. In the event that the club fails to comply with these conditions, the Airport Supervisor will notify the club in writing of such violations. If the club fails to correct the violations in 15 days, the Airport Supervisor may take any action deemed advisable by the City of Mesquite.

5. Each aircraft owned by the flying club must have aircraft liability insurance coverage for the following amounts:

Bodily Injury	\$100,000 each person \$300,000 each accident
Property Damage	\$100,000 each accident

CATEGORY J. OTHER CATEGORIES:

1. Other categories not otherwise defined may be added by the City in accordance with the standards previously established and such additional standards that may be applicable.

2. Business activities that are transient and casual to airport operations shall not be permitted under Category H.

In the calculation of any square footage requirements, the following shall apply:

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1. Any one service or a combination of services excluding Category C (crop dusting) and Category E (mechanic work) - Minimum of 1,000 square feet.
2. Any combination of services including Category E (mechanic work) but excluding Category C (crop dusting) - Minimum of 6,000 square feet.
3. Combination of all services (Categories A-G) - Minimum of 7,000 square feet.
4. Any combination of services excluding Category E (mechanic work) but including Category C (crop dusting) - Minimum of 2,000 square feet.

CITY OF MESQUITE  
RULES AND REGULATIONS  
FOR  
THE PHIL L. HUDSON  
MUNICIPAL AIRPORT  
MAY 18, 1987

SECTION 2. 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.

The Airport was developed with aid from the State of Texas and the United States. These grants include a number of obligations and commitments to the general and flying public, to said State, and to the United States. Any provision of these regulations, any

lease, or any practice carried out on or for the Airport shall be subordinate to, and if at variance with the grant requirements, unilaterally reformable at owner's or FAA's option for conformity with these grants.

SECTION 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. THE FEDERAL AIR TRAFFIC RULES promulgated by the Federal Aviation Administration for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part hereof as though fully set forth and incorporated herein.

Rule 2. SAFEGUARD OF PERSONS AND PROPERTY. The Airport Supervisor is hereby vested with the authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property at the Airport and to enforce all rules and regulations adopted in this ordinance.

Rule 3. 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 a person who provides for compensation goods or services to others on or from the Airport.) The monthly rental rates are as follows:



Small Hangar Space

Hangar	\$130.00 Monthly
Hangar w/office	\$205.00 Monthly

Large Hangar Space

Hangar	\$175.00 Monthly
Hangar w/Office	\$250.00 Monthly

The rental rates may be revised from time to time as approved by the City Council.

Any person wishing to lease a City-owned T-hangar will execute an approved City lease agreement.

Hangar rent will be paid by the 10th day of the month with the first month, or portion of a month, to be paid in advance.

Rule 4. LEASE OF AIRPORT PROPERTY. The City may lease the unimproved property within the building area or other portions of the Airport for the private construction of hangars, buildings, aprons, taxiways and auto parking areas in accordance with the approved Airport Layout Plan. No leased property, including all buildings or structures erected on said leased property, shall be utilized for storage of nonaviation equipment, such as automobiles, boats, or farm equipment, unless specifically permitted by lease agreement with the City of Mesquite. No commercial business shall be permitted on any Airport property or in any structure except as is specifically permitted by lease agreement with the City of Mesquite.

- A. Lease Charges - All unimproved Airport property shall be leased at 6 cents per square foot per year or as adjusted by the City Council.

- B. All property leased shall be paved or floored by concrete pursuant to standards developed by the City of Mesquite.
- C. Any private structure or hangar not in use for aviation purposes for a period in excess of three (3) months or not available for rent or subleased for aviation purposes, if so directed and permitted by the City shall be removed after due notice in writing, or the City will consider such structures or hangars abandoned and title will pass to the City.
- D. No structures may be erected beyond the building restriction line (BRL) or in conflict with the approved airport Layout Plan.
- E. All construction must be authorized by the City of Mesquite and must be a compatible standard capable of withstanding winds of 85 mph, with doors open or closed. Furthermore, all structures must comply with the City of Mesquite City Building Codes and airport zoning and land use ordinances.

Rule 5. COMMERCIAL OPERATING FEES. All persons approved by the City Council to conduct a commercial activity on Hudson Municipal Airport shall pay a monthly fee of one (1) percent of the gross income earned by that commercial activity, except from the sale of aviation fuel which is covered by the flowage fee herein set forth.

Payment on aircraft sales shall be computed on gross commission or profit of such sales. The fee for the previous month's activity shall be paid by the 10th day of the following month. Prior to starting the commercial activity, a deposit equal to an estimate of one month's fee shall be paid to the City of Mesquite. The deposit will be held by the

City and applied to overdue fees at the discretion of the City. If the commercial activity is terminated, the deposit shall be returned to depositor provided fees due the City have been satisfied.

The sale of aviation fuels shall be subject to a flowage fee. All persons approved by the City Council to sell fuel at the Hudson Municipal Airport shall pay a flowage fee of five (\$.05) cents per gallon of all fuels delivered to the Hudson Municipal Airport. The flowage fee for the previous month's activity shall be paid to the City of Mesquite by the 10th of the following month.

Rule 6. AUTHORIZED SIGNS. No signs or equipment or portable buildings and house trailers may be erected, moved in or installed on the Airport property except as may be specifically authorized by the Airport Supervisor.

Rule 7. SURREPTITIOUS ACTIVITIES. Any person observing suspicious, unauthorized or criminal activities shall report such activities immediately to the Airport Supervisor, Mesquite Police, or officers of the Department of Public Safety.

Rule 8. WRECKED AND UNAIRWORTHY AIRCRAFT. Under the direction of the Airport Supervisor, every aircraft owner, his pilot and agents, shall be responsible for notifying FAA and for the prompt removal from the operational areas of the Airport, of disabled or wrecked aircraft.

Upon Airport Supervisor's notice, aircraft left in an unairworthy condition over 30 days in open air parking areas will be removed from Airport premises at the expense of owner. Unairworthy aircraft include those with no engines, propellers, missing primary control surfaces or other obvious disqualifying conditions.

Rule 9. 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.

Rule 10. AGRICULTURAL OPERATIONS. Agricultural spraying operations will be conducted in accordance with procedures approved by the Airport Supervisor and made known to all persons conducting agricultural spraying operations. Said operations shall be conducted only on the designated airport areas, and shall not include reckless flying or careless chemical handling. Chemicals used in agricultural flying operations shall be dispersed, maintained, stored, the dispensing area cleaned and empty chemical containers promptly disposed of or stored in accordance with the standards set by the Environmental Protection Agency (EPA), Texas Department of Water Resources, Texas Department of Agriculture, Texas Health Resources and the City of Mesquite. Washing of agricultural aircraft and flushing of AG aircraft spray tanks will be accomplished in accordance with the standards set by the EPA, Texas Department of Water Resources and Texas Health Resources in an area so designated by the City of Mesquite.

Rule 11. DAMAGE TO AIRPORT. Any person, corporate or individual, and the owner of any aircraft causing damage of any kind to said Airport, whether through violation of any of these rules or through vandalism or any act of negligence, shall be liable therefore in and to said City of Mesquite.

Rule 12. INJURY TO PERSON. No person shall enter airport grounds either on foot or by motor vehicle, without permission from the Airport Supervisor, and any person so entering upon airport property does so at his own risk and with no liability to the City for any injury or damage to person or property. The term airport

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grounds as used in this rule shall not include carriage of passengers to and from the airport terminal, nor persons using the airport passenger terminal in the normal course of business.

Rule 13. LICENSED PILOTS. Only properly registered aircraft and persons holding a current airman's license issued by the FAA 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.

NOTE: Persons operating ultralight aircraft shall conform to FAR 103. Permission to use the Airport, if granted, should be contingent on operating procedures coordinated with and acceptable to the Airport Supervisor.

Rule 14. REGISTRATION. Every person stationed, employed, receiving instructions 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 15. 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 16. INTOXICANTS AND NARCOTICS FORBIDDEN. No person under the influence of an intoxicant or narcotic shall operate any aircraft upon or over Hudson Municipal Airport.

SECTION 3. GROUND OPERATIONS

Rule 17. 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. Vehicles used by the City, Airport Supervisor or other authorized personnel to check the landing area will have an amber flashing rotating light on the top of the vehicle or an approved checkered flag attached to the vehicle. Vehicles shall be parked in designated areas so as to minimize conflict with aircraft movement. Parking of vehicles in areas that in the opinion of the Airport Supervisor create safety hazards shall be discontinued upon notification by the Airport Supervisor.

Rule 18. 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 FBO.
- D. Aircraft fuel trucks will be equipped, operated and maintained in accordance with Mesquite Fire Department rules.

- E. Persons or aviation businesses wishing to supply and dispense aviation fuel for their private use must first obtain 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 Directive.
- F. Public sale of automobile gas for use in aircraft will not be permitted on the Airport without proper approval.
- G. Aviation or auto fuels will not be stored in a hangar.

Rule 19. TIEDOWN OF AIRCRAFT.

- A. All aircraft not hangared shall be tied down or secured at night and during inclement weather.
- B. The aircraft owner or his agent is responsible for the tiedown or security of his aircraft at all times and particularly during inclement weather.
- C. Aircraft parked overnight on the transient apron shall pay a fee of \$2.00 for each night. Aircraft based on the Airport and tied down shall pay a fee of \$35.00 per month. These rates may be revised from time to time as approved by the City Council.

Rule 20. RUNNING AIRCRAFT ENGINES.

- A. If not equipped with adequate brakes, the engine shall not be started in an aircraft until and unless the wheels have been set with blocks attached to ropes or other suitable means for removing them.

- B. No airplane will be propped, started or left running without qualified personnel at the controls.
- C. No engine shall be started or run inside any building.
- D. No engine shall be started, run or warmed up until and unless the aircraft is in such position that the propeller stream or jet blast will clear all buildings and groups of people in the observation areas and path of the aircraft.

Rule 21. 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. Persons causing damage to runway and taxiway lights, as a result of negligent operation of an aircraft or willful acts will be liable for replacement cost of the light(s).

Rule 22. TAXIING AIRCRAFT.

- A. No person shall taxi an aircraft until he has ascertained there will be no danger of collision with any person or object in the immediate area.
- B. Aircraft will be taxied at a safe and prudent speed, and in such manner as to be at all times under the control of the pilot.
- C. Aircraft not equipped with adequate brakes will not be taxied near buildings or parked aircraft unless an attendant is at a wing of the aircraft to assist the pilot.
- D. Aircraft shall not taxi onto the runway from the ramp and taxiway area if there is an aircraft approaching to land, or on the ground in take-off position.



- E. There shall be no taxiing of aircraft by engine power into or out of hangars.

Rule 23. PARKING AIRCRAFT.

- A. Unoccupied aircraft shall not be parked or tied down on or within two hundred (200) feet of the centerline of a VFR basic utility runway, two hundred and fifty (250) feet of the centerline of a general utility runway or three hundred (300) feet of the centerline of an IFR runway with visibility minimums greater than three-fourths (3/4) of a mile; and all unoccupied aircraft shall be parked in the areas designated by the Airport Supervisor for that purpose.
- B. Aircraft will not be parked within fifty (50) feet of an aircraft fuel pump.
- C. Aircraft will not be parked in such a manner as to hinder the normal movement of other aircraft and traffic unless specifically authorized by the Airport Supervisor as an emergency measure.
- D. It is the responsibility of the pilot when leaving a parked aircraft unattended to see that the brakes are set or that the plane is properly chocked and/or tied down.

Rule 24. LOADING/UNLOADING AIRCRAFT. Pilots are prohibited from loading or unloading aircraft with the engine running.

SECTION 4. LANDING AND TAKE-OFF RULES.

Rule 25. AUTHORITY TO SUSPEND OPERATIONS. The Airport Supervisor may suspend or restrict any or all operations without

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regard to weather conditions, whenever such action is deemed necessary in the interest of safety.

Rule 26. 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 track nor land or take off on the taxiway or over hangars or other structures, automobile parking areas or groups of spectators.

Rule 27. UNICOM. All pilots are encouraged to call on the local unicom frequency to determine the active runway and to announce their position and intentions for take-off and landing.

Rule 28. TAKE-OFFS ON APRON, ETC. No take-offs or landings shall be made on the apron, parking ramp or taxiway except by special permission of the Airport Supervisor.

Rule 29. TAKE-OFFS ALLOWED. Touch and go landings may be made at the discretion of the pilot. All aircraft shall clear for incoming and take-off traffic before taxiing into take-off position.

Rule 30. TRAFFIC ALTITUDE. Traffic pattern elevation is one thousand two hundred (1,200) MSL.

Rule 31. COMMON COURTESY. Aircraft entering the traffic pattern shall exercise caution and practice courtesy so as not to cause aircraft already in the pattern to deviate from their course.

Rule 32. AIRCRAFT TURN. Any aircraft within three (3) miles of the Airport at an altitude of less than two thousand (2,000) MSL shall conform to the flow of traffic. All aircraft shall establish their pattern altitude before entering the traffic pattern and shall not deviate from this altitude (except in an emergency) until descent for landing is necessary.

Rule 33. TRAFFIC FLOW. All aircraft landing at the Hudson Municipal Airport shall fly a standard left hand traffic pattern as posted.

Rule 34. 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.

Rule 35. STRAIGHT-IN APPROACHES. Straight-in approaches shall not be used unless authorized by the Airport Supervisor or unless radio contact with the airport advisory radio has been established from at least five (5) miles out.

Rule 36. STUDENT TRAINING AND PRACTICE FLYING.

- A. Instructors in flying shall inform students and shall inform themselves on all rules and regulations in effect at the Airport.
- B. By notices posted in his office, the Airport Supervisor may designate limited areas of the Airport and local areas for practice flying and training of students.
- C. Aircraft shall not be permitted to remain on the landing or take-off areas for the purpose of instructing students.

Rule 37. SPECIAL PROCEDURES. The Airport Supervisor may, in the interest of safety, designate special traffic procedures for certain operations, such as air shows, agricultural operations, lighter than air, and operating ultralights.

SECTION 5. FIRE REGULATIONS.Rule 38. FIRE REGULATIONS.

- A. Every person going upon or using the Airport or its facilities in any manner, shall exercise the greatest care and caution to avoid and prevent fire.
- B. Smoking or open flame within fifty (50) feet of any aircraft or fuel truck is prohibited.
- C. Compressed flammable gas shall not be kept or stored upon the Airport, except at such place as may be designated by the Airport Supervisor.
- D. No flammable substance shall be used in cleaning motors or other parts of an aircraft inside a hangar or other building.
- E. 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.
- F. Hangar entrances shall be kept clear at all times.
- G. The floors in all buildings shall be kept clean and free from oil. Volatile, flammable substances shall not be used for cleaning the floors.
- H. No boxes, crates, cans, bottles, paper, tall grass/weeds or other litter shall be permitted to accumulate in or about a hangar.
- I. 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 should be connected to bare, unpainted metal on the aircraft, however, the grounding clip should not be attached to the aircraft's propeller, landing gear or radio antennas.

- J. Where aircraft fueling is performed by a fuel truck, an adequate number of suitable grounding connections shall be provided on the aircraft apron or servicing ramp.
- K. At least two 20B portable fire extinguishers will 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.
- L. 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.
- M. The pilot and passengers will exit the aircraft and the aircraft will be unoccupied during fueling operations.
- N. In all matters related to aircraft fueling safety the provisions of the NFPA Manual 407 "Aircraft Fuel Servicing,

1980" published and available from the National Fire Protection Association, Incorporated, 470 Atlantic Avenue, Boston, Massachusetts 02210, shall prevail.

SECTION 6. KNOWLEDGE OF RULES IMPLIED.

By publication of this ordinance as required by law, all persons will be deemed to have knowledge of its contents. However, the Airport Supervisor is directed to have copies of the ordinance printed and posted where appropriate. Copies will be available at all times in the Supervisor's office, and copies will be furnished to owners and operators of aircraft based on the Airport.

SECTION 7. CONFLICT IN RULES.

If and where there is conflict in these and the Federal Aviation Rules (FARs) the latter shall prevail.

SECTION 8. PENALTY FOR VIOLATION.

Any violation of the ordinance shall be a misdemeanor, punishable by fine in any sum not exceeding two hundred (\$200.00) dollars. This section is cumulative of all other penalties for violation of federal, state and local laws, rules regulations and ordinances.

SECTION 9. SAVINGS CLAUSE.

Should any part of this ordinance be held invalid or unconstitutional, no other part shall necessarily be affected thereby.