



RULES AND REGULATIONS

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**MILLVILLE AIRPORT, MIV Millville, New
Jersey**

August 2001

Amended
XXXX 2025

~~AIRPORT
RULES AND REGULATIONS~~

~~Millville Airport
Millville, New Jersey~~

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~~The rules and regulations contained herein are adopted to govern all activities at Millville Airport.~~

~~The provisions of this booklet supersede all previous editions of rules and regulations for Millville Airport and are set forth in the interests of public safety and efficient operation.~~

~~Approved and Adopted by the Commissioners of the Delaware River & Bay Authority.~~

~~Resolution # 01-64~~

~~Amended September 2023~~

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AIRPORT
RULES AND REGULATIONS

Millville Airport

Statutory Authority

The Rules and Regulations contained herein are adopted to govern all activities at Millville Airport.

The provisions of this booklet supersede all previous editions of the rules and regulations for Millville Airport and are set forth in the interests of public safety and efficient operation.

Approved and Adopted by the Commissioners of the Delaware River & Bay Authority.

Resolution # 01-64

Amended Month 2025

Resolution #

Exhibit "A" Tenant Construction or Alteration Application
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SECTION 1 - DEFINITIONS AND USE

The following terms as used in these rules and regulations shall have the following meanings:

1.01 Accident

An occurrence associated with the operation of an Aircraft which takes place between the time any person boards the Aircraft with the intention of flight and all such persons have disembarked, AND in which any person suffers death or serious injury or in which the Aircraft receives substantial damage. ~~A collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other object which results in property damage, bodily injury or death; or an entry onto or emerging from a moving aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or which results in property damage.~~

1.02 Advertising

The action of calling (as a commodity for sale, a service offered or ~~desired~~) desired) to the attention of the public by means of posting, voicing, ~~distributing~~ distributing, or displaying signs, literature, circulars, pictures, ~~sketches~~ sketches, or other forms of printed or written material.

1.03 Aircraft

A device that is used or intended to be used for flight in the air. ~~Shall mean any contrivance known or hereafter designed, invented, or used for navigation in the air, except a parachute or other contrivance used primarily as safety equipment.~~

1.04 Aircraft Movement Area

The runways, taxiways, and other areas of the Airport utilized for taxiing, ~~take-off~~ take-off, and landing of Aircraft, exclusive of aircraft loading ramps and parking areas.

1.05 Airport

The ~~The Millville~~ Millville Airport (MIV), inclusive of all areas shown on the FAA-approved Airport Layout Plan, as the same may be amended from time to time ~~is under the jurisdiction of and~~.

1.06 Airport Management

The Director of Airports ~~AD~~ and designated staff members of the DRBA Airports Division.

1.10 Air Operations Area (~~-AOA~~)

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 aprons, hangar areas, Taxiways, Runways, unimproved land attributed to the Taxiways and Runways, safety areas, and contiguous areas delineated for the protection and security of Aeronautical Activities. ~~All space on the airport where the general public and users of the airport are restricted by fence or posting, or such areas where aircraft are parked or operated, or where operations not open to the general public are conducted; and such term shall include, but is not limited to, the aircraft ramps, aprons, taxiways and runways.~~

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1.11 Apron or Ramp

Those areas of the Airport within the AOA designated for the loading, unloading, ~~servicing~~servicing, or parking of Aircraft.

1.12 Aviation Operator

Any person engaged in business of an aviation nature not within the scope of an ~~FBO Fixed Base Operator~~, as defined herein, who is authorized to conduct such business by virtue of a contract with the DRBA.

1.13 Commercial Activity

The exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind, or any revenue producing activity on the Airport.

1.14 Commercial Vehicle

~~The term "commercial vehicle" means~~ Every vehicle designed, ~~maintained~~maintained, ~~or maintained, or~~ used primarily for the transportation of property or passengers in furtherance of commercial enterprise, regardless of whether the charge is paid for directly or indirectly by the customer being served. Examples of commercial vehicles include but are not limited to, on duty taxicabs, limousines, courtesy vehicles, ~~delivery~~delivery, and chartered/scheduled buses.

1.15 DRBA

The Delaware River & Bay Authority.

1.16 Driver

Every person who drives, operates or is in actual physical control of a motor vehicle.

1.17 Fixed Base Operator (FBO)

~~Shall mean~~ a firm doing business at the Airport dedicated to the sale, storage ~~of and hangaring of~~ Aircraft, the sale of petroleum, oil and lubricants, the services of maintenance, repair and modification of Aircraft, engines or other equipment, the cleaning and provisioning of Aircraft, and the provision of transient and related services pursuant to an agreement with the DRBA.

1.18 Fuel

~~Shall mean~~ the substance, either solid, liquid, or gaseous, used to operate any engine in aircraft or vehicles.

1.19 Fuel Handling

~~Shall mean~~ the transporting, delivering, fueling, or draining of fuel or fuel waste products.

~~1.19.20~~ General Aviation

Any FAR Part 91 operation or scheduled or non-scheduled FAR Part 135 operation. ~~All phases of aviation other than aircraft manufacturing, military aviation, scheduled,~~

~~nonscheduled, and regulated air carrier operations.~~

~~1.19-~~

~~1.20.21~~ Hazardous Materials

A substance or material in a quantity or form that may pose an unreasonable risk to health or safety,

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or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation.

1.22 Major Maintenance

~~Major Maintenance~~ unless specifically defined herein as Routine Maintenance, the removal and/or replacement of an engine or airframe part or control surface, or the teardown and overhaul of any engine, engine accessory, or airframe component.

~~1.21~~ 1.23 Motor Vehicle

Any self-propelled wheeled, tracked vehicle, or trailer hitched onto a vehicle upon ~~by~~ which a person or property may be transported, carried, or otherwise moved from point to point, or for the service and maintenance of equipment or property.

~~1.22~~ 1.24 Operator

The person, firm, or corporation in possession of an aircraft or vehicle or by any person who has rented such for the purpose of operation by himself or his agent.

~~1.23 Operations office~~

~~The office in charge of all safety and operations of the airport.~~

~~1.24~~ 1.25 Permission

Means approval granted by Airport Management.

~~1.25~~ 1.26 Person

Any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and includes any trustee receiver, committee, assignee, or other representative or employee thereof.

~~1.26~~ 1.27 Restricted Areas

~~Areas which are closed to the general public, pursuant to Federal Aviation Regulations (FAR), excluding airport access roads to private facilities. Those areas are defined as areas which are used to perform the everyday activities and operations of the airport. These areas include, but are not limited to the Airport Operations Area (AOA). These areas are restricted to use by authorized airport personnel while engaged in their respective duties only. The area on the Airport within the security perimeter fence, including the AOA and any Secured Area. Access to a Restricted Area is limited to those persons who possess and appropriately display an airport identification badge.~~

~~1.27~~ 1.28 Runway

An improved surface area used exclusively for the landing and take-off of aircraft.

1.29 Self-Fueling and Self-Servicing

The fueling or servicing of an aircraft (e.g., 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. The use of a self-service fueling pump provided

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by DRBA or an FBO is a Commercial Aeronautical Activity governed under the Minimum Standards and is not considered Self-Fueling.

1.281.30 Solicitation or to Solicit

To directly or indirectly, actively or passively, openly or subtly, ask (or endeavor to obtain by asking), request, implore, plead for, importune, seek, or try to obtain.

1.291.31 Taxiway

Any surface used to access or exit and from a Runway and controlled by Airport Management.

1.32 Through the Fence Operations

Aeronautical activities conducted by aircraft based on land adjacent to, but not a part of, the airport property.

1.301.33 Ultralight Aircraft (Ultralights)

An aircraft that is used only for aviation recreation or sport aviation purposes; and satisfies all criteria and requirements of the Federal Aviation Regulations FAR, Part 103, including subsequent amendments.

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SECTION 2 - GENERAL

2.01 Authority to Adopt Rules and Regulations

The Airport Management is promulgating these Rules and Regulations to govern the operation and control of the Airport and the levying of taxing fees and charges, subject to approval by the Delaware River & Bay Authority DRBA Board of Commissioners. These regulations are subject to additions, cancellation or amendments as deemed necessary by the Airport Management and the Board of Commissioners. Any Person who violates these Rules and Regulations shall, upon receiving written notification from Airport Management identifying the violation may be removed or ejected from the Airport and may be denied the use of the Airport.

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2.02 ~~The~~ Airport Management

~~The~~ Airport Management has the authority to take such action as may be necessary to safeguard the public in attendance at the Airport as well as all facilities under its control. Persons employed ~~on~~at or using the Airport shall cooperate with the Airport Management to enforce these rules and regulations.

2.03 Compliance with ~~R~~Rules and Rregulations

Any Permission granted by the Airport Management directly or indirectly, expressly or by implication, to any Person to enter or use the Airport or any part thereof is conditioned upon strict compliance with these rules and regulations and payment of such rates, fees or charges as may be established by the Airport Management.

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2.04 Suspension of Aactivities

~~The~~ Airport Management may suspend or restrict any or all operations without regard to weather conditions or other considerations whenever Airport Management determines such action is necessary in the interest of safety.

2.05 Accidents

Participants in an Accident ~~on~~at the airport shall make a full report of same to ~~the~~ Airport Management, with the names and addresses of the parties involved within 24 hours.

2.06 Commercial Aactivities Must be Approved

No Person shall use the Airport for the any Commercial Activity without first securing a written permit from Airport Management and paying the fee ~~and charges~~ prescribed for such privileges, the use of the Airport, its facilities, and for services rendered in conformance with the statutes and regulations of the Federal Aviation Administration (FAA), the State of New Jersey, the City of Millville, and DRBA, including the Minimum Standards if applicable ~~statutes and regulations~~.

2.07 Restricted Areas

No person shall enter a restricted area of the Airport ~~posted as being closed to the public~~ without permission or authorization, ~~except persons assigned to duty therein or authorized representatives of the Airport Management. Air Operations Areas, are~~ The AOA is closed to the non flying public, and no tenant shall permit any unauthorized person to gain access to the ramp either by private or common use passageways or through private areas. Proper authorization, instruction, and/or escort is required from airport management or a designated representative, prior to the use of any area or portion of the airport by officers or employees of the DRBA or by contractors acting specifically on behalf of the DRBA or by any policeman, fireman or other person(s) when required in the performance of official

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duties to be on airport property

2.08 Obstruction of Public Use

~~N~~Without prior authorization from Airport Management, ~~n~~No Person shall ~~travel by foot or vehicle on any portion of the airport except upon the roads, walks, or places provided for that particular class of traffic; nor~~ occupy the public roads or walkways in such manner as to hinder or obstruct their ~~proper~~ use without authorization from Airport Management.

2.09 Signs and Adsvertisements

No person shall post, distribute, or display signs, Advertisements ~~or, circulars or circulars,~~ electronically, printed or written ~~matter~~ at the Airport, except as authorized in writing by ~~the~~ Airport Management.

2.10 Selling, Soliciting and Entertaining

No Person, except those authorized by contract with the DRBA or Permission of Airport Management, shall in or upon any area, platform, stairway, waiting room or other appurtenance of the Airport:

- A. Solicit alms or funds for any purpose ~~whatsoever; whatsoever.~~
- B. Sell, or offer for sale, any article or ~~merchandise; merchandise.~~
- C. Solicit any business or trade, including the carrying of baggage for hire, or the shining of ~~shoes; shoes.~~
- D. Entertain any persons by singing, dancing, or playing any musical instrument.

2.11 Responsibility for Damages

Any person causing damage to or destroying public property of any kind at the Airport, including buildings, fixtures, or appurtenances, whether through violation of these Rules and Regulations or through any act or omission, shall be fully liable to the DRBA. Any such damage shall be reported at once to Airport Management.

2.12 Animals

No Person may enter the Airport with a domestic or wild animal without written Permission from ~~of~~ the Airport ~~Management; Management, except the following;~~

Exceptions

- A. Persons entering any part of the airport with a domestic animal that is kept restrained by a leash or is confined so as to be completely under control; control.
- ~~A. Person entering the terminal building or gate loading area with a small domestic animal (such as a dog or cat) that is to be transported by air and is kept restrained by a leash or is confined so as to be completely under control; or~~
- B. A service animal that has been individually trained to do work or perform tasks for an individual with a disability ~~Blind or deaf person entering the terminal building or gate loading area with a seeing eye dog or hearing aid dog.~~

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Any stray livestock or animal on the Airport will be disposed of in accordance with the laws of the State of New Jersey and the municipal ordinances applicable.

2.13 Refuse Disposal

No Person shall place, discharge, or deposit in any manner raw sewage, garbage, or any refuse in or upon the Airport without the Permission of Airport Management and in prescribed containers.

~~2.13-~~

~~No person shall place, discharge, or deposit in any manner, manner raw sewage, garbage, or any refuse in or upon the airport without the permission of the Airport Management and in prescribed containers.~~

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2.14 Mislaidd Property

Any Person finding any mislaidd property at the Airport shall deposit the same at the Airport Administration Office. ~~The~~ Airport Management shall immediately make a reasonable effort to ascertain the true owner of such property. In the event ~~the true owner he/she~~ cannot be ascertained ~~the true owner~~, any such property unclaimed by the true owner within sixty (60) days after its finding will be considered property of ~~the~~ Airport Management and may be disposed of at their discretion.

2.15 Storage of Property

Unless otherwise provided by a lease or other contractual agreement, no Person shall use any area of the Airport, including buildings, either privately owned or publicly owned for the storage of cargo or any other property without Permission of Airport Management. If notwithstanding the above prohibition, a person uses such areas for storage as aforesaid without first obtaining such Permission, Airport Management shall have authority to order the cargo or any other property removed or to cause the same to be removed and stored at the expense of the owner or consignee thereof, without responsibility of liability for damages arising therefrom.

2.16 Demonstration, ~~All~~ Other

No person shall conduct or participate in parading, marching, patrolling, demonstrating, sit-ins, assembling, distributing pamphlets or other material, ~~carrying~~ carrying, or displaying of signs or placards in or upon or in any manner whatsoever obstructing buildings, grounds, roads, walks, approaches or any of the property of the airport without the written permission of ~~the~~ Airport Management.

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~~2.17~~ Use of ~~A~~ Airport

~~2.18~~ 2.17

- A. No Person or group shall organize, promote or participate in any aviation event including but not limited to airshows, formation landings and takeoffs, use of "ski geared aircraft", ~~parachuting~~ parachuting aircraft", ~~parachuting~~ parachuting, glider or Ultralights and hot air balloon operations ~~or~~ ~~by~~ Banner towing without ~~the prior written approval~~ coordination of ~~the~~ with Airport Management and the ~~Federal Aviation Administration~~ FAA, as required. Approval by Airport Management of any request to organize/sponsor an air show at Millville Airport will be contingent upon the group/individual satisfactorily completing all applications, operation plans, proof of insurance and special use operating permits, ~~required by Airport Management~~.
- B. Persons wishing to conduct a Commercial Activity ~~on~~ at the Airport and not holding a lease of buildings or ground from the DRBA will require an operating permit issued by ~~the~~ Airport Management. The specific requirements to obtain this permit will be detailed by the Airports Director and a fee ~~charged~~ will be charged for this permit at the discretion of Airport Management.

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2.18 Right to Self-service and Self-fuel

An aircraft owner or the owner's employees may perform services that include fueling, routine maintenance, or repair on the owner's aircraft utilizing the owner's vehicles, equipment, and resources (self-service). Prior to the performance of any Self-Fueling, the owner of the aircraft shall notify Airport Management and provide the intended location and mechanism of such Self-Fueling. DRBA reserves the right to require the owner to enter into a written agreement to conduct Self-Fueling. An owner who engages in Self-Service or Self-Fueling activities may not perform services for compensation or hire except in compliance with the Minimum Standards. The right to engage in

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Self-Service or Self-Fueling activities is conditioned upon compliance with applicable local, state and federal laws.

2.189 Non-Discrimination

In accordance with 49 CFR Part 21 Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, as amended or reenacted, in the use of the Airport or its Improvements, no Person shall discriminate against any person or class of persons by reason of race, religion (creed), color, national origin, sex, gender expression, age, marital status, military status or physical handicap, in any of the Airport’s activities or operations.

2.20 Through the Fence Operations

Through the Fence Operations are prohibited at the Airport without written Permission of the Airport Management.

SECTION 3 -MOTOR VEHICLES

3.01 Required Licenses

No motor vehicle shall be operated ~~in or about a vehicular parking area, or any road within the airport or upon any of the aircraft facilities,~~ on the Airport unless the driver and motor vehicle are properly licensed ~~thereof possess a rated operators license;~~ except ~~that approved ramp ground servicing equipment and airport equipment not required to be licensed to operate. may be operated on the public ramp and apron area by accredited employees certified by the employers to the Airport Management as qualified to operate such equipment that does not require a license to operate.~~

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3.02 Operation of Vehicles

A. All local and state vehicles and traffic ordinances ~~of Lower Township~~ pertaining to the operation of motor vehicles on public streets shall apply on the Airport. No motor vehicle (except emergency vehicles) shall be driven faster than 25 m.p.h. on any ~~non public~~ non-public internal streets and taxiways. The speed limit for ~~ramps,~~ aircraft aprons aircraft parking and hangar areas shall be 10 m.p.h.

B. No motor vehicle shall be driven in the Airport Operations Area (AOA) without prior authorization from Airport Management. Motor vehicles regularly operated in the AOA without escort must comply with these Rules and Regulations. :

- ~~— Proper authorization from airport operations.~~
- ~~— Proper knowledge of operating vehicles in the AOA (information required determined by airport management.)~~
- ~~— The use of either an installed or portable airfield radio on Unicom frequency Being e-122.7, or~~
- ~~— being properly escorted~~

~~C. All vehicles which for one reason or another are authorized to operate in the Airport Operations Area AOA shall be painted (Vehicles operating in special and infrequent instances may display an approved 4' x 6' flag in lieu of being painted, upon special permission of the Airport Management). Between the hours of sunset and sunrise, such vehicles shall display an overhead yellow light which shall be visible from all directions and of sufficient brilliance to be seen under clear weather a distance of at least one mile with the naked eye, plus normal operating headlights and tail lights tailights in addition to two red reflectors on each side and on the rear. Non motor propelled carts and trailers shall have two amber reflectors on each side and two front and two rear. All reflectors shall be visible for at least 500 feet when opposed by normal vehicle headlights.~~

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3.03 Stopping, Standing or Parking

~~No person shall drive, stop, stand, or park a vehicle on a public vehicular parking area, operational area, or road within the airport except at such places and for such periods of time and at such speeds as may be prescribed or permitted by the Airport Management or indicated by appropriate signing. Motor vehicles shall only be parked in designated areas. Motor vehicles parked in unauthorized areas may be towed at the owner's or operator's expense.~~

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3.04 Motor Vehicle Ssale or Rrepair

No person shall park, or operate a motor vehicle upon any roadway or other Airport property for the principal purpose of:

- A. Displaying such motor vehicle for sale.
- B. Greasing, oiling, lubrication, painting or repairing such motor vehicle, except repairs necessary to remove the motor vehicle.
- ~~A.C. Displaying Advertising.~~

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3.05 ~~All vehicles operating in the AOA~~ Airport Operational Areas

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~~All vehicles operating in the AOA Airport Operational Areas will yield to aircraft at all times~~

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~~3.063.05~~ Abandoned or Illegally Parked Motor Vehicle

~~A. A.~~ Airport Management may require the driver, owner, or operator to move any motor vehicle standing or parked on the Airport in violation of the provisions of this section.

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~~charge of the vehicle to move the same.~~

~~A.B.~~ No person shall abandon or park as "dead storage" any motor vehicle on the Airport. Any motor vehicle parked or left unattended in violation of the provisions of this section may be ~~taken into custody~~ removed by the Airport Management ~~at the motor vehicle owner's expense~~ and removed to a place of safe keeping.

~~B.~~ DRBA Police shall make reasonable efforts to notify the owner or operator of such motor vehicle as to its whereabouts within three (3) days of its removal and specify the reason for the motor vehicle's removal. The Person claiming any impounded motor vehicle shall pay all removal and storage costs incurred.

~~C.~~
~~B.~~ DRBA Police may use airport or their own personnel, equipment, and facilities for removal and preservation of the vehicle, or may hire other personnel, equipment and facilities for those purposes.

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~~3.07 Employees' parking areas~~

~~Employees' parking lots have been established for the exclusive use of those persons employed at the airport. All employees shall park their cars in the assigned employees' parking area and in the parking spaces provided or in the areas as may be designated by the Airport Management.~~

~~3.08 Courtesy vehicle~~

~~The airport management will permit a hotel or motel to provide courtesy limousine service, providing the service is free and those providing the courtesy limousine service abides by the airport's rules and regulations.~~

~~3.093.06 Rideshare/Transportation Network Companies/Taxicab/Rental Cars/buses~~

No person shall operate any Commercial Vehicle, taxicab, public service vehicle, rental car operation, or any motor vehicle for hire (inclusive of any peer-to-peer ridesharing or carsharing applications or arrangements) at or from the Airport unless such ~~operation~~ an operation has the approval of the Airport Management. DRBA reserves the right to require any commercial operator to execute an appropriate permit prior to any operations at the Airport. Customers must be notified of all rates and/or charges prior to the commercial operator charging the customer for the service.

~~3.10 Temporary/transient vehicles~~

~~No temporary or transient vehicles shall be allowed in the terminal (ramp) area unless escorted by Safety staff DRBA-owned vehicles. Temporary/transient vehicles, operating in the Air Operations Area/AOA outside the ramp must be marked by a company decal, logo or flag, and have the permission of the Airport Management as indicated in Rule 8.2 of this section.~~

SECTION 4 - AIRCRAFT OPERATIONS

~~4.01 Conformance with Regulations~~

~~All aeronautical activities at this airport, including all aircraft in flight within air space or~~
‡

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~~the airport, or in motion, or parked on the runways, taxiways, aprons, or ramps of the airport, shall be governed by the current Federal Aviation Administration (FAA), the Division of Aeronautics of the State of New Jersey Rules and Regulations, as well as the rules and regulations of the airport and to the extent applicable with the orders and instructions issued by the Airport Management.~~

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4.024.01 Careless or Negligent Operation

No aircraft shall be operated ~~on the surface of a public aircraft parking and storage area, or public landing area or public ramp and apron area (AOA)~~ in a careless or negligent manner, or in disregard of the rights and safety of ~~others, or without due caution and circumspection, or at a speed or in a manner which endangers~~ Persons or property. Aircraft shall be operated in accordance of the Federal Aviation Regulations (FARs), unreasonably, or is likely to endanger unreasonably, persons or property, or while the pilot or other persons aboard controlling any part of the operation thereof is under the influence of intoxicating liquor or any narcotic or habit forming drug, or if such aircraft is so constructed, equipped or loaded as to endanger unreasonably, or to be likely to endanger unreasonably, persons or property.

4.03 Safety of aircraft operation

~~In the event the Airport Management believes the conditions of the airport to be unsafe for landings or take-offs, it shall be within his authority to issue a NOTAM closing the airport or any part thereof. This shall normally be accomplished by notice to the Millville Flight Service Center by the person authorized to represent the Airport Management.~~

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4.044.02 Accident and Incident Reports

Persons involved in aircraft Accidents or incidents occurring on the Airport shall make a full and prompt report of the incident to Airport Management, complete any necessary reports or forms, and comply with all applicable provisions of the FAA, National Transportation Safety Board (NTSB) and the State of New Jersey. ~~report thereof to the Airport Management, for transmittal to the New Jersey Division of Aeronautics, as soon after an accident as possible, which~~ The report shall include their names and addresses of crew and passengers. Reports will be submitted to required jurisdictional agencies upon request of Airport Management. ~~When a written report of an accident is required by the Federal Air Regulations, a copy of such report may be submitted to the Airport Management in addition to the report required above.~~

4.054.03 Qualified Personnel to Start and Taxi Aircraft

No aircraft engine shall be started or aircraft taxied at the Airport unless a pilot certificated to operate that particular type of aircraft, or ~~a certificated A&E mechanic~~ any other person qualified person qualified to start and run up the engines of that particular type aircraft, shall be attending the controls. ~~Wheel blocks and tie-downs or other approved devices for blocking an aircraft shall always be placed at the front and rear of each main landing wheel, and the brakes of the aircraft shall be on and locked before the engine or engines are started if there is not an intent to taxi the aircraft.~~ Due care shall be taken to ensure parked aircraft are secured in their parking position (e.g., tied down, wheel chocks, or parking brakes applied as appropriate).

4.064.04 Right-of-Way for Aircraft

Taxiing aircraft shall have the right-of-way over all motor vehicles, except authorized emergency vehicles. ~~No person shall taxi an aircraft until he has they have ascertained that there will be no danger of collision with any person or object in the immediate area.~~

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4.074.05 Speed of Aircraft on Ground

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All aircraft shall be ~~taxied~~taxied at a safe and reasonable speed, with due regard for other aircraft, Persons and property.-

~~4.08~~ 4.06 Aircraft Operation in ~~H~~Hangar ~~P~~Prohibited

No aircraft shall be taxied into or out of a hangar under its own power nor shall the

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engines be operated while the aircraft is inside the hangar.

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4.09 Navigational lights

If an aircraft is parked, taxied, or towed while its engine(s) are running, navigational lights shall remain on.

4.10 Miscellaneous taxiing rules

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

B. All aircraft will taxi on hard surface.

C. Aircraft taxiing shall conform to the taxi patterns as established by the Airport Management.

D. Federal Aviation Regulation FARs will be observed at all times.

4.07 Aircraft Parking

No person shall park an aircraft or leave the same standing on a public landing area, public aircraft ramp and apron area, public passenger ramp and apron area, public cargo ramp and apron area, public aircraft parking and storage area, or operational area of the airport, except at such places as may be prescribed or permitted by the Airport Management. The landing gear of every such aircraft shall be chocked with wheel blocks or other approved devices, except in the procedure followed by scheduled airlines, which must be equally safe. Upon direction from Airport Management, the operator of any aircraft parked or stored at any area shall move said aircraft from the place where it is parked or stored to any other designated place; if the operator refuses to comply with such direction, the Airport Management may tow said aircraft to such designated place at the operator's expense, and without liability for damage which may result in the course of such moving. The operator or owner is responsible for any damage done by or to his aircraft shall park in designated areas only.

4.124.08 Repairs to Aircraft

No person shall perform major repairs to aircraft on any ramp, apron, taxiway, runway, or in any public area at the Airport except upon with the approval from of the Airport Management. All such repairs must be performed in a hangar designed for that purpose. All aircraft found in a state of disassembly on the Airport outside of a hangar will be considered disabled and derelict and shall be subject to such remedial action as may be considered necessary by the Airport Management.

4.134.09 Disabled, Damaged, or Dismantled Aircraft

Storage of disabled, damaged, or dismantled aircraft or aircraft that appear to be un-airworthy, in areas other than inside a privately owned hangar, for more than thirty (30) calendar days after written notification from Airport Management is prohibited, unless pre-approved, in writing, by Airport Management for a specific time period and in an enclosed storage area. If the aircraft has not been removed within the prescribed thirty (30) days, Airport Management may have the aircraft removed from the Airport at the owner's/operator's own expense and risk in accordance with applicable law. Abandoning an aircraft anywhere on the Airport is prohibited.

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Upon the appropriate jurisdictional authorization to remove an aircraft damaged from an accident or incident, the owner/operator shall be responsible for the safe and prompt removal of the aircraft and parts from the Runway and Taxiways. If immediate arrangements are not made (so that the Airport can return to full operational status without unreasonable delay), the airport Airport Management may have the aircraft removed at the aircraft owner's/operator's risk and expense without liability for damage arising from or out of such removal. Exceptions include: Unless required or directed by the Airport Management, or Authorized Representatives of the Federal Aviation Administration, or National Transportation Safety Board, or New Jersey Department of Transportation Division of

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~~Aeronautics, to delay such action pending an investigation, all disabled aircraft and parts thereof on the airport shall be promptly removed from the airport by the owner. If any person refuses to move an aircraft as directed by the Airport Management, said aircraft may be removed by the DRBA at the owner's or operator's expense for any damage done in the course of or after such moving. The same shall apply to removal of a wrecked or damaged aircraft and its parts.~~

;

- A. Aircraft undergoing or awaiting repairs at a repair facility.
- B. When authorized with prior written Permission of the Airport Management.

4.10 Operations Requiring Prior Coordination.

The following activities require prior coordination with Airport Management:

- A. Motorless Aircraft
- B. Parachute operations
- C. Ultralight vehicles
- D. Lighter-than-air (such as balloons, dirigibles and nonrigid airships)
- E. Banner/Glider towing
- F. Model Aircraft/unmanned aerial vehicle (UAV)/unmanned aerial system (UAS)
- G. Experimental Aircraft not registered with the FAA as amateur-built.
- H. Aircraft with certified maximum takeoff weight (MTOW) in excess of published airport pavement bearing strength.

4.11 Emergencies

Aircraft with emergencies have priority over all other aircraft and motor vehicles on the airfield. Non-emergency aircraft and motor vehicles shall clear the Runway and Taxiways in the event of an aircraft declaring an emergency to the extent practical.

4.12 Aerobatics Prohibited

No aircraft shall be operated or maneuvered within the Airport Traffic Pattern in a manner other than those required in normal routine operations under FARs. Aerobatic events and operations must have prior approval by the FAA and Airport Management.

~~Disabled aircraft storage~~

~~No person shall park or store a damaged or disabled aircraft at the airport for more than~~

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- A. When undergoing or awaiting repairs at a repair facility, or
- B. When specifically authorized by prior written permission of the Airport Management.
- C. —

4.15 Operations on other areas

No aircraft shall take off or land on taxiways or any paved or unpaved areas other than the designated runways except with specific permission of from the Airport Management or in an emergency.

4.16 Landings and take offs

- A. The Airport Management may prohibit any aircraft takeoff or landing, except for emergency landing, at any time and under any circumstances when he deems such landing or take off likely to endanger persons or property. Airport Management also is authorized to prohibit takeoff of any aircraft whenever, in his opinion, any debt or account of owner, pilot or passenger is unpaid or whenever the Management finds same is desirable to prevent any crime or misdemeanor or to apprehend any person believed to be guilty of any crime or misdemeanor. The Airport Management may also prohibit in all or in any part, the use of the airport for any purpose by an individual group.
- B. Any pilot landing after having declared an emergency is required to provide airport personnel with details of the incident and reasons for declaring an emergency.

4.17 Helicopters

Helicopters when not in use shall have brake devices and/or rotor mooring tie downs applied to the rotor blades. ~~Operations requiring prior coordination.~~
~~The following activities are not permitted to land or take off from the Airport, without prior coordination with Airport Management:~~

- ~~Motorless Aircraft~~
- ~~Parachute operations~~
- ~~Ultralight vehicles~~
- ~~Lighter than air (such as balloons, dirigibles and nonrigid airships)~~
- ~~Banner/Glider towing~~
- ~~Model Aircraft/unmanned aerial vehicle (UAV)/unmanned aerial system (UAS)~~
- ~~Experimental aircraft not registered with the FAA as amateur built.~~
- ~~Aircraft above certified maximum takeoff weight (MTOW) in excess of published weight~~
- ~~Lighter than air (such as balloons, dirigibles and nonrigid airships)~~
- ~~Banner/Glider towing~~
- ~~Model Aircraft/unmanned aerial vehicle (UAV)/unmanned aerial system (UAS)~~
- ~~Experimental aircraft not registered with the FAA as amateur built.~~
- ~~Aircraft above certified maximum takeoff weight (MTOW) in excess of published weight~~
- ~~Motorless Aircraft~~
- ~~Ultralight vehicles~~
- ~~Lighter than air (such as balloons, dirigibles and nonrigid airships)~~
- ~~Banner/Glider towing~~

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~~Model Aircraft/unmanned aerial vehicle (UAV)/unmanned aerial system (UAS)~~

~~Experimental aircraft not registered with the FAA as amateur built.~~

~~Aircraft above certified maximum takeoff weight (MTOW) in excess of published weight~~

4.18 Motorless aircraft

~~No motorless aircraft may land or take off at the airport without permission of the Airport Management.~~

4.19 Parachutes

~~Except in an emergency, no parachute landings shall be made at the airport without the written permission of the Airport Management.~~

4.20 Use of the airport

~~4.21 No experimental aircraft, limited licensed aircraft, ultra lite, kits or home-made aircraft or fighter type aircraft will operate from the airport, unless an exception is granted by the Airport Management.~~

4.22 Brakes

~~Aircraft, either locally based or making frequent local usage, shall be landed on or taken off from the airport unless it is equipped with properly functioning brakes that are consistent with the safe operation of the aircraft.~~

4.23 Tail skids

~~No aircraft equipped with a tail skid shall land or take off from or be based on the airport.~~

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4.24 Securing of unattended aircraft

No aircraft shall be left unattended on the airport unless properly secured or within a hangar or tied down. Owners of such aircraft shall be held responsible for any damage resulting from failure to comply with this rule.

Emergencies

~~During an emergency, all aircraft with emergencies have priority over all other aircraft and vehicles on the airfield. All other non-emergency aircraft and vehicles shall clear active runways and taxiways in the event of an aircraft declaring an emergency to the extent practical shall hold their positions.~~

4.26 Aerobatics prohibited

~~No aircraft shall be operated or maneuvered within the Airport Traffic Pattern in a manner other than those required in normal routine operations under Federal Aviation Regulations (FARs). Aerobic events and operations must have prior approval by the FAA and airport management. Aircraft shall not be flown within the Airport Traffic Zone in maneuvers other than those required in normal routine operations.~~

4.13 Run-Up of Aircraft Engines

~~Aircraft engine run-ups for maintenance purposes must be conducted at the designated aircraft engine run-up area unless authorized by Airport Management. Aircraft engine run-ups include, but are not limited to, engine trim checks, oil pressure checks, propeller checks, various diagnostic tests, and aircraft engine idle thrust runs, but excludes engine runs performed as part of pre-takeoff procedures, such as magneto checks.~~

4.27 Knowledge of regulations

~~It shall be the responsibility of all persons, firms and corporations operating on the airport to acquaint themselves, their pilots, instructors, and students with the Federal Aviation Regulations and all airport rules and regulations contained herein.~~

SECTION 5 - AIRCRAFT FUELING

~~The following provisions of these Rules and Regulations apply to all Fueling Handling at the Airport, including Self-Fueling.~~

5.01 ~~Selling of Aviation Fuel~~

~~No Person other than an FBO or the DRBA shall sell or otherwise transfer fuel, oil, or other petroleum products to any other aeronautical user on the Airport for retail purposes.~~

5.02 Aircraft Self-Fueling

~~Aircraft self-fueling may only be performed by the aircraft owner/operator or their designated employees. Self-fuelers must maintain full operational control of the Self-Fueling operation. An owner/operator authorized to Self-Fuel may not sell, barter or provide fuel to other operators on the Airport.~~

5.032 ~~Compliance with Laws~~

~~All Fuel Handling operations shall comply with all applicable federal, state and local laws, including, but not limited to the FAA Advisory Circular 150/5230-4 entitled "Aircraft Fuel Storage, Handling and Dispensing on Airports" and in accordance with National Fire Protection Association (NFPA) 400, "Standard for Aircraft Fueling Operations."~~

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Protection Association’s (NFPA) “Standard for Aircraft Fueling,” NFPA 407. Violations may result in the suspension or revocation of Fueling privileges.

5.043 ~~Personnel~~

All persons conducting retail Fuel operations at the Airport must be trained in Fueling and de-fueling aircraft in accordance with NFPA 407.- Written documentation of such training must be kept on file for 24 consecutive calendar months for inspection by Airport Management.

5.054 ~~Distance from Buildings~~

Fuel handling at the Airport shall be conducted at a distance of at least fifty (50) feet from any hangar or other building. -The fueling or de-fueling of aircraft or motor vehicles inside any building or hangar is prohibited.

~~5.065 Aircraft Refueling While Engines are Running (Rapid Refueling)~~

Only turbine engine aircraft fueled with Jet-A or Jet A-1 fuels shall be permitted to be fueled while an onboard engine is operating.

Rapid refueling of aircraft shall be limited to the following types:

1. Helicopters
2. Agricultural Aircraft actively engaged in aerial application duties.
3. Medical Aircraft actively engaged in the transport of medical patients.
4. Firefighting and search-and-rescue Aircraft actively engaged in emergency operations.

Rapid refueling operations must be conducted in accordance with NFPA 407.

5.07 Proper Static Grounds

-Aircraft and the Fuel dispensing or draining apparatus shall be bonded by wire to prevent the possibility of static ignition of volatile liquids and gases during all Fuel Handling operations.

5.08 Fire Extinguishers

;-Adequately maintained and serviced fire extinguishers rated and sized appropriately to the Fuel Handling operation shall be immediately available for use as required by NFPA 407.

5.09 Fueling Equipment

;-Fueling hoses and defueling equipment must be maintained in a safe, non-leaking condition. Mobile Fuel Handling vehicles will be kept clean and free of leaks, oil and grease at all times. Equipment used for Self-Fueling must meet all applicable fire safety regulations.

5.10 Smoking Near Aircraft

;-Smoking is prohibited in or around any aircraft or on any Apron or loading position where Fuel Handling is taking place.

5.11 Starting Engines

;-No Person shall start the engines of any aircraft where there is any type of Fuel exposed on the ground under the Aircraft.

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5.12 Fuel Spills and Requirement for Spill Prevention Plan.

Persons engaged in the Fueling and de-fueling of aircraft shall exercise care to prevent spillage of Fuel. In addition, each Person engaged in Fueling that stores and transfers Fuel must submit to the DRBA an approved Spill Prevention, Control and Counter-measures Plan (SPCC) that meets current EPA and applicable federal, state, and local requirements. If required by federal, state, or local law, the Person must also develop and submit an adequate Storm Water Pollution and Prevention Plan (SWPPP) and facilities response plan. Airport Management must be notified immediately in the event of any Fuel spill or any other petroleum product. The Person involved in the spill shall be fully responsible for the costs of any clean-up, containment, or remediation of any such spill and shall comply with any application federal, state, and local laws in connection with such spill.

5.01 Aviation fuel



- ~~A. No person shall dispense fuel either to the public or to private aircraft either owned by himself or others except those vendors authorized by the Airport Management.~~
- ~~B. Only Essential Personnel Permitted. Only personnel engaged in the fueling, maintenance, and operation of an aircraft shall be permitted within 50 feet of fuel tanks of such aircraft during any such operation.~~

5.02 Distance from buildings

~~Aircraft fuel handling at the airport shall be conducted at a distance of at least fifty (50) feet from any hangar or other building.~~

5.03 Fuel handling while engines are running

~~Aircraft fueling is prohibited while the engine of the aircraft being fueled is running.~~

5.04 Proper static grounds

~~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 and gases.~~

5.05 Fire extinguishers required

~~During fuel handling operations in connection with any aircraft at the airport, adequate fire extinguishers approved by the fire underwriters shall always be immediately available for use.~~

5.06 Fueling equipment

~~Fueling hoses and defueling equipment must be maintained in a safe, non-leaking condition. Fueling trucks will be kept clean and at all times free of leaks, oil and grease.~~

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5.07 Fueling when passengers are aboard

During fuel handling and transfer in connection with any aircraft, no passenger shall be permitted to remain in such aircraft unless in each case a cabin attendant is at the door and a passenger ramp is in position if the same should be required for the safe and rapid debarkation of passengers.

5.08 Smoking near aircraft

Smoking is prohibited in or about any aircraft or on any ramp, apron or loading position where fueling is taking place. Only personnel engaged in fuel handling or in the maintenance and operation of the aircraft being fueled shall be permitted within a distance of 50 feet of the fuel tanks of such aircraft during the fuel handling operations.

5.09 Starting engines

No person shall start the engines of any aircraft where there is any type of fuel exposed on the ground under the aircraft.

5.10 Fuel spills

Persons engaged in the fueling of aircraft shall exercise care to prevent spillage of fuel. In the event of a fuel spill, the Airport Management shall be notified immediately. The operator shall be fully responsible for the costs to remove said material and/or the restoration of grounds or pavements damaged or altered by the spillage.

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(Clarify self-fueling and hot fueling)

5.13 Fuel Tank and Fuel Storage Standards

All fuel tanks will conform to the appropriate Municipal Fire Codes, applicable NFPA standards, state and federal regulations. All Fuel tanks will conform to all applicable Fire Codes, including state and federal laws. All Fuel will be stored in an approved, registered, and insured above-ground tank system with the required containment areas specified by Airport Management. Such containment areas shall contain leaks or spills from the Fuel tank and from Fueling operations transferring Fuel into or out of the tank. Additionally, all Fueling systems shall adhere to the following:

- B.A. Persons or companies using any fuel storage areas tanks are responsible for keeping yards must be maintained free of weeds for a distance of five feet outside of yard fences. Yards will be kept free of vegetation, trash and other debris at all times.
- C.B. Under no circumstances shall a Fueling vehicle be left unattended at a Fuel tank during the loading or unloading process. Loading or unloading shall not be considered complete until the delivery hose is detached from both vehicle and tank.
- C. Care shall be taken in filling tanks to ensure that they are not filled to the point where they will overflow from heat expansion.
- D. All Fuel systems shall have a means for quickly and completely stopping Fuel flow in the event of an emergency.
- E. F. An adequate supply of properly located and functioning fire extinguishers, and other precautions and/or equipment, shall be provided as required by the DRBA and/or NFPA fire codes.

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- ~~F.~~ ~~G.~~—All Fuel pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be UL approved, where applicable, and shall be kept in good condition at all times.
- ~~G.~~ ~~H.~~—All Fuel pumps shall be powered, and the flow shall be controlled by a “deadman” control in the nozzle. Pouring or gravity flow shall not be permitted.
- ~~H.~~ ~~I.~~—Adequate bonding wires must be provided and continuously inspected and maintained for use during any Fueling operation in order to eliminate the hazards of static electricity.
- ~~D-I.~~ Persons operating Fuel tanks shall be responsible for all costs associated with the planning, engineering, installation, permitting, maintenance, insurance, and operation of the Fuel tanks.

5.14 Electronic Devices

No electronic devices such as electrical tools, radios or cell phones shall be used in the immediate vicinity of aircraft during Fueling operations unless the devices are certified as intrinsically safe by a certifying agency.

5.15 Automotive Refueling

Automotive and ground servicing equipment shall be refueled only at refueling stations and from dispensing devices approved by ~~the~~ Airport Management. No aircraft refueling apparatus shall be used for automotive refueling purposes.

SECTION 6 - FIRE AND SAFETY

~~6.01~~ General 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. All persons using, in any way, any airport or the facility of the airport shall exercise the utmost care to guard against fire and injury to persons or property. All recommendations emanating from the Airport Management or the Lower Township Fire Department shall be complied with by any and all tenants, lessees and personnel without delay.~~

~~6.02~~6.01 Obstructions

All hangar doors, fire hydrants and pits, hose boxes, and all ~~fire fighting~~ firefighting apparatus and other appurtenances shall be ~~kept clear of obstructions at all times~~ always kept clear of obstructions.

~~6.03~~6.02 Elimination of ~~F~~ Hazards

When the Airport Management has in writing notified or requested any lessee, tenant, or other Person on the Airport to correct or eliminate any fire hazard on the Airport for which such lessee, tenant, or other person is responsible, such lessee, tenant, or other Person shall correct or eliminate such hazard in the manner and within the time prescribed in the written notification or request received by him.

~~6.04~~6.03 Smoking

The DRBA prohibits the use of smoke-free and tobacco products in all buildings, vessels and exterior

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grounds owned or operated by the Authority. Tenants may have their own policies on Airport leased property, however, no person shall smoke or carry lighted cigars, cigarettes, pipes, matches or use any open flame in or upon any fuel storage areas, ~~public ramp and~~ aircraft apron areas and storage area or in any other place where smoking is specifically prohibited by signs, ~~or upon any open space within fifty (50) feet of any fuel carrier or aircraft which is not in motion; nor shall any person throw from an open deck, gallery or balcony contiguous to such areas, or such carriers or aircraft, cigars, cigarettes or similar articles.~~

~~6.05 Explosives~~

~~No person shall, keep, transport, handle, dispose or store at, in or upon the airport any cargo of explosives or other dangerous articles which are barred from loading in or transportation by civil aircraft in the United States under the provisions of the Federal Air Regulations. Any waiver of such regulations or of any part thereof by any competent governmental authority shall not constitute or be construed to constitute a waiver of this rule or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the airport.~~

~~6.06 Radioactive materials~~

~~No person shall without prior permission of the Airport Management, store, keep, handle, use or transport at, in or upon the airport the following radioactive materials:~~

- ~~A. Source materials (as defined in Standards for Protection Against Radiation, promulgated by the Atomic Energy Commission, Title 10, Code of Federal Regulations, Part 20) including, but not limited to Uranium, Thorium, or any combination thereof (but not including the "unimportant quantities of source material" set forth in 10 CFR 40.13);~~
- ~~B. Special nuclear material (as defined in Standards for Protection Against Radiation promulgated by the Atomic Energy Commission, Title 10, Code of Federal Regulations, part 20) including, but not limited to, Plutonium, Uranium 233, Uranium enriched in the Isotope 233 or in the Isotope 235, or any material artificially enriched by any of the foregoing.~~
- ~~C. Nuclear reactor fuel elements that are partially expended or irradiated;~~

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- ~~D. New nuclear reactor fuel elements;~~
- ~~E. Radioactive waste material;~~
- ~~F. Any radioactive material moving under an Interstate Commerce Commission special permit and escort.~~

~~Advance notice of at least forty eight (48) hours shall be given the Airport Management to permit full investigation and clearance for any operation requiring a waiver to this rule. The permission of the Airport Management may be given to movements of radioactive materials only when such materials are packaged, marked, labeled and limited as required by the Interstate Commerce Commission and Federal Aviation Administration FAA regulations applying to transportation of explosives and other dangerous articles and do not create undue hazard to life or property at the airport.~~

6.076.04 **Firearms or ~~D~~estructive ~~D~~evices**

No Person shall carry or possess a firearm ~~or destructive device~~ on the Airport except:

- A. Firearms enclosed in a carrying case or other container for shipment by ~~air~~; air.
- B. Firearms carried by peace officers, government employees, or members of the Armed Forces of the United States performing duties authorized by their agency; ~~DRBA employees, when such person is on official duty which authorizes the possession of a firearm.~~
- C. DRBA employees ~~working with~~ actively performing duties under the Airport's wildlife management program.

6.086.05 **Fire Extinguishers~~a~~**

All tenants or lessees shall supply and maintain ~~such~~ adequate ~~and readily accessible~~ fire extinguishers as required by the NFPA in leased facilities on the Airport. ~~for the particular hazard involved as may be recommended by the Fire Department.~~ Extinguishers shall be maintained in ~~first class~~ an operable condition.

6.096.06 **Open ~~F~~lames~~f~~**

Open flames of any type, including but not limited to, open flame heaters, flare pots, or torches are not permitted on any part of the Airport without Permission from the Airport Management.

6.106.07 **Exterior Cleaning of ~~A~~ircraft**

Exterior cleaning of aircraft with any type of cleaning detergent and water shall be done only in areas designated by Airport Management.

6.116.08 **Fuel and ~~O~~il ~~s~~Spills**

Fuels, waste oil, and other lubricants must ~~be~~ be stored in approved containers. Used oil, Fuels, and other lubricants must be properly disposed of in accordance with state and federal laws. Disposing of Fuels and oil on the pavement or other areas is prohibited.

6.126.09 **Hazards to ~~A~~viation**

No person shall operate or release any model aircraft, rocket, kite, balloon, parachute, or other article or substance upon or over the boundaries of the Airport or in runway ~~zones~~ approach areas that would create ~~where~~ a hazard to safe flight ~~would be created~~ without the prior approval of the Airport Management, except:

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A. Personnel of the National Weather Service, United States Department of ~~Commerce,~~
~~when Commerce, when~~ performing their official ~~duties;~~duties.

A. _____

B. Persons releasing seeds, sprays, dusts, or similar substances for horticultural or agricultural purposes over farms adjacent to the Airport.

6.10 Combustible Materials

A. No Person will dump any refuse, oil waste, or soil-can waste in any storm sewer, drainage ditch, or natural drain within or adjacent to the Airport boundary.

B. No person shall keep uncovered trash containers in any outside area. Covered trash containers shall have a means of securing trash container cover to the receptacle.

6.11 Airport Management

Airport Management may, as necessary, establish Standard Operating Procedures (SOPs) with other individuals, groups, or agencies for dealing with the operational emergencies that arise on the Airport.

6.12 Right of Access to Airport Property

A. Airport Management shall have the responsibility of providing and designating access gates in the perimeter fencing of the Airport for use by emergency equipment.

B. Airport Management reserves the right to deny access to the Airport to any Person not directly connected with emergency operations.

6.13 Right to Inspect

Airport Management has the right to inspect all Airport buildings and property leased from the DRBA with prior notice.

6.14 Discharge of a Pollutant and Air Contaminant

New Jersey law requires strict controls over the discharge of pollutants or air contaminants. Therefore, the following conditions apply at the Airport.

A. Spills.

Any Hazardous Material or pollutant spill on a paved surface of the Airport which covers a surface area whose diameter is six (6) feet [1.8 meters] or greater, is a quantity of 25 gallons or more, or occurs on an unpaved surface area of the Airport, must be reported to the Department of Environmental Protection (DEP) of the State and to Airport Management.

B. Spill Containment Capability.

All Fixed Base Operators (FBOs) and tenants conducting Self-Fueling shall always have on hand sufficient containment booms to form a three (3) inch high barrier around the spill if the circumference of the containment circle is sixteen (16) feet [4.9 meters]. Additionally, they shall have sufficient cleanup absorbents, pillows, pads, etc. to pick up a minimum of ten (10) gallons [37.85 liters] of the product and to store the same (saturated

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booms, blankets, etc.) in a sealed container or containers until proper disposal can be affected. The salvage drum or drums shall be approved by the U.S. Department of Transportation (DOT-E-10102).

C. Deicing

The use of pavement and/or aircraft deicers at the Airport requires prior written approval from Airport Management. The following conditions shall apply:

- i. Obtains required local, state, and federal environmental permitting as required and comply with all applicable laws.
- ii. Airport Management shall inspect and approve of the containment plan and mechanisms to be used for aircraft deicing operations by tenants on their leased premises before issuing approval for aircraft deicing on the Airport.

D. Aircraft Washing

Exterior washing of aircraft on the Airport shall only be conducted in approved areas.

E. Right of Independent Action.

If Airport Management determines in its sole discretion during the course of an environmental incident that the responsible party is not capable of, has not, or refuses to take the appropriate action in a timely manner to mitigate the adverse environmental incident, then Airport Management reserves the right to employ those actions or services that the Airport Management determines appropriate to control and/or clean up the site. The cost of such actions or services shall be borne by the responsible party.

~~A. Persons parachuting from an aircraft in an emergency situation;~~

SECTION 7 - MINIMUM STANDARDS FOR AERONAUTICAL SERVICES

All commercial operators providing aeronautical services at the Airport must do so in accordance with the approved Minimum Standards for Aeronautical Services for Millville Airport.

SECTION 8 - PENALTIES

8.01 Violations

Any Person who knowingly, willfully, or recklessly violates any rule or regulation prescribed in these Rules and Regulations or any order or instruction issued by the Airport Management herein may be removed or rejected from the Airport, fined, and/or denied the future use of the Airport. Any Person operating or handling aircraft, or operating any motor vehicle, equipment, or apparatus on the Airport, or using any of the Airport facilities in violation of these Rules and Regulations shall be subject to the following penalties:

1. Fines not less than \$10 but no more than \$1,000 for the first offense.
2. For the second offense occurring within 12 months after the date of the first offense, the fine shall be not less than \$50 or more than \$1,000.
3. For each subsequent offense thereafter but occurring within 12 months after the date of the first offense, the fine shall not be less than \$100 or more than \$1,000.

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Each violation of the relevant rules and regulations shall constitute a separate offense for which a separate penalty shall be imposed. The Superior Court or the municipal court in the municipality in which the violation occurs shall have jurisdiction to enforce and collect in summary proceedings any such penalty.

8.02 No Entry

Operation of any type of motor vehicle, bicycle or any pedestrian on foot shall be prohibited on any Apron, Taxiway, Runway, or airfield service and access roads, except for motor vehicles and pedestrians authorized by the Airport Management.

8.03 Tampering with Security Fences and Systems

Any Person tampering with, cutting, or altering any portion of the Airport perimeter fence to include gates, locks, and signs, or any Airport security system will be subject to the penalties provided by these Rules and Regulations and by New Jersey law.

8.04 Unauthorized Access

Any Person found in the Airport Operations Area without authorization shall be considered trespassing and shall also be subject to the penalties provided by these Rules and Regulations and by New Jersey law.

SECTION 9 - T-HANGAR RULES AND REGULATION

The following provisions govern use of T-hangars located at the Airport.

1. Each one of the individual T-hangar spaces is designed for the storage of one aircraft only. The storage of two or more aircraft in a single T-Hangar is prohibited. T-Hangars shall only be used for the storage of aircraft, except for the housing of the aircraft owner's motor vehicle while they are out with their plane (the motor vehicle must be removed upon return of the aircraft to the T-hangar), necessary housing of personal gear for which a small portable cabinet may be installed by occupant if desired, and housing of supplies and accessories required for use with one aircraft, exclusive of gasoline and oil.
2. No Major Maintenance or overhaul work is to be permitted or conducted in any of the T-hangar spaces without proper authorization. Owners are reminded of FAR 43, 65, and 91, prohibiting maintenance in unsuitable locations by unlicensed Persons.
3. Doors are to be kept closed at all times except when an aircraft is being moved in or out of the T-hangar. The T-hangar tenant will be responsible for security of the hangar door at all times.
4. In the assignment of the individual T-hangar spaces, active aircraft shall have preference over dead storage aircraft. Application for dead storage will be considered only in the event of excess available space and shall be subject to removal on 24 hours' notice when space is needed for active aircraft.
5. There shall be no structural alterations made to buildings, wiring, piping, or other; no holes drilled or punched, no nails or screws driven into any floor, walls, or ceilings, without the written approval of the DRBA. Any repairs that need to be accomplished shall be reported to the Airport Management office.

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6. There shall be no lettering or signs, or any other painting done in or on the building.
7. There shall be no storage of snowmobiles, mobile homes, motorcycles or any non-aeronautical vehicles or equipment within any T-hangar.
8. The occupant shall keep his/her section of the building, grounds, and aprons pertaining thereto in a clean, neat, and orderly condition at all times.
- 6.9. All fire extinguishers will be inspected and certified once a year. The T-hangar occupant is responsible for the storing and safekeeping of the fire extinguisher during his/her time of occupancy.
- 7.—It shall be the responsibility of a tenant who decides to relinquish his/her regularly assigned space to notify DRBA in writing one full month prior to the end of that respective month. This will preclude improper billing and facilitate planning for subsequent reassignment. Persons releasing seeds, sprays, dusts, or similar substances for horticultural or agricultural purposes over farms adjacent to the airport.

Combustible refuse

No person will dump any refuse, oil waste or soil can waste in any storm sewer, drainage ditch or natural drain within or adjacent to the airport boundary.

No person will dump any refuse, oil waste or soil can waste in any storm sewer, drainage ditch or natural drain within or adjacent to the airport boundary.

No person shall keep uncovered trash containers in any outside area. Covered trash containers shall have a means of securing trash container cover to the receptacle.

Airport Management

Airport Management may may, as necessary establish Standard Operating Procedures with other individuals, groups, or agencies for dealing with the operational emergencies that arise on the airport.

Right of access to airport property

The Airport Management shall have the responsibility of providing and designating access gates in the perimeter fencing of the airport for use by emergency equipment.

The Airport Management reserves the right to deny access to the airport to any person or persons not directly connected with emergency operations.

Pedestrian traffic beyond any portion of the perimeter fencing of the airport to the scene of an accident within the airport is strictly prohibited.

Right to inspect

Airport Management has the Right to inspect at any time all buildings leased at Millville from the Airport to identify any potential safety hazards and lease violations with notice.

Discharge of a Pollutant or and air contaminant restricted

New Jersey law (7Del. C. §6028) requires strict controls over the discharge of pollutants or air contaminant. Therefore, the following conditions apply at the airport.

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~~**Spills.** Any hazardous material or pollutant spill on a paved surface of the airport which covers a surface area whose diameter is six (6) feet [1.8 meters 25 gallons] or greater, or on an unpaved surface area of the airport, must be reported to the Department of Environmental Protection (DEP) of the State and to Airport Management. The provisions of the Airport Certification Manual (ACM) shall also apply.~~

~~**Spill Containment Capability.**— All Fixed Base Operators (FBO's) and tenants with self-fueling capability shall have on hand at all times sufficient containment booms to form a three (3) inch high barrier around the spill if the circumference of the containment circle is sixteen (16) feet [4.9 meters]. — Additionally, they shall have sufficient cleanup absorbents, pillows, pads, etc. to pick up a minimum of ten (10) gallons [37.85 liters] of the product and to store the same (saturated booms, blankets, etc.) in a sealed container or containers until proper disposal can be effected. — The salvage drum or drums shall be approved by the U.S. Department of Transportation (DOT E-10102).~~

~~**Aircraft Preflight Inspection.** — No hazardous substance or pollutant shall be dis-~~

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~~posed of onto any paved surface, the ground or the air at the airport during aircraft preflight inspection.~~

~~**Deicing.** The use of pavement and/or aircraft deicers at the airport requires prior written permission from Airport Management. The following conditions shall apply:~~



~~No glycol based deicer may be used on any aircraft parking area or ramp under the control of the Airport Authority. Obtains required local, State and federal environmental permitting as required~~

~~Airport Management shall inspect and approve of the containment plan and mechanisms to be used for aircraft deicing operations by tenants on their demised leased premises before issuing permission for aircraft deicing on the airport. The main terminal ramp has been designated as the only area where glycol can be dispense in the open~~

~~**Aircraft Washing.** Prior written permission must be obtained from the Airport Management Operator for the washing of aircraft on the demised premises of a tenant Airport property, including leased areas. In order to receive such permission, the Areas used for aircraft washing shall be paved and provided withable to containment curbs and floor drainswaste water. All drains shall be provided with oil water separators. Drains flowing into the Sanitary Sewer System must be approved by the Public Works Department of Millville City. Airport Management reserves the right to require the use of biodegradable cleansing products.~~

~~**Right of Inspection.** Airport Management reserves the right of entry onto the grounds and facilities of any tenant during their hours of business for the purpose of inspection to determine compliance with all applicable Federal, State and City laws and ordinances including, but not limited to, applicable environmental practices that are prescribed by law or regulation. Areas of special interest are:~~

~~Ground vehicle fueling operations;~~

~~Aircraft maintenance facilities;~~

~~FBO maintenance facilities;~~

~~Other areas where aircraft overhauls, preventive maintenance, painting, washing or refurbishing occur; and~~

~~Ground vehicle maintenance facilities.~~

~~**Right of Independent Action.** Should Airport Management determine that during the course of an environmental incident the responsible party is not, is not capable of, has not, or refuses to take, the appropriate action in a timely manner to mitigate the adverse environmental incident (this determination is solely that of the Airport Authority), then Airport Management reserves the right to employ those actions or services that the Airport Management determines appropriate to control and/or clean up the site. The cost of such actions or services shall be borne by the responsible party.~~

~~11.~~

~~12.~~

~~13.~~

~~14.~~

~~15.~~

~~16. SECTION 8 – PENALTIES~~

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~~17.~~

~~18. Violations~~

~~19. Any person who knowingly, willfully, or recklessly violates any rule or regulation prescribed in these regulations or any order or instruction issued by the Airport Management herein may be removed or rejected from the airport premises, fined and may be denied the future use of the airport and its facilities. Any person or persons operating or handling aircraft, or operating any vehicle, equipment or apparatus on the airport, or using any of the airport facilities in violation of these rules and regulations shall be subject to the following penalties. Fines shall not be less than \$10 or more than~~

~~20. \$1,000 for the first offense. For the second offense occurring within 12 months after the date of the first offense, the fine shall be not less than \$50 or more than \$1,000. For each subsequent offense thereafter, but occurring within 12 months after the date of the first offense, the fine shall not be less than \$100 or more than \$1,000. Each violation of the relevant rules and regulations shall constitute a separate offense for which a separate penalty shall be imposed. The Superior Court or the municipal court in the municipality in which the violation occurs shall have jurisdiction to enforce and collect in summary proceedings any such penalty.~~

~~21.~~

~~22.~~

~~23. No Entry~~

~~24. Operation of any type of motor vehicle, bicycle or any pedestrian on foot shall be prohibited on any airport ramp, taxiway, runway, apron or airfield service and access roads, except for airport vehicles and pedestrians, FAA maintenance vehicles, fuel trucks, catering trucks, and ground service equipment, or vehicles authorized by the Airport Management.~~

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- ~~25. Tampering with perimeter fence/airport property~~
- ~~26. Any person tampering with cutting, or altering any portion of the perimeter fence to include gates, locks, and signs will be subject to the penalties provided by these rules and regulations and by New Jersey law.~~
- ~~27.—~~
- ~~28. Unauthorized access~~
- ~~29. Any non-tenant having gained access to the Air Operations Area, unescorted by the tenant, by utilizing a tenants key or key card shall be considered trespassing. Also subject to the penalties provided by these rules and regulations and by New Jersey law.~~
- ~~30.—~~
- ~~31.—~~
- ~~32. SECTION 9 T HANGAR RULES AND REGULATION~~
- ~~33. The following are rules and regulations governing use of the multiple type T hangars located at the Millville Airport.~~
- ~~34.—~~
- ~~35. Each one of the individual T hangar spaces is designed for the housing of one airplane only. Although there will be some excess space around airplanes of the smaller type, it is not intended to permit any attempt to crowd two airplanes into any one T hangar space or to allow use of such excess space for any other purpose except the housing of owner's automobile while they are out with their plane, (the automobile is to be removed upon return of the airplane to the hangar); necessary housing of personal gear for which small portable cabinet may be installed by occupant if desired; housing of supplies and accessories required for use with one airplane, exclusive of gasoline and oil.~~
- ~~36.—~~
- ~~37. No airplane repair or overhaul work is to be permitted or conducted in any of the T hangar spaces without proper authorization. Owners are reminded of FAR 43, 65, and 91, prohibiting maintenance in unsuitable locations by unlicensed persons.~~
- ~~38.—~~
- ~~39. Doors are to be kept closed at all times except when an airplane is being moved in or out of the T hangar. The T hangar renter will be responsible for security of the hangar door at all times.~~
- ~~40.—~~
- ~~41. In the assignment of the individual T hangar spaces, active airplanes shall have preference over dead storage airplanes. Application for dead storage will be considered only in the event of space to spare and shall be subject to removal on 24 hours notice when space is needed for active airplanes.~~
- ~~42.—~~
- ~~43. There shall be no structural alterations made to buildings, wiring, piping, or other; no holes drilled or punched, no nails or screws driven into any floor, walls, or ceilings, without the written approval of the DRBA. Any repairs that need to be accomplished shall be reported to the Airport Management office.~~
- ~~44.—~~
- ~~45.—~~
- ~~46. 6. There shall be no lettering or signs or any other painting done in or on the building.~~
- ~~47.—~~
- ~~48. There shall be no storage of snowmobiles, mobile homes, motorcycles or any non-aeronautical vehicles or equipment within any aircraft T hangar.~~
10. There shall be no refueling of aircraft in the T-hangar area unless the aircraft is grounded and is Fueled by a certified agent. There shall be **no fueling inside the T-hangar at any time.**
11. Hangar lights and aircraft engine heaters should not be left on unless the occupant is using the facility.

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- 12. No aircraft may be tied down outside of any T-hangar.
- 13. No Fuels or oils may be disposed of on the ground at any time when using the facility.
- 14. There will be no smoking inside the T-hangars at any time.
- 15. Airport Management has the right to inspect all tenant premises and to observe tenant activities as a condition and a method of preventing unsafe practices.
- 16. Tenants shall acquire and maintain adequate liability insurance while renting a hangar.

SECTION 10- CONSTRUCTION AT THE AIRPORT

- A. No Person shall engage in any construction activities at the Airport without the prior written consent of the Airport Management. Construction work performed at the Airport without the prior written consent of the Airport Management shall either be modified to the satisfaction of the Airport Management or removed from the Airport, and the property restored to the condition thereof prior to work, the doing of said work at the cost of said Person
- B. Prior to the commencement of the proposed construction, the proposer the Tenant (or FBO, SASO or Permittee) shall submit to the Airport Management two sets of an electronic set of plans and including specifications that have been signed and stamped by a licensed engineer in the state of New Jersey for the Airport Management's consent. Additionally, the development requires a completed FAA Form 7460 "Notice of Proposed Construction or Alteration." The Airport Management may refuse to grant provide consent if any such proposed work of the construction, as set forth in said plans and specifications (all of which shall be in such detail as may reasonably permit Airport Management to make a determination as to whether the requirements hereinafter referred to are met), is found by the Airport Management to:
 - 1. Is Be structurally unsound, unsafe, hazardous or improper for the use and occupancy for which it is designed or does not comply with the harmony of exterior architecture of similar existing or future construction at the Airport, or
 - 2. Is not be compatible with external building materials and finishes of similar existing or future construction at the Airport or will not provide for sufficient clearances for Taxiways, runways Runways, or Aprons, or
 - 3. Is Be designed for use for purposes other than those authorized by the Airport Management, or
 - 4. Does not provide adequate circulation arteries for vehicle and pedestrian traffic and fire-fighting equipment, or
 - 5. Interferes with the line of sight between the Air Traffic Control Tower and the public landing area at the Airport, or the navigational-aids and approaches to the Airport.

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~~a. — or~~ Does not comply with the ~~Airport Operator's~~ Airport Layout Plan and Approved Major Development Plan, ~~or,~~

~~5.6. — or~~

~~6.7.~~ Lacks any required permits from SHPO, DELDOT, DNREC, FAA, New Castle County including building, sewer and water, County Planning approval, or the State Aeronautics office.

~~7.8.~~ It would be in violation of any applicable ~~local, state, or federal~~ Federal, State, or local laws.

C. ~~D. — Any Person who performs construction work at the Airport assumes the risk of loss or damage to all property of the DRBA or any third parties arising out of or in connection with the performance of the work. In the event of such loss or damage, such Person shall forthwith, repair, replace and make good the work and the property of the Airport and all such third parties without cost or expense to the Airport or such third parties. Such Person shall also agree to indemnify and hold harmless the DRBA, the Airport, and their commissioners, officers, agents and employees from and against all claims and demands, of any third parties (including employees, officers and agents of the Airport) arising or alleged to arise out of the performance of the work and for all expenses incurred by it and by them in the defense, settlement or satisfaction thereof, including without limitation thereto, claims and demands for death, for personal injury or for property damage direct or consequential, whether they arise from acts or omissions of the DRBA, the Airport or of third persons, or from acts of God. Construction must comply with FAA Advisory Circular 150/5370-2, current edition.~~

D. ~~EE~~ All work shall be done in accordance with ~~drawings and~~ and the approved plans and specifications ~~to be submitted to and approved in writing by Airport Management- Management prior to commencement of the work, and shall be subject to its inspection. Any work not done in accordance with the drawings and specifications submitted and approved by the Airport Management shall be repaired or replaced at the expense of such Person~~ Any changes to the construction that may impact the Airport must be coordinated with Airport Management for consent.

~~FG. — Any Person who performs (or causes to be performed) construction work at the Airport shall pay or cause to be paid all claims lawfully made against it by its contractors, subcontractors, material men and workmen, and all claims lawfully made against it by other third persons arising out of or in connection with or because of the performance of the work, and shall cause its contractors and subcontractors to pay claims lawfully made against them. Nothing herein contained shall be deemed to constitute consent to the creation of any lien or claim against the DRBA. All contracts entered into for such work shall contain a no mechanics lien provision.~~

~~GH. — Persons who perform (or cause to be performed) such work shall procure and maintain comprehensive general liability insurance, including automotive, covering bodily injury (including death) and property damage liability. This requirement shall be in addition to all policies of insurance otherwise required by the DRBA, the insurance certificates shall name the DRBA as an additional insured. The insurance shall not contain any care, custody, or control exclusions, and shall be in such minimum limits as the Airport Management shall require for the type of work to be performed and the hazards and risks pertaining thereto.~~

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~~III. Any insurance required by this Section, shall be maintained in effect during the performance of the work. Written proof of insurance must be submitted to the Airport Manager two (2) weeks prior to the start of construction.~~

~~I. The word "work" as used in this Section shall be deemed to mean the construction, erection or installation of any buildings, structures, improvements, additions or fixtures (other than trade fixtures to the area affected) or any modifications, replacements, alterations, or repairs made at the Airport by the tenant.~~

~~E. Nothing in this Section shall be construed to impose upon the DRBA any obligations to construct or maintain or to make repairs, replacements, ~~alterations~~alterations, or additions, or shall create any liability for any failure so to do. The DRBA shall in no event be liable for any injury ~~or~~ damage to any ~~Person or~~ property ~~or to any person~~.~~

SECTION 11 - SECURITY REQUIREMENTS

All Persons using the Airport are subject to and shall comply with all security requirements of the DRBA, the FAA, the TSA, and all other governmental bodies with jurisdiction over security matters at the Airport.

Persons may be provided DRBA identification badges providing specific levels of access to the Airport Operations Area or other secure areas. Badges must be worn in plain sight at all times such Persons are on Airport property.

No Person shall obtain or attempt to obtain access to any area of the airport for which such Person has not been authorized by the Airport Management to have access.~~The occupant shall keep his/her section of the building, grounds, and aprons pertaining thereto in a clean, neat and orderly condition at all times.~~

~~All fire extinguishers will be inspected and certified once a year. The T hangar occupant is responsible for the storing and safe keeping of the fire extinguisher during his/her time of occupancy.~~

~~It shall be the responsibility of a tenant who decides to relinquish his/her regularly assigned space to notify DRBA in writing one full month prior to the end of that respective month. This will preclude improper billing and facilitate planning for subsequent reassignment.~~

~~There shall be no refueling of aircraft in the T hangar area unless the aircraft is grounded and is fueled by a certified agent. There shall be **no fueling inside the t hangar at any time.**~~

~~Hangar lights and aircraft engine heaters should not be left on unless the occupant is using the facility.~~

~~No aircraft may be tied down outside of any T hangar.~~

~~No fuels or oils may be disposed of on the ground at any time when using the facility.~~

~~There will be no smoking inside the T hangars at any time.~~

~~The Airport Director, and/or his/her designated staff, have the right to inspect all tenant premises and to observe tenant activities as a condition to and a method of preventing unsafe practices.~~

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~~Each tenant will need to show proof of adequate liability insurance before a unite will be rented.~~

SECTION 10 CONSTRUCTION AT THE AIRPORT

~~The airport tenant shall not make or cause to be made any of the foregoing which affects in any way the exterior of any structures or portion thereof, or the structural supporting frame, roof or structural part of any structure now or hereafter existing at the Airport. The airport tenant shall with respect to the foregoing obtain comprehensive general liability insurance in such limits as shall be proper and adequate commensurate with the type of work to be performed and the hazards and risks pertaining thereto.~~

~~The Tenant shall not do any work or permit others to do any work at the Airport without the prior written consent of the DRBA. Work done at the Airport without the approval of the DRBA shall either be changed to the satisfaction of the DRBA or removed from the affected portion of the Airport to the condition thereof prior to the doing of said work at the cost of the tenant.~~

~~Prior to the commencement of construction by the Tenant or others with the permission of the Tenant, the Tenant shall submit to the DRBA two sets of plans and specifications that have been signed and stamped by a licensed engineer in the state of~~

~~New Jersey for the Operator's consent. The DRBA may refuse to grant consent, if any such proposed work as set forth in said plans and specifications (all of which shall be in such detail as may reasonably permit Airport Management to make a determination as to whether the requirements hereinafter referred to are met) shall:~~

~~Be structurally unsound, unsafe, hazardous or improper for the use and occupancy for which it is designed, or not comply with the harmony of exterior architecture of similar existing or future construction at the Airport, or~~

~~Not be compatible with external building materials and finishes of similar existing or future construction at the Airport, or will not provide for sufficient clearances for taxiways, runways and apron areas, or~~

~~Be designed for use for purposes other than those authorized under the agreement, or~~

~~Not provide adequate circulation arteries for vehicular and pedestrian traffic and fire fighting equipment, or Interfere with the line of sight between the Control Tower and the between runways or the navigational aids and approaches to the airport. Additionally, the development requires a completed FAA Form 7460 "Notice of Proposed Construction or Alteration public landing area at the Airport, or~~

~~Does not comply with the Airport Operator's Airport Layout Plan and Approved Major Development Plan, or~~

~~Has not obtained the proper permits from SHPO, NJDOT, DEP, FAA, Millville City including building, sewer and water, City Planning approval, or the State Aeronautics office in advance of the proposed construction, or Be in violation or contravention of any other provisions and terms of this Agreement.~~

~~The Airport Tenant hereby assumes the risk of loss or damage to all property of the Authority arising out of or in connection with the performance of the work. In the event of such loss or damage, the Airport Tenant shall forthwith, repair, replace and make good the work and the property of the airport without cost or expense to the airport. The Airport Tenant shall indemnify and hold harmless the Airport, its Commissioners, officers, agents and employees from and against all claims and demands, just and unjust, or third persons (including employees, officers and agents of the airport) arising or alleged to arise out of the performance of the~~

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~~work and for all expenses incurred by it and by them in the defense, settlement or satisfaction thereof, including without limitation thereto, claims and demands for death, for personal injury or for property damage direct or consequential, whether they arise from acts or omissions of the airport or of third persons, or from acts of God or of the public enemy.~~

~~All work shall be done in accordance with drawings and specification to be submitted to and approved by the Authority prior to commencement of the work, and shall be subject to its inspection, and the Airport Tenant shall re-do or replace at its own expense any work not done in accordance with the drawings and specifications submitted and approved by the Authority.~~

~~The Airport Tenant shall pay or cause to be paid all claims lawfully made against it by its contractors, subcontractors, material men and workmen, and all claims lawfully made against it by other third persons arising out of or in connection with or because of the performance of the work, and work and shall cause its contractors and subcontractors to pay claims lawfully made against them. Nothing herein contained shall be deemed to constitute consent to the creation of any lien or claim against the Authority. All contracts entered into by an airport tenant shall contain a no-mechanics-lien provision.~~

SECTION 11 – SECURITY REQUIREMENTS

~~All Persons using the Airport are subject to and shall comply with all security requirements of the DRBA, the FAA, the TSA, and all other governmental bodies with jurisdiction over security matters at the Airport.~~

~~Employees of any Airport Tenant, FBO, SASO or Permittee may be provided DRBA security badges providing specific levels of access to the Airport Operations Area or other secure areas. These badges must be worn in plain sight at all times such employees are on Airport property.~~

~~No Person shall obtain or attempt to obtain access to any area of the airport for which such Person has not been authorized by the Airport Management to have access.~~

SECTION 12 – NONDISCRIMINATION

~~The DRBA has given to the United States of America, acting by and through the FAA, certain assurances with respect to nondiscrimination, which have been required by Title VI of the Civil Rights Act of 1964 and 49 CFR Part 21, as a condition precedent to the Government making grants in aid to the DRBA for certain Airport programs and activities. The DRBA is required under those laws to include in every agreement pursuant to which any Person or Persons other than the DRBA operates or has the right to operate any facility on the Airport providing services to the public, the following covenants, which shall be deemed to be included in all such agreements:~~

~~No person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities;~~

~~In the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and~~

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Premises shall be used in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation Effectuations of Title VI of the Civil Rights Act of 1964, and as that regulation may be amended.

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~~With respect to work, the Airport Tenant shall procure and maintain comprehensive general liability insurance, including automotive, covering bodily injury (including death) and property damage liability, shall be in addition to all policies of insurance otherwise required by this agreement, or, if the work is to be done by an independent contractor or others the Airport Tenant shall require such contractor or others to procure and maintain such insurance in the name of the contractor or others and in any case naming the Authority as an additional assured, said insurance not to contain any care, custody, or control exclusions, and in such minimum limits as the DRBA shall require in connection with similar work at other airports.~~

~~As to any insurance required by this Section, such insurance shall be maintained in effect during the performance of the work. Proof of insurance must be submitted to the Airports Division two (2) weeks prior to the start of construction.~~

~~The tenant shall be responsible for all contracts for work let by it or others, and for any loss or damages resulting therefrom, notwithstanding the same have been approved by the Authority and notwithstanding the incorporation therein of Authority recommendations. The DRBA shall have no liability or obligations in connection with any contracts entered into by the tenant or others for the work and the tenant hereby releases and discharges the DRBA, its Commissioners, officers, representatives and employees of and from any and all liability or claims for damages or losses of any kind whether legal or equitable, or from any action or cause of action arising or alleged to arise out of the performance of any work pursuant to such contracts. Any warranties contained in any such contract shall be for the benefit of the DRBA as the tenant or others.~~

~~The word "work" as used in this Section shall be deemed to mean the construction, erection or installation of any buildings, structures, improvements, additions or fixtures (other than trade fixtures to the area affected) or any modifications, replacements, alterations, or repairs made at the airport by the tenant.~~

~~If the DRBA has paid any sum or sums or has incurred any obligations or expense which the tenant has agreed to pay or reimburse the DRBA for, or if the DRBA is required or elects to pay any sum or sums or incurs any obligations or expense by reason of the failure or neglect of the tenant to perform or fulfill any one or more of the conditions, provisions or agreements contained in this agreement or as a result of an act or omission of the tenant contrary to the said conditions, provisions or agreements, the tenant shall pay to the DRBA the sum or sums so paid or the expense so incurred, including all interest, costs, damages and penalties.~~

~~The DRBA, by its officers, employees, agents, representatives and contractors shall have the right at all reasonable times to enter upon the leasehold for the purpose of inspecting the same, for observing the performance by the Tenant of its obligations under this agreement, and for the doing of any act or thing which the DRBA may be obligated or have the right to do under this agreement.~~

~~Nothing in this Section shall or shall be construed to impose upon the DRBA any obligations to construct or maintain or to make repairs, replacements, alterations or additions, or shall create any liability for any failure so to do. The DRBA shall not in any event be liable for any injury damage to any property or to any person.~~

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