

PROPOSED RULES AND REGULATIONS TO GOVERN NEW AIRPORT

**[DRAFT] Rules and Regulations for East Hampton Town Airport**

Town of East Hampton  
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**[X], 2022**



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## **Section 1 - General**

### **A. Introduction**

The Town of East Hampton (“Town”) is the proprietor, operator, and sponsor of the private use East Hampton Town Airport (“Town Airport”). The Town Airport is managed by an Airport Director who reports to the elected officials who make up the East Hampton Town Board (“Town Board”). The Town Board has instituted a prior permission required (“PPR”) framework at the Town Airport, which is to be enforced by the Airport Director. Under the PPR framework, all operators must receive prior permission to use the Town Airport prior to an operation occurring. Failure to obtain permission to operate at the Town Airport can result in penalties as set forth in Town Code Chapter 75, including temporary or permanent rescission of permission in the future.

These Rules and Regulations and the Attachments thereto (“Rules”), and any amendments thereto, are promulgated pursuant to a Town Resolution and Chapter 75 of the Town Code. These Rules are intended to maintain a safe, quiet, and environmentally friendly Town Airport. The Town is proud of its resort-style community and peaceful way of life. The Town Airport must be operated consistent with—not in tension with—these values and qualities inherent in the Town. The Rules apply to all operations, activities, and conduct that occurs at the Town Airport; that said, military, public, and emergency aircraft operations are always permitted to use the Town Airport notwithstanding any contrary aspect of the PPR framework set forth in Attachment A. The Airport Director will enforce these Rules in coordination with the Town Board, Town law enforcement, and Town emergency response Personnel.

### **B. Amendments To Rules**

The Town reserves the right to review, modify or change any or all of these Rules at any time. All Persons are subject to modified or changed Rules, regardless of whether and when the Person may have entered into an agreement with the Town. Upon amendment, the prior version of the Rules are without legal effect and the new version of the Rules applies to all Town Airport users with immediate effect. Use of the Town Airport is consent to and acceptance of these Rules and constitutes acknowledgement that the Rules govern the Person’s use of the Town Airport.

### **C. Compliance With Rules Required**

All aircraft operations and vehicle operations at the Town Airport shall be conducted in accordance with these Rules and any subsequent amendments to the Rules.

### **D. Airport Director Additional Operating Procedures**

The Airport Director may establish additional operational procedures which shall be considered as addenda to these Rules. To the extent this occurs, the Airport Director’s rules will be published as “Attachment C” to these Rules. Additional operational procedures published in Attachment C have the same effect as these Rules and the same penalties accompany any violations of the Airport Director’s additional operational procedures. To the extent the Airport Director’s rules conflict with these Rules, these Rules govern.

**E. Severability Clause**

If one or more provisions of these Rules are held to be unlawful, it shall not in any way affect any other clauses, sections, or provisions of these Rules.

**F. Inconsistency with Town Code**

If one or more provisions of these Rules are inconsistent with the Town Code, the Town Code section prevails.

**G. Temporary Variance Permitted**

The Town Board, in its sole discretion, may approve a temporary variance from specific provisions of the Rules when the enforcement of a provision would cause undue hardship or when facing unique circumstances. Any temporary variance shall not constitute a waiver or modification of any of the provisions herein for any purpose except as to the particular Person or operator and the particular provision that is the subject of the temporary variance and only for so long as the circumstances warranting the temporary variance exist.

In the event of an emergency which endangers the health, safety or welfare of an individual, individuals, or the community, the Airport Director may declare an urgent matter and temporarily waive any provision or provisions of the Rules. The Airport Director shall provide a report to the Town Board if this occurs.

**H. Definitions**

As used in these Rules, the following terms shall have the following meanings:

**AIRCRAFT** means any and all contrivances used now or in the future for the navigation of or flight in air or space, including but not limited to airplanes, airships, sail planes, gliders, helicopters, amphibians, eVTOLs, drones, UAS, etc.

**AIRCRAFT EMERGENCY** means a problem or condition involving an aircraft, whether in flight or on the ground, which could endanger lives or property. An aircraft emergency can be declared by the pilot, ATC, the Airport Director, or other Personnel responsible for the safe operation of the aircraft or Town Airport.

**AIRCRAFT OWNER** means the Person or entity listed as the registered owner on the FAA Certificate of Registration or the Person with exclusive control over the aircraft. If multiple Persons or entities are listed as the registered owner or share exclusive control, each are deemed to be an “Aircraft Owner.”

**AIRPORT DIRECTOR** means the Person hired by the Town Board to manage and control the Town Airport. The Airport Director may designate specific staff to act on the Airport Director’s behalf in promulgating and enforcing these Rules. In these Rules, “Airport Director” shall mean Airport Director or the Airport Director’s specific designee(s).

**ATC OR AIR TRAFFIC CONTROL** means Personnel, equipment, air traffic services, and FAA

procedures provided or prescribed for use at the Town Airport, including those procedures for operation of aircraft at an uncontrolled airport.

**BUSINESS OR COMMERCIAL ACTIVITY** means the exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind, or any revenue producing activity at the Town Airport.

**COMMERCIAL OPERATION** means an operation being flown by a professional pilot(s) pursuant to 14 C.F.R. § 91k; 14 C.F.R. § 121; 14 C.F.R. § 125; and/or 14 C.F.R. § 135.

**EXCLUSIVE CONTROL** means the legal authority to control, command, manage and supervise an aircraft; and, the sole power to determine the function and location of that aircraft. It does not include temporary custody by charter or for taxiing, parking, fueling, maintenance, storage or service.

**FAA** means the Federal Aviation Administration.

**LICENSEE** means any Person using the Town Airport, including all operators who conduct an operation at the Town Airport. See also Permission.

**NOISY AIRCRAFT** is an aircraft that has an aircraft noise signature that exceeds the limit set forth in Attachment A. Each aircraft's noise signature will be determined by reference to the most updated version of the FAA's Advisory Circular 36-1H. If an aircraft is not included in Advisory Circular 36-1H, it is deemed "noisy" unless the Airport Director provides a written acknowledgement stating otherwise.

**NTSB** means the National Transportation Safety Board

**OPERATOR** means any Person who pilots, controls, or maintains, whether directly or indirectly, an aircraft or vehicle.

**OPERATION** means a takeoff or a landing.

**PERMISSION or PERMIT** means permission granted by the Town Board or Airport Director unless otherwise herein specifically provided. See also Licensee.

**PERSON** means any individual, firm, partnership, corporation, association, company, or other legal entity (including any shareholder, member, officer, assignee, receiver, trustee, or similar representative thereof).

**PILOT** means the Person or Persons in command of an aircraft.

**PRIOR PERMISSION REQUIRED or PPR** means prior permission granted by the Town Board that is required to make operational use of a runway, taxiway, apron, or airport facility/service. The PPR rules in effect are set forth in Attachment A to these Rules.

**RUN-UP** means any operations of a stationary aircraft engine above idle power except to overcome inertia for taxiing for takeoff or for relocating an aircraft.

**TOWN** means the Town of East Hampton, New York.

**TOWN AIRPORT** means all of the land, improvements, facilities and development of the East Hampton Town Airport.

**TOWN BOARD** means the elected officials of the Town of East Hampton in which the legislative power of the Town is vested.

## **Section 2 - Use of Airport**

### **A. General**

#### **1. Mandatory Adherence to Rules**

All activity at the Town Airport must conform to these Rules, the Town Code, and any other applicable county, state or federal statute, rule, or regulation.

#### **2. Use of Town Airport Constitutes Agreement To Follow Rules**

Any use of the Town Airport shall be deemed to constitute an agreement by such Person to comply with these Rules.

#### **3. Mandatory Self Reporting**

Any violation of these Rules—including the PPR Rules set forth in Attachment A—whether accidental, justified, or otherwise, must be reported to the Airport Director within 48 hours of such violation. The report must include the name of the owner, name of the operator, name of the pilot, time, date, explanation of the events giving rise to the report, and an explanation of how the Person who committed the violation will ensure such violation will not occur again in the future. The Airport Director will take these details into account when determining whether and what penalty should be assessed. Timely and forthright reporting may lead to lesser penalties.

#### **4. Denial of Access to Town Airport**

The Town Board or Airport Director may deny any or all usage of or access to the Town Airport to any Person in their sole discretion. To the extent the determination was made by the Airport Director, such Person shall have the right to appeal the Airport Director's decision as set forth in the Town Code.

#### **5. Conduct of Business or Commercial Activity**

No Person shall engage in any business or commercial activity of any nature whatsoever at the Town Airport except with the prior written approval of the Town Board or Airport Director, and under such terms and conditions as may be prescribed in these Rules and in a lease or other agreement with the Town. To the extent applicable, compliance with the Town Code is independently required. A lessee or licensee has permission to engage in commercial activities at the Town Airport pursuant to the terms of such lease or license.

**6. Airport Property**

All use of property, buildings, or facilities at the Town Airport must be approved by the Town Board or Airport Director. A lessee or licensee has permission to use property, buildings, or facilities at the Town Airport pursuant to the terms of such lease or license.

**7. Commercial Photography**

No Person shall take still, motion or sound recordings of or at the Town Airport for commercial purposes without having first obtained a permit pursuant to Chapter 138 of the Town Code.

**8. Solicitation, Advertisement, Assembly and Demonstration**

- A. No Person shall solicit funds or peddle for any purpose at the Town Airport without the written permission of the Airport Director and without having first obtained a license to peddle in accordance with Chapter 151 and Chapter 198 of the Town Code.
- B. No Person shall organize an assembly or demonstration at the Town Airport without permission of the Airport Director and without having first obtained a special event permit and having provided notice to the Town Clerk in accordance with Chapter 151 of the Town Code. No assembly or demonstration may interfere with the safe and orderly operation of the Town Airport. The Airport Director shall direct the location where the assembly or demonstration may occur.

**9. Signage**

No Person shall post, distribute or display signs, advertisements, circulars or printed or written matter at a Town Airport without the written permission of the Airport Director and the approval of the Town's Architectural Review Board for signs requiring said Board's approval pursuant to Chapter 255 of the Town Code. The Town Board has the right to deny any proposed sign, advertisement, circular, or other signage.

**10. Property Damage**

No Person shall:

- A. Destroy, deface or disturb Town Airport property in any way.
- B. Conduct activities that are injurious, detrimental or damaging to Town Airport property or to activities and businesses at the Town Airport.
- C. Abandon any property at the Town Airport.
- D. Engage in any conduct that interferes with remedial efforts undertaken to address damage to property.

**11. Payment for Damages**

Any Person causing, or liable for, any damage, shall be required to pay the Town, on demand, the full cost of repairs, clean up, removal, legal fees or other costs incurred by the Town as a result of the property damage. Any Person delaying or refusing to comply with this section shall be deemed to be

in violation of these Rules and may be refused the use of all or part of the Town Airport.

**12. Town Expressly Disclaims Liability For Damage At Town Airport**

THE TOWN ASSUMES NO RESPONSIBILITY OR LIABILITY FOR LOSS, INJURY OR DAMAGE TO PERSONS OR PROPERTY ON THE TOWN AIRPORT, OR USING TOWN AIRPORT FACILITIES, BY REASON OF FIRE, VANDALISM, WINDS, FLOOD, EARTHQUAKE, ACT OF GOD, OR COLLISION DAMAGE, NOR DOES IT ASSUME ANY LIABILITY BY REASON OF INJURY TO PERSONS OR PROPERTY WHILE USING ANY TOWN AIRPORT FACILITY. NOTHING IN THE RULES SHALL CONSTITUTE A WAIVER OF THE TOWN'S SOVEREIGN IMMUNITY.

**13. No Smoking Areas**

No Person shall smoke in any hangar, shop or other building where it is dangerous to do so or where it is specifically prohibited by the Airport Director. Smoking includes, but is not limited to, the smoking and vaping of tobacco and cannabis. Smoking is prohibited inside the Town Airport terminals and Town owned and operated buildings and vehicles at all times. No smoking shall occur on any ramp or within fifty (50) feet of a fuel tank, fuel truck or aircraft.

**14. Disorderly Conduct**

- A. The Airport Director may revoke permission to access the Town Airport to any Person who engages in disruptive, unsafe, rude or other inappropriate behavior.
- B. No Person shall commit any disorderly, obscene or unlawful act or commit any nuisance on the Town Airport.
- C. No Person shall become intoxicated (e.g., using alcohol, narcotics, or habit-forming drugs) on any portion of the Town Airport, nor shall any intoxicated Person enter upon or loiter on or about the Town Airport or any of its facilities.
- D. Whether conduct violates this section is determined in the sole discretion of the Airport Director.

**15. Firearms, Explosives, Hazardous Materials, etc.**

- A. No Person shall store, keep, handle, use, dispense or transport any hazardous materials at the Town Airport unless said act is done in accordance with the Rules, county law, state law, federal law, the New York State Uniform Fire Prevention and Building Code, the New York State Department of Environmental Conservation, the New York State Department of Transportation and the Suffolk County Department of Health Services, in particular Article 12 of the Suffolk County Sanitary Code. Hazardous materials shall include, without limitation, explosives, compressed gases, flammable liquids and solids, oxidizers, poisons, corrosives, loaded firearms, radioactive materials and other materials described as "hazardous" by such federal, state and local laws, rules and regulations. Notification of any hazardous spill or emergency shall be made immediately to the East Hampton Fire Department and the Airport Director. Upon receiving notification, the Airport Director shall immediately notify the Town Fire Marshal and the Town Natural Resources Department. The Person who stores, keeps, handles, uses, dispenses or transports the hazardous material that spills or is the subject

of an emergency shall be responsible for the costs incurred in any corrective action. Said corrective action shall be in accordance with all applicable federal, state and local laws, rules and regulations.

- B. All hazardous material, including petroleum products, must be stored in approved, environmentally safe, containers and cabinets.
- C. Operators of hangars or other aircraft service or maintenance buildings, terminal buildings or other areas shall have suitable metal receptacles with self-closing covers for the storage of oil waste and rags, which must be removed by the operators from the Town Airport premises on a monthly basis or as otherwise established by the Airport Director. All oil waste and rags must be disposed of in accordance with county, state, and federal guidelines regarding disposal of such hazardous materials.

**16. Model Aircraft, Tethered Aircraft, Banner Towing, Ultralight Aircraft, and Parachute Activities Prohibited**

- A. The flying or operating of model aircraft, drones, or other unmanned aerial vehicles within the Town Airport area is prohibited unless authorized in writing by the Airport Director.
- B. No Person shall operate or release any kite, balloon, or parachute anywhere on or in the vicinity of the Town Airport without the written permission of the Airport Director.
- C. No tethered aircraft operations are permitted at the Town Airport.
- D. No ultralight vehicle operations are permitted at the Town Airport.
- E. No banner-towing operations are permitted at the Town Airport.

**17. Fueling**

- A. No aircraft shall be fueled or de-fueled while one or more of the engines are running or being heated, except in an emergency that threatens the health, welfare or safety of the public and with the prior approval from the Airport Director.
- B. No aircraft shall be fueled or de-fueled while one or more passengers remain in such aircraft, except in an emergency that threatens the health, welfare or safety of the public and with the prior approval from the Airport Director.
- C. Prior to and during all fuel handling operations, the aircraft and the fuel-dispensing or fuel-draining apparatus shall be grounded by wire to prevent the possibility of static ignition of volatile liquids.
- D. All fueling operations, devices, or handling shall be in accordance with and compliant with these Rules. This includes self-service fueling, bulk fueling, and truck-to-truck fueling.
- E. Each fixed based operator who has a contractual right pursuant to an agreement with the Town to sell or supply aviation gasoline or jet fuel and lubricating oils at a Town Airport, and each operator that has executed an agreement with the Town and has a right to fuel itself pursuant to the Rules and Regulations, shall solely use the Town-owned fuel storage facility. If, and for any period during which, said facility is not available, said fixed based operator or operator may make other arrangements subject to the approval of the Airport Director and the Town Fire Marshal.

- F. No fuel service vehicle shall be used for transportation of aviation fuel, jet fuel or any other flammable liquids within the Town Airport boundary unless said vehicle is approved by the Airport Director and the Town Fire Marshal. Any spillage of fuel must be immediately reported as described *infra* at Section C.15 and C.16.
- G. The transfer of bulk fuel from one fuel service vehicle to another is prohibited within the boundaries of a Town Airport.
- H. Aircraft fueling at a Town Airport shall not be conducted in any hangar or other building.

**18. Animals**

All animals present in the common areas of the Town Airport shall be controlled and restrained by a leash, harness, restraining strap, portable kennel, or other appropriate device. It shall be the responsibility of the owner or handler to exercise control over the animal at all times. Owners or handlers are responsible for the immediate removal and disposal of animal waste.

**B. Vehicles and Pedestrians**

**1. General Requirements**

- A. Vehicles will be operated at the Town Airport in accordance with these Rules, and all federal, state, and local laws.
- B. All vehicles shall yield the right of way to aircraft in motion and emergency vehicles.
- C. All Persons, upon entering or exiting a Town Airport access gate, shall make sure that the gate completely closes behind them before proceeding to their destination so as to not allow the entry of an unauthorized Person.

**2. Control of Vehicles**

- A. No Person shall operate or park a vehicle at the Town Airport in a manner prohibited by signs, pavement markings, or other signs posted by the Town. The Airport Director has the authority to regulate or prohibit access to any class or type of vehicle or other form of transport in its discretion.
- B. Vehicles shall be operated in strict compliance with all posted speed limits at the Town Airport. The maximum speed limit for all vehicles, with the exception of authorized emergency services vehicles in the performance of their official duties, is fifteen (15) miles per hour on the ramp or secure areas. Vehicles within 50 feet of any aircraft are limited to a maximum of five (5) miles per hour.
- C. No vehicle shall be operated on the runways, taxiways, and associated safety areas unless so authorized by the Airport Director.
  - (1) Taxiing aircraft shall have the right-of-way over all ground vehicles.
  - (2) Any vehicle authorized to operate on the Town Airport runways, taxiways, or associated safety areas shall display appropriate lighting or a flag that complies with FAA Advisory Circular 150/5210-5 and is visible to Town Airport Personnel.
  - (3) All vehicles authorized to operate on the runways, taxiways, or associated safety areas must be equipped with a two-way radio, receive a clearance from, and remain in continuous communications with Town Airport Personnel. The installation of a two-way radio does not permit the unauthorized operation of vehicles on runways and/or taxiways.
  - (4) Exceptions to this rule must be authorized by the Airport Director.

**3. Airport Vehicle and Pedestrian Access Control**

Persons leasing, operating or otherwise responsible for Town Airport property which contains any portion of the Town Airport security perimeter (as defined by the Airport Director), shall operate and maintain all vehicular and pedestrian access points and Town Airport security perimeter on their property in a manner acceptable to the Airport Director, which limits access from their property to the Town Airport to only those Persons authorized by the Airport Director.

**4. Authority to Remove Vehicles**

The Airport Director may cause to be removed from any area of the Town Airport any vehicle which

is disabled, abandoned, has an expired license tag, is parked in violation of these Rules, is parked in violation of New York State, Suffolk County, or Town laws, or which presents an operational hazard as determined by the Airport Director to any area of the Town Airport, at the vehicle operator's expense and without liability for damage which may result in the course of such movement.

**5. Motor Homes, Boats, Trailers and Recreational Vehicles**

Motor homes, boats, trailers, recreational vehicles, and other non-aviation related vehicles or equipment shall not be stored at the Town Airport without the prior written authorization of the Airport Director.

**6. Accidents**

The driver of any vehicle involved in an accident at the Town Airport shall immediately stop such vehicle at the scene of the accident, render reasonable assistance to a Person injured in the accident (if applicable), and make a report of such accident in accordance with state law and provide a copy of same to the Airport Director.

**7. Careless Operation, Driving While Intoxicated**

No vehicle of any kind shall be operated at the Town Airport:

- A. In a careless, negligent or reckless manner, or in disregard of the rights and safety of others, or while the driver would be prohibited by law from operating an automobile upon public streets due to drug or alcohol impairment or influence, or at a speed or in a manner which endangers or is likely to endanger Persons or property.
- B. If the vehicle is constructed, equipped or loaded as to endanger or be likely to endanger Persons or property, or to result in the load or other materials becoming separated from the vehicle; or
- C. Without operating headlights, tail lights, turn signals, and brake lights during hours of darkness, inclement weather, or reduced visibility.

**8. Vehicle Parking Restrictions**

- A. No Person shall park or leave any vehicle standing, whether occupied or not, except within a designated parking area or in the storage space designated for their aircraft while their aircraft is in use.
- B. If in a public area, the vehicle shall be parked in a manner that allows the vehicle to be immediately driven or towed away in the case of an emergency.

**9. Pedestrians Must Use Caution**

No Person shall walk, stand, or loiter at the Town Airport if such activity is determined to be an operational or safety concern as determined by the Airport Director. Pedestrians must use caution to not endanger themselves or others at the Town Airport.

**10. Vehicle Repair**

- A. No Person shall clean or make any repairs to vehicles anywhere on the Town Airport except those minor repairs necessary to remove such vehicles from the Town Airport.
- B. No Person shall move, interfere or tamper with any vehicle, or take or use any vehicle part or tool thereof, without the written permission of the owner or satisfactory evidence of the right to do so duly presented to the Airport Director.

**C. Aircraft and Aircraft Operations**

**1. Town Airport’s PPR Rules Govern All Operations**

Use of the Town Airport is governed by the Town’s PPR framework. No operation may occur at the Town Airport unless such operation is permitted by the Town’s PPR framework set forth in Attachment A. If an operator is unsure whether its operation is permitted by the PPR framework in effect at that time, the operator should contact the Airport Director at least 48 hours prior to the operation in question. This includes, but is not limited to, determining whether an aircraft is deemed Noisy if the Aircraft Noise Data is not included in the most updated version of the FAA’s Advisory Circular 36-1H.

**2. Authority to Prohibit Operations**

- A. Notwithstanding any permissions granted in the PPR framework set forth in Attachment A, the Airport Director shall have the right at any time:
  - (1) To temporarily close the Town Airport or any portion thereof to air traffic.
  - (2) To temporarily prohibit aircraft landing and/or taking off at any time and under any circumstances (except emergency landings).
  - (3) To temporarily delay or restrict any flight or other aircraft operations (except emergency landings).
  - (4) To temporarily deny the use of the Town Airport to any Person or group when the Airport Director considers such actions to be necessary and desirable in the interest of safety or when the Rules are being violated.
- B. Under no circumstances shall an authorized Town Airport closure or restriction constitute grounds for reimbursement of any alleged or actual expense, loss of revenue, or damage incurred by any operator, tenant, permittee, or any other entity.
- C. Any operator who willfully performs unsafe, low, or noise-provoking maneuvers may forfeit its right to operate out of or otherwise use the Town Airport. The Airport Director has sole discretion when determining whether an operation is unsafe, low, or noise-provoking for purposes of this section.

**3. Emergency, Public, and Military Operations**

- A. Notwithstanding any permission granted in the PPR framework set forth in Attachment A, emergency, public, and military operations may occur at any time and are not prohibited by the Town.
- B. If an emergency operation occurs, the operator must provide a written report to the Airport Director, FAA, and if applicable the NTSB, within 24 hours. Beyond the requirements set forth in federal regulation, the report must include the name of the aircraft owner, name of the aircraft operator, name of the pilot, time, date, and an explanation of the events giving rise to the report.
- C. If the Airport Director requests additional information regarding the emergency operation, the owner, operator, and pilot, as applicable, must furnish such information in a timely manner. Failure to provide such information constitutes a violation of these Rules.

- D. If the Airport Director determines, in its sole discretion, that the declaration of an emergency was not warranted, the Airport Director may consider the operation a violation of these Rules and assess penalties.

**4. Aircraft and Operational Requirements**

- A. All aircraft must be deemed airworthy by the FAA and in compliance with all federal laws and regulations to operate at the Town Airport.
- B. No aircraft shall be operated at the Town Airport in a careless or negligent manner, or without regard for the rights and safety of others, or at a speed that is likely to endanger others, or by an operator who is under the influence of alcoholic beverages or any narcotic or habit-forming drug. Extreme caution and vigilance shall be maintained by the operator at all times.
- C. No aircraft shall operate at the Town Airport unless it is equipped with brakes and a functional radio capable of direct two-way communications with Town Airport Personnel, except with prior consent of the Airport Director.
- D. No rotorcraft equipped with skid-type landing gear shall perform run-on landings or any other maneuver that would cause the skids to slide upon the runway surface.
- E. Rotorcraft shall not be taxied, towed, or otherwise moved with the rotors turning unless prior approval is obtained from the Airport Director. Upon receipt of prior approval from the Airport Director, rotorcraft shall not taxi diagonally across the ramp and instead must use taxi lanes and taxi ways.
- F. Rotorcraft must land and takeoff from designated areas or as directed by the Airport Director.
- G. Aircraft awaiting takeoff shall hold at the marked holding line until the runway in use is clear. If no holding line exists, aircraft shall stop at least 100 feet (unless usable area does not permit) from the runway in use.
- H. No Person other than a pilot or mechanic certified by the FAA shall taxi an aircraft on any part of the Town Airport
- I. All aircraft shall be taxied at less than 15 miles per hour and in a manner with due regard for other aircraft, Persons, and property. The pilot or mechanic certified by the FAA in control of the aircraft may not taxi until confirming that such operation does not pose a risk to Persons or property.
- J. No aircraft shall be taxied off hard-surface runways or hard-surface taxiways unless to clear the runway for another aircraft that has declared an emergency.

**5. Running of Aircraft Engines**

- A. Aircraft engines shall only be run at idle except as may be necessary for safe taxiing operations, taking off, landing, preflight testing, and maintenance testing. All engine run-ups shall be conducted in the appropriate run-up areas as determined by the Airport Director and in accordance with noise abatement procedures.
- B. No Person shall start or run any engine in an aircraft unless a licensed pilot or qualified mechanic certified by the FAA is in the aircraft attending the engine controls. Chocks shall always be placed in front of the wheels before starting the engine(s) unless the aircraft is equipped with adequate brakes.

- C. No aircraft engine shall be started or aircraft taxied where the exhaust or propeller blast may cause injury to Persons or do damage to property or spread debris at the Town Airport. If it is impossible to taxi such aircraft in compliance with this section, then the engine(s) must be shut off and the aircraft towed.
- D. Aircraft can only be fueled at locations designated for such purpose as approved by the Airport Director.
- E. Aircraft engines or rotors cannot be operated for longer than 10 minutes while the aircraft is located on the ramp.
- F. Auxiliary power units (“APU”) cannot be operated for longer than 30 minutes.
- G. No aircraft engine shall be started or run while such aircraft is in a hangar or enclosed space.

**6. Landing Fees**

Landing fees are to be set and amended, from time to time, by resolution of the Town Board. The landing fees schedule is provided as Attachment B to these Rules and are posted on the Town website. Such landing fees shall be filed in the office of the Town Clerk prior to their effective date and shall be publicly noticed by the Airport Director or other responsible official.

**7. Shutoff Engines For Passenger And Cargo Loading and Unloading**

Aircraft engines must be shutoff while cargo and/or passengers are loaded or unloaded. All loading and unloading must occur in areas designated by the Airport Director.

**8. Registration**

All based aircraft must be registered with the Airport Director. All information regarding changes to owner, operator, FAA registration number, or other aspect of the aircraft must be provided to the Airport Director within 15 days of such change occurring.

**9. Self-Service Requires Prior Approval**

A Person desiring to perform services (fueling, maintenance, repair, or cleaning) on that Person’s aircraft utilizing that Person’s vehicles, equipment, and resources (self-service) must obtain prior approval from the Airport Director.

**10. Cleaning and Maintaining Aircraft**

Cleaning, washing, polishing, or otherwise maintaining aircraft shall be accomplished only in areas designated for that purpose by the Airport Director.

**11. Aircraft Parking Restrictions**

- A. All aircraft must be parked in an area designated for such purpose. The Airport Director has the right to designate parking areas and the locations for the parking of aircraft, fuel trucks or other ramp vehicles.
- B. Aircraft shall be parked or stored so as not to obstruct any movement area, aircraft parking and storage area, or taxi lane, or another aircraft’s ingress or egress from the Town Airport’s movement area.
- C. Aircraft shall be parked in a manner that allows the aircraft to be immediately pushed or towed away in the event of an emergency. The aircraft owner is responsible for the security of the tie-down restraints.
- D. Upon direction of the Airport Director, 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 that can reasonably accommodate the aircraft and does not create a hazard or safety issue; if the operator refuses to comply with such direction, the Airport Director 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 the aircraft.

**12. Disabled, Damaged or Dismantled Aircraft**

- A. 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 the Airport Director is prohibited, unless pre-approved, in writing, by the Airport Director for a specific time period and in an enclosed storage area.
- B. If an aircraft described above in A is not removed within the prescribed thirty (30) days, the Airport Director may cause the aircraft, at the owner’s/operator’s expense, to be removed from the Town Airport.
- C. Abandoning an aircraft anywhere on the Town Airport is prohibited.

**13. Accident or Incidents**

- A. Any damage to an aircraft in motion, any damage or injury to Persons or property caused by an aircraft, or any damage to an aircraft caused by Persons or property, is considered by Town to be a reportable accident or incident, regardless of FAA or NTSB criteria.
- B. Aircraft operators involved in an incident or accident at the Town Airport resulting in injury or death to Person(s) or damage to property shall make a full and prompt report of the incident to the Town Board and Airport Director, complete any necessary reports or forms, and comply with all applicable provisions of NTSB Regulations. Damage to property includes damage to a runway, taxiway, taxilane, apron, signage, or navigational aid, light or fixture.
- C. Upon authorization to remove the aircraft, the operator shall be responsible for the safe and prompt removal of the aircraft and any parts of an aircraft within a movement area to a non-movement area.

- D. If immediate arrangements are not made (so that the Town Airport can return to full operational status without unreasonable delay), the Town may have the aircraft removed at the aircraft operator’s risk and expense without liability for damage arising from or out of such removal.

**14. Authority to Remove Aircraft**

The Airport Director may move any aircraft, at the operator’s risk and expense without liability for damage arising from or out of such action, which is disabled, abandoned, parked in violation of these Rules, or which presents an operational hazard. Aircraft may also be moved in the interests of security or Town Airport maintenance.

**15. Removal of Fuel, Oil, and Grease**

Any Person involved in the spillage or dripping of fuel, oil, grease, or any material which may be unsightly, detrimental, or hazardous in any area of the Town Airport has the responsibility for the immediate cleanup and proper removal of the material and for the notification of this incident to the Airport Director immediately. The responsibility for the immediate removal of such fuel, oil, grease or other material shall be assumed by the operator or owner of the equipment causing the same or by the tenant or Person responsible for the deposit. In the event of such spillage, and failure of the operator or owner to restore the area to its original safe and environmentally sound status, the Town may cleanup any material unlawfully spilled, placed or otherwise deposited at the Town Airport and may charge the responsible Person(s) for the cost of the cleanup, and any required environmental remediation, and any expenses incurred by, or fines or damages imposed on, the Town as a result thereof. All cleanup must be completed in accordance with local, state, and federal law and guidelines.

**16. Spilled Gasoline**

No Person shall start the aircraft heater(s) or the engine(s) of any aircraft or other vehicle within 50 feet of spilled aviation gasoline, jet fuel, diesel or other flammable or combustible liquid material. The owner or operator of any aircraft or the owner or operator of any motor vehicle which has spilled fuel, or the owner of any building or the lessee of any building in which a spill has occurred, shall immediately notify the East Hampton Fire Department and the Airport Director. Upon receiving notification, the Airport Director shall immediately notify the Town Fire Marshal and the Town Natural Resources Department. All cleanup must be completed in accordance with local, state, and federal law and guidelines.

**D. Tenant Operations**

**1. Hangars**

Hangars shall be used for the purposes of storing an aircraft or other aeronautical equipment. Failure to utilize a hangar for such purpose can lead to the loss of use of the hangar or other penalties under applicable law.

**2. Compressed Gases**

Oxygen or any compressed gas in a cylinder or portable tank must be secured to a fixed location or secured to a portable cart designed and approved specifically for the cylinders or tanks being secured.

**3. Fire Prevention**

Tenants shall be responsible for ensuring that fire safety and building practices and procedures are followed at all time.

**4. Storage of Materials and Equipment**

Railroad (box or tanker) cars, intermodal containers, or tanker, truck, or flatbed trailers, etc. shall not be stored or used to store any type of materials, vehicles, or equipment, unless approved, in writing, by the Airport Director.

**5. Telecommunications**

Persons and tenants shall operate any and all of its communications equipment (wired or wireless) in a manner that will not cause interference to operations of the Town Airport. Upon any notification from the Town, the Airport Director, the FAA or the police or fire departments of any interference caused by an operator's or tenant's operations, the operator or tenant shall cease all communications operations, transmissions and uses of the Town Airport. The Person or tenant may not resume communications operations until the Town has so notified the tenant in writing.

**6. Right to Inspect**

The Airport Director shall have the right at all reasonable times to inspect all areas under lease to or occupied by tenants.

**E. Enforcement of Rules and Regulations**

**1. Penalties and Process**

Chapter 75 of the Town Code contains the applicable penalties and enforcement process for all violations of these Rules. To the extent a conflict exists between the Town Code and these Rules, the Town Code provision governs.

**2. Airport Director Maintains Safe and Orderly Operations at Town Airport**

The Airport Director is hereby charged with the responsibility of maintaining the safe and orderly operation of the Town Airport and prohibiting activities at the airport which endanger the health, safety, welfare or property of any member of the public or any user of the Town Airport.

**3. Airport Users Bound by Rules and Town Code:**

- A. The Town, as operator of the Town Airport, provides that these Rules will be enforced as if part of the Town Code.
- B. Use of the Town Airport constitutes a revocable permit and/or license to utilize the facilities and the express consent by the aircraft owner, operator, and pilot to the jurisdiction of the East Hampton Town Justice Court and/or the Suffolk County Supreme Court for adjudication of any violations of the Town Code or these Rules, or enforcement of any applicable Town, County, State or Federal Laws and Rules, and enforcement of any directives of the Airport Director.
- C. Notwithstanding the foregoing provisions of this Section, the Licensee expressly consents to the actions of the Airport Director as set forth herein deemed necessary to maintain safety at the Town Airport.