

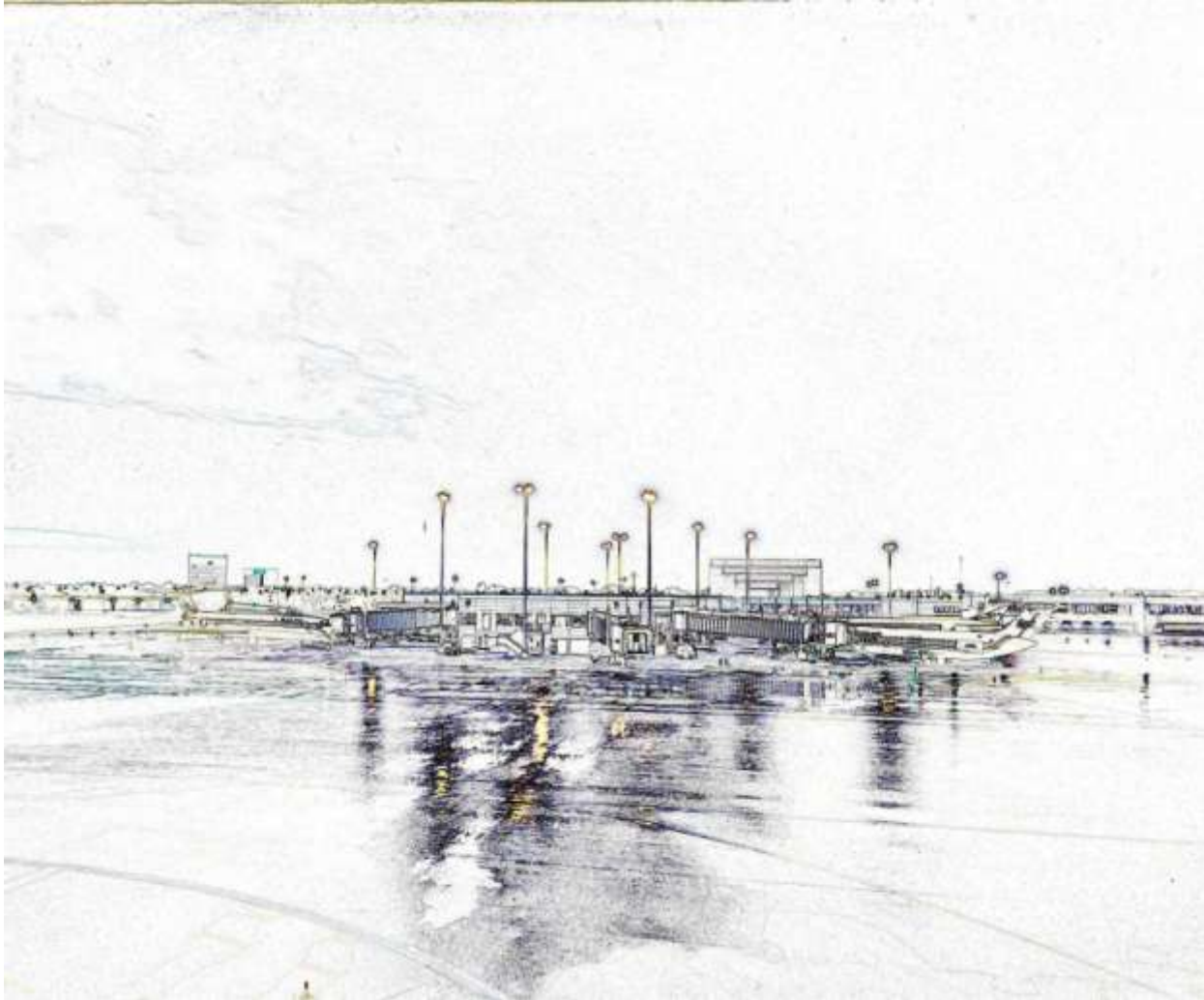
# **Melbourne International Airport**

## ***RULES AND REGULATIONS***



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## MELBOURNE INTERNATIONAL AIRPORT

### **Rules and Regulations**

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## Record of Amendments and Revisions

Change Number	Change Title	Page Number	Date Submitted to MAA	Date Approved by MAA	Date Posted	Posted By
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**Melbourne International Airport**

**Rules and Regulations**

**(MLB)**

**(Site 03321.A)**

These Rules and Regulations were adopted by Resolution No. 22-03 of the City of Melbourne Airport Authority in a regular meeting on December 17, 2003, and filed with the City Clerk of the City of Melbourne.

The Airport Authority is hereby vested with authority to adopt and amend all needful Rules and Regulations for the management, government and use of the Airport.

The rules and regulations contained in this volume are designed to work in conjunction with Federal Law, Florida State Statutes, and City of Melbourne Codes, as well as written directives from the Director.

\_\_\_\_\_  
JAMES C. JOHNSON, A.A.E.  
Executive Director

DATE: \_\_\_\_\_

## **PREFACE**

### **Authorization**

The Rules and Regulations manual for Melbourne International Airport (MLB) is adopted under authority granted to municipalities by Chapter 332 of the Florida Statutes (Airport Law of 1945), and Section 3.25 of the Charter of the City of Melbourne 1969, and by Chapter 6 of the City of Melbourne Code of Ordinances 1984, which codifies City of Melbourne Ordinance No. 67-7 adopted on May 2, 1967. City of Melbourne Ordinance No. 67-7 established the City of Melbourne Airport Authority (MAA).

These Regulations supersede all other previous Regulations as set forth by the Airport Authority. In event of conflict the City Code of Ordinances will supersede MLB Rules and Regulations.

### **Compliance**

All persons using MLB shall comply with the rules and regulations set forth in this manual. The penalty for noncompliance is set forth in the penalty section of the MLB Rules and Regulations.

Successful compliance of these Rules and Regulations depends on full and active cooperation by MLB employees, tenants and their employees.

### **Enforcement**

The Airport Authority is hereby vested with the power and authority to appoint security personnel, and/or police officers with full police powers in order to enforce MLB Rules and Regulations.

The Airport Authority is hereby vested with the power and authority to fix, by resolution, penalties for violation of its Rules and Regulations and to enforce such penalties by levying fines not to exceed \$500.00 for each violation, or by suspending or terminating access to or use of the Airport or by suspending or revoking permission to conduct activities at MLB by any person violating these Rules and Regulations.

In addition to the foregoing procedures for enforcement of Rules and Regulations, such Rules and Regulations may be enforced by any other means provided by law for the enforcement of municipal ordinances.

MLB employees, as designated by the Director, are empowered to enforce MLB Rules and Regulations. The Melbourne Airport Police Department (MAPD) has full law enforcement and arrest powers.

### **Purpose**

The primary purpose of this manual is to provide MLB users with a single document representing a compendium of rules, regulations, procedures, and general information governing activities at MLB. The objective of the manual is to promote the safe and efficient use of MLB facilities.

### **Revisions**

When an extenuating situation arises the Director, or his authorized representative, shall be empowered to take the action that, within his discretion and judgment, is necessary or desirable to protect the health, welfare, and safety of persons and property, and to facilitate the operation of MLB.

The Director, or his authorized representative, may suspend these rules and regulations, or any part thereof, at his sole discretion and in addition, issue written or verbal orders, as may be necessary. The City of Melbourne Airport Authority, if necessary, may later ratify this modification.



## SECTION 1. DEFINITIONS

Words relating to aeronautical practices, processes, and equipment shall be interpreted according to their general usage in the aviation industry.

Unless specifically defined otherwise herein, or unless a different meaning is apparent from written text, the terms used in the MLB Rules and Regulations shall have the following definitions.

- 1.01 Air Operations Area (AOA):** any area of MLB identified by the Director to be used, or intended to be used, for landing, takeoff, surface maneuvering or parking of aircraft.
- 1.02 Airport:** shall mean the Melbourne International Airport, including all real and personal property conveyed by the United States of America to the City of Melbourne for use as an airport or to be maintained and developed to support an airport, together with all real property acquired by the City of Melbourne or the City of Melbourne Airport Authority for airport purposes, less any real property conveyed to the City of Melbourne for such purposes but thereafter conveyed by the City of Melbourne or the City of Melbourne Airport Authority to third parties.
- 1.03 Airport Aeronautical Zone:** shall mean that portion of the Airport which is used, or intended for use, for the control, landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport terminals, air cargo facilities, runways, taxiways, landing fields, aircraft parking areas, aircraft hangars, together with those rights of way used for ingress and egress to the foregoing areas, the areas used by persons providing goods or services to users of the foregoing areas and the areas used for vehicular parking appurtenant to the foregoing facilities.
- 1.03 Airport Landside Areas:** all areas within the property boundaries of MLB not included within the AOA, including roadways, parking lots, and sidewalks, with their primary purpose being the movement of goods, services, and people.
- 1.04 Airport Security:** The system in place, including all law enforcement agents, authorized Airport personnel, electronic surveillance, locking devices, and alarm systems, to protect passengers and property and to enforce compliance of all local, state, and federal laws, Rules and Regulations, and TSA regulations under Title 49, Code of Federal Regulations, Chapter 12, Part 1542, within and around the Airport Terminal building, air operations area, and adjacent areas of all property under the control of the Melbourne Airport Authority.
- 1.05 Air Taxi:** aircraft carrying passengers, mail, or cargo for revenue in accordance with FAA Regulations.
- 1.06 Air Traffic Control Tower (ATCT):** a Federal Aviation Administration Air Traffic Control Tower.

- 1.07 Aircraft (A/C):** any FAA certified device now known or hereafter designed, invented, or used for navigation or flight in the air or space, except a parachute or other contrivance used primarily as safety equipment.
- 1.08 Aircraft Parking Area:** ramps and aprons designated by the Director, within the AOA, intended for parking and servicing of aircraft, loading and unloading of passengers and cargo within the AOA.
- 1.09 Aircraft Rescue and Firefighting (ARFF):** firefighters, other personnel, equipment, and facilities required by FAR 139 to respond to aircraft incidents and accidents.
- 1.10 Airport Identification Security Badge (Badge):** MLB issued media that permits access to the AOA.
- 1.11 Airport Terminal Areas:** the building and infrastructure used primarily to process and service intermodal passengers.
- 1.12 At Fault:** Being culpable for a violation of local, state, or federal law, Rules and Regulations, or TSA regulations under Title 49, Code of Federal Regulations, Chapter 12, Part 1542, while present on any property under the control of the MAA.
- 1.13 Authorized Representatives of Director:** the Senior Director of Airport Operations and Maintenance, and the Chief of Melbourne Airport Police Department.
- 1.14 Badge Sponsor:** any individual or company responsible for obtaining and verifying all required background information prior to issuance of a Badge. The Badge Sponsor is accountable for all Badges issued under their authority.
- 1.15 Bus (motor coach/charter bus):** a motor vehicle, other than a taxi, limousine, or van, equipped and operating in accordance with state and local laws, designed and used to carry more than ten passengers.
- 1.16 City of Melbourne Airport Authority (MAA):** a special board constituted as an agent and instrumentality of the City of Melbourne, a municipal corporation of Brevard County, Florida.
- 1.17 Commercial Activity:** the exchange, trading, buying, hiring, or selling of commodities, goods, information, services, or property of any kind, or any revenue producing activity on MLB.
- 1.18 Commercial/Courtesy Vehicle Permit:** a decal affixed to the windshield, issued by MLB, for use in a vehicle to conduct commercial ground transportation activities at MLB.
- 1.19 Commercial Lane:** parking and/or staging area for commercial and courtesy vehicles.
- 1.20 Commercial Vehicle:** a permitted motor vehicle used for transporting passengers and/or cargo for compensation.

- 1.21 Commercial/Courtesy Vehicle Operators:** persons operating taxicabs, limousines, vans, or buses for compensation, and all operators of courtesy vehicles.
- 1.22 Courtesy Vehicle:** a motor vehicle, non-metered, not for hire, used for the transportation of passengers to/from MLB to a business identified on the vehicle.
- 1.23 Cruising:** the operation of an unauthorized commercial vehicle on Air Terminal Parkway for the purpose of picking up passengers.
- 1.24 Curbside:** curb immediately closest to the Terminal building.
- 1.25 Director:** shall mean the Executive Director or the Director of Aviation as employed by the MAA or his authorized representative
- 1.26 Equipment:** mobile units or vehicles, other than those commonly classified as motor vehicles, which are used in conjunction with the operation of aircraft or utilized for other MLB operations.
- 1.27 Explosive:** any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application or exposure to heat, flame, or shock, including but not limited to, dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators; but not including:
- a. Shotgun shells, cartridges, or ammunition for firearms.
  - b. Fireworks as defined in State of Florida Statutes 791.01.
  - c. Smokeless propellant powder or small arms ammunition primers, if possessed, purchased, sold, transported, or used in compliance with State of Florida Statutes 552.241.
  - d. Black powder in quantities not to exceed that authorized by Florida State Statutes, chapter 552, or by any rules or regulations promulgated thereunder by the Department of Insurance, when used for or intended to be used for, the manufacture of target and sporting ammunition, or for use in muzzle-loading flint or percussion weapons.
- 1.28 Federal Aviation Administration (FAA):** an agency created by the Federal Government under the Federal Aviation Act of 1958, as amended, or any such other governmental agency which may be successor thereto or be vested with the same or similar authority.
- 1.29 Federal Aviation Regulation (FAR):** as promulgated by the FAA for the purpose of regulating aviation, either in the air or on the ground, including aircraft, crews, navigational systems, and airports.
- 1.30 Firearm:** any device (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive. The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime.
- 1.31 First Amendment Rights:** civil rights guaranteed under the First Amendment to the U.S. Constitution.

- 1.32 Fixed Base Operator (FBO):** any person, partnership, or corporation leasing space at MLB for the operation of one or more commercial, ground aeronautical activities according to MAA Resolution 6-73, dated July 12, 1973.
- 1.33 Flammable Liquid:** any liquid which emits flammable vapor as set forth in National Fire Protection Association standards, including but not limited to, combustible liquids currently used as aircraft or vehicle fuel.
- 1.34 Florida Department of Transportation (FDOT):** a State Agency headed by the Secretary of Transportation that develops, monitors, enforces policies, and manages major technical programs related to State transportation issues.
- 1.35 Fuel Handling:** the transporting, storing, delivering, pumping, loading, unloading, and draining of any aviation, automotive, or other fuel or fuel waste product.
- 1.36 Fuel Storage Area:** those portions of MLB designated by the Director as areas in which any type of fuel may be stored, including but not limited to, fuel tanks and trucks.
- 1.37 Gross Landing Weight:** maximum certificated gross landing weight of aircraft as determined by the FAA or other governmental agency having such jurisdiction.
- 1.38 His:** a non-gender specific reference pronoun.
- 1.39 Incident/Accident:** an emergency situation, or potential emergency situation, that results in an emergency response by Employees, and/or ARFF personnel.
- 1.40 Incursion:** any runway occurrence that involves an aircraft, vehicle, person, or object on the ground that creates a collision hazard or results in a collision.
- 1.41 Law Enforcement Officer (LEO):** persons authorized by the State of Florida, and vested with the authority to arrest, with or without a warrant, for violations of criminal laws in the State of Florida, Brevard County, and the City of Melbourne.
- 1.42 Limousine:** a non-metered, hired for compensation, marked or unmarked, chauffeur driven vehicle used to transport persons or cargo.
- 1.43 Loiter:** to spend time idly with no specific purpose.
- 1.44 Mass Casualty Incident (MCI):** an FAA mandated, full-scale, emergency drill held every three years to test emergency resources.
- 1.45 Melbourne Airport Police Department (MAPD):** the law enforcement agency, created by MAA Resolution 16-96, dated 12/18/96, responsible for MLB security.
- 1.46 Melbourne International Airport (MLB):** see definition 1.02 Airport.

- 1.47 MLB Employee (Employee):** any employee hired by the Melbourne Airport Authority and processed through the City of Melbourne Personnel Department. Contractors and contract employees are not considered MLB employees.
- 1.48 Motor Vehicle:** a device in, upon, or by which a person or property may be propelled, moved, or drawn upon land or water, except a device moved by human or animal power, and except aircraft or devices moved exclusively upon stationary rails or tracks.
- 1.49 Movement Area:** all runways, taxiways under the control of the ATCT.
- 1.50 Non-movement area:** vehicle service roadways, aircraft parking areas, and ramp areas not under control of the ATCT.
- 1.51 NOTAM:** a notice to airmen containing information concerning the establishment, condition or change in any component of, or hazard in, the national airspace system.
- 1.52 Operational Directive:** a directive issued by the Director specifying a certain type of operation or activity, either temporary or permanent, not included in these Rules and Regulations.
- 1.53 Operator:** any person who is in physical control of an aircraft or motor vehicle.
- 1.54 Owner:** a person(s) or company in whose name the legal title or registration of an aircraft or a motor vehicle is held or vested.
- 1.55 Park:** a motor vehicle or aircraft standing or stopped in any location whether the operator thereof leaves or remains in such vehicle.
- 1.56 Passenger Apron Area:** those portions of the airport designated for the ground level loading of passengers to and from aircraft.
- 1.57 Perimeter Fence:** all physical barriers, including chain link fences, airport buildings, masonry barriers, and/or other structures that now, or shall in the future, enclose any area which allows direct or indirect access to the Air Operations Area (AOA), which are in compliance with FAA Rules & Regulations.
- 1.58 Permit:** written authorization issued by the Director that authorizes specific activity or occupancy of space within MLB.
- 1.59 Person:** any individual, firm, partnership, corporation, company, association, or political body, including any trustee, receiver, committee, assignee.
- 1.60 Police Officer:** any person employed full time by a municipality, state, or any political subdivision thereof, whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, traffic, or highway laws of the state.
- 1.61 Pre-arranged Pickup:** MLB passenger(s) who made prior arrangements with an authorized commercial vehicle transportation company to transport themselves and their luggage.

- 1.62 Public Parking Facilities:** all designated public parking areas charging an established rate.
- 1.63 Refueling Truck:** any motor vehicle authorized and used for the transporting, handling, or dispensing of aviation fuel, oils, and lubricants.
- 1.64 Restricted Area (RA):** those areas of MLB identified in the Airport Security Program, excluding the SIDA area, requiring each person to continuously display on his outermost garment an Airport issued Security Badge, unless under Airport approved escort.
- 1.65 Rules and Regulations:** those rules and regulations promulgated by MLB and adopted by resolution of the City of Melbourne Airport Authority.
- 1.65 Runway:** a rectangular, paved, and lighted surface on the Airport, prepared or suitable for the landing and takeoff of aircraft.
- 1.67 Scheduled Operations:** all scheduled operations of aircraft by certified air carriers holding a formal operating agreement with MLB.
- 1.68 Secured Area/Security Identification Display Area (SA/SIDA):** those areas of MLB identified in the Airport Security Program, excluding the RA, requiring each person to continuously display on their outermost garment an Airport issued Badge, unless under Airport approved escort.
- 1.69 Security Badge:** a badge issued by MAA to an individual allowing unescorted access to the SIDA or SA of the AOA.
- 1.70 Security Program:** the program developed by MLB for the purpose of protection and safety of aircraft operations and users.
- 1.71 Shuttle:** a marked, non-metered vehicle for hire at a published rate, which carries passengers to and from the Airport.
- 1.72 Solicit:** to advertise, market, sell, or try to obtain either directly or indirectly, for personal or business gain or profit, any commercial product, service, or enterprise while on MLB property.
- 1.73 Sterile Area:** the Terminal area of MLB to which access is controlled by the inspection of persons and property.
- 1.74 Taxicab (taxi):** a metered vehicle for hire, designed to carry passengers for a fare.
- 1.75 Taxiways:** a paved surface used by aircraft to maneuver between a runway and an approved parking area of MLB.
- 1.76 Tenant:** a leaseholder, permittee, or other legal occupant of land or premises within the boundaries of MLB.

- 1.77 Terminal Building:** the passenger Terminal building that contains passenger ticketing, baggage claim, concourse, and other related activities.
- 1.78 Tour Operator:** a person or company operating in a commercial capacity, who through prior arrangement, is to meet, transport, or arrange for the transportation of a designated group of passengers and their baggage arriving or departing via MLB.
- 1.79 Transient Aircraft:** a non-based aircraft operated by a person, company, or a non-scheduled air carrier using MLB.
- 1.80 Transportation Security Administration (TSA):** an agency created by the federal government under the Aviation and Transportation Security Act of 2001. Entrusted with transportation security responsibilities.
- 1.81 Transportation Security Regulations (TSR):** as promulgated by the TSA for the purpose of regulating transportation security, either in the air or on the ground, including aircraft, crews, and airports.
- 1.82 U.S. Customs:** a federal law enforcement agency that protects and monitors United States borders.
- 1.83 Vehicular Crash:** an emergency situation involving motor vehicles that results in an emergency response by the MAPD and emergency personnel
- 1.84 Weapon:** any knife-like object, explosive, metallic knuckles, slingshot, billie, tear gas gun, pocket knife, or chemical substance that is used to destroy or alter the intended use of property; that which causes harm, injury, or death to person(s). Any device used to destroy or alter the intended use of property; that which causes harm, injury, or death to person(s), except a firearm.

## **SECTION 2. CONDUCT AND ACTIVITIES**

### **2.01 Advertisements**

No person shall post, distribute, or display signs, circulars, printed or written materials of an advertising nature at MLB without the express written consent of the Director. Conditions of the written consent must be strictly adhered to at all times.

### **2.02 Animals**

- a. No person shall enter the Terminal with an animal except those that are service animals or those that are properly confined and ready for travel. Animals are permitted on MLB property outside the Terminal if the animal is properly restrained or leashed. The owner is responsible for cleaning up after the animal.
- b. No person shall feed or do any other act to encourage the congregation of birds or other animals on MLB without prior written authorization from the Director.
- c. No person shall hunt, pursue, trap, catch, injure, or kill any animal on MLB property, other than in the conduct of their official duties, without authorization from the Director.
- d. No person shall fish on MLB property without authorization from the Director.

### **2.03 Armed Uniformed Guards and Guard Dogs**

- a. Armed uniformed guards are not permitted on the SIDA area unless specific approval has been obtained from the Director.
- b. Armed uniformed guards are not permitted within the confines of an aircraft in the SIDA area without permission of the Director.
- c. Guard dogs will not be used anywhere on MLB property without approval of the Director.

### **2.04 Commercial Activity**

No person shall occupy or conduct any business, commercial enterprise or activity, or other form of revenue producing activity, on the Airport without first obtaining a written contract, permit, or other form of written authorization thereof from the Director.

### **2.05 Construction and Renovation**

- a. Any person desiring to construct or to modify any building on MLB shall be required to submit plans and specifications for the same to the Director. Plans required are a site plan, a general floor plan, and a building elevation drawn to scale showing the desired amount of ground actually required for the operation of such building, in addition to the portion occupied by the existing building.
- b. All buildings constructed or modified upon the Airport shall conform to local and national building codes and be approved by the Airport Authority and the Building Department of the City of Melbourne. They may be of concrete, masonry, or metal construction. Temporary approval may be granted, for a period not to exceed one year, to construct temporary shelters in a space to be designated by the Director. Such temporary building must be removed, at the expense of the owner, with ten days' notice in writing by the Director.



## **2.06 Damage to Airport Property**

No person shall damage, destroy, or disturb in any manner, any building, sign, equipment, marker, or other structure, tree, flower, plant, lawn, or other public property on MLB property. Any person so doing, either accidentally or intentionally, shall be liable for the replacement value of the property so damaged, destroyed or disturbed.

## **2.07 First Amendment Rights as Guaranteed under the U.S. Constitution**

Exercise of First Amendment rights as guaranteed under the U.S. Constitution are protected, provided such activity complies with provisions found in Chapter 6 of the City Code of Melbourne, Florida.

## **2.08 Intoxication and Drugs**

- a. No person is permitted on MLB while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any substance that would impede in the operation of a motor vehicle or aircraft.
- b. No person shall drink any alcoholic beverages upon any portion of MLB property open to the public, except in the restaurant and bar, unless designated and approved by the Director.
- c. No person, other than a duly qualified physician, certified emergency medical personnel (under the direction of a duly qualified physician, or as provided by law), a registered nurse, or a duly qualified pharmacist, shall, while on Airport property prescribe, dispense, sell, give away, or administer any controlled substance as defined from time to time by State or Federal law, or have such a drug in his possession with intent to prescribe, dispense, sell, give away, or administer it to another.

## **2.09 Loitering**

No person shall loiter on Airport property including, but not limited to, the Terminal, public/employee parking areas, and undeveloped areas.

## **2.10 Photography and Filming**

Commercial or student photography or filming is not permitted on the Airport unless authorization is obtained from the Director. If airline aircraft access or proximity is involved, then authorization from the airline will also be required.

## **2.11 Prohibited Conduct**

- a. No person is permitted on MLB while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any substance that would impede in the operation of a motor vehicle or aircraft.
- b. No person shall be impaired or commit any disorderly, obscene, or indecent act, commit any act of nuisance conduct or engage in gambling, or exhibit a physically offensive condition that serves no legitimate purpose while on Airport property.
- c. No person or group shall by his or their conduct, prevent any other person lawfully entitled to use and enjoy the Airport and its facilities or any part thereof.
- d. It shall be a violation of these Rules and Regulations for any person to remain in or on any public area, place or facility at the Airport, in such a manner as to hinder or impede the orderly passage in or through the normal or customary use of such area, place, or facility by persons or vehicles entitled to such passage or use.

## **2.12 Sign Compliance**

- a. The public shall observe and obey all posted signs, fences, and barricades prohibiting entry upon the AOA or other restricted areas, or governing the activities and demeanor of the public while on MLB property.

b. Installation of signs on MLB property without approval from the Director. No changes or modifications can be made to existing signage without prior approval from the Director.

### **2.13 Smoking Policy**

- a. There is no smoking in the Terminal Building, except in areas expressly designated for smoking.
- b. No person shall smoke or carry lighted cigars, cigarettes, pipes, matches, or any open flames except in areas expressly designated for smoking.

### **2.14 Solicitors, Canvassers and Peddlers**

Any solicitor, canvasser, peddler, or vendor who wishes to operate on Airport property is required to obtain written permission from the Director of MLB in addition to any permit(s) required by the City of Melbourne.

### **2.15 Tenant - Commercial Aviation Operations and Safety Manual**

All commercial aviation MLB tenants are required to produce an operations and safety manual; subject to review and inspection by MAA. The tenant operations and safety manual shall not conflict with MLB Rules and Regulations.

### **2.16 Tenant Conduct Regarding Unauthorized Activities**

- a. Special events that require activity that impact on and is conducted on unleased areas of MLB property will require prior written approval from the Director or his designee.
- b. All tenants, tenant employees, and vendors are required to abide by all MLB Rules and Regulations. Any activity contrary to the MLB Rules and Regulations is expressly prohibited, without prior written approval from the Director or his designee.

### **2.17 Waste Disposal/Removal**

- a. No person shall place, discharge, or deposit any garbage or waste, including medical articles and bio-hazardous materials, except in acceptable containers as prescribed by the Director.
- b. All tenants of MLB are required to make acceptable arrangements for removal of waste, individually or jointly, from their leased area, by contractual agreement.

## **SECTION 3. AIRPORT SECURITY**

### **3.01 Air Operations Area**

- a. No person shall enter the Air Operations Area (AOA) except:
  1. Persons displaying a valid Security Badge.
  2. Persons under escort by, and positive control of, an appropriately Badged person.
  3. Persons displaying an FAA Form 110A Badge.
- b. Airport Operations Area (AOA) tenants shall have the responsibility for ensuring security in their respective leased areas in accordance with the Airport Security Program. AOA tenants are also responsible for challenging all unauthorized or unbadged persons on the AOA and report violations of the ASP or Rules and Regulations to the Melbourne Airport Police Department.

### **3.02 Airport Security Coordinator (ASC)**

The Airport Security Coordinator (ASC) for MLB is the MAPD Chief of Police. The Airport Security Coordinator will serve as MLB's primary contact for security related activities and communications with the TSA and MLB tenants. The ASC is charged with general oversight of all Airport Security functions related to TSR 1542 security requirements. The Airport Security Coordinator can be reached during business hours at 321-723-6227 extension 220. The alternate ASC can be reached at 321-723-6227 ext. 290.

### **3.03 Airport Security Program (ASP)**

In accordance with Title 49, Code of Federal Regulations (CFR), Part 1542, the Airport Authority has adopted an Airport Security Program (ASP). The facilities and procedures contained in the program are designed to provide for the safety of persons and property traveling in air transportation and interstate air transportation against acts of criminal violence and aircraft piracy.

### **3.04 Enforcement**

- a. The Melbourne Airport Police Department, certified by the Florida Department of Law Enforcement (FDLE), shall have the law enforcement powers within and around the MLB Terminal building, AOA, and adjacent area of MLB, and shall have the authority to enforce all local, state, and federal laws, rules, and regulations within such designated areas (See attached map).
- b. The City of Melbourne Police Department (MPD) will have concurrent jurisdiction on MLB property and will have secondary jurisdiction on areas aforementioned. In areas where MPD has primary jurisdiction on MLB property, MAPD will have secondary jurisdiction (See attached map).

### **3.05 Firearms**

The Melbourne Airport Authority reserves the right to restrict the carrying of firearms, weapons, and explosives on the Airport. No person shall discharge any explosive, firearm, or weapon on the Airport except in the performance of official duties requiring the discharge thereof.

### **3.06 Lost and Abandoned Property**

- a. Any person finding property that does not belong to them shall bring it to MAPD where it will remain in custody for ninety days. If the rightful owner does not claim the property within ninety days, it will be turned over to the finder in accordance with the provisions of Chapter 705, Florida Statutes. Employees

of any state, county, or municipal agency are prohibited from claiming such lost or abandoned property by Chapter 705, Florida Statutes.

b. Nothing in the above paragraph prohibits a scheduled air carrier from maintaining his own lost and found services for property of his patrons, invitees, or employees.

c. Items that are found and are not lawful to have in one's possession will be forfeited and disposed of by the proper MLB employee.

### **3.07 Security Screening Checkpoints**

a. Melbourne International Airport has one screening checkpoint. With the exception of on-duty Airport Police Officers, no person shall pass through security screening checkpoint without first being screened by TSA screening personnel.

b. Security Checkpoint is mandated by TSR 1544. It is the responsibility of the TSA to screen all passengers and visitors into the sterile area of MLB. MAPD will respond to the checkpoint to assist the TSA, with enforcement of Local, State and Federal law, and MLB Rules and Regulations.

### **3.08 Weapons, Firearms, Explosives Prohibited**

No firearms, weapons, or explosives are permitted on MLB property or in the sterile area of the concourse except:

a. Duly authorized federal, state, or local law enforcement officers required to carry firearms in the performance of their duties.

b. Members of the United States Armed Forces on official duty.

## **SECTION 4. RESTRICTED AREA (RA)**

### **General**

The RA encompasses all the areas within the confines of MLB's locked perimeter fence, excluding the Secured Area/ Security Identification Display Area (SA/SIDA). All persons within the RA of MLB are required to display on their persons, at all times, the proper Airport issued Badge. The Badge will be displayed on the upper portion of the body, on the outermost garment to be clearly visible. SA/SIDA procedures are covered in the MLB Airport Security Program (ASP).

#### **4.01 RA Badge Criteria**

- a. All persons who require unescorted access to the RA must meet the requirements of their employer, TSR 1542.209, and any additional criteria requirements of MLB. The purpose of these criteria is to obtain background information for personnel security investigative and evaluative purposes in order to access the RA.
- b. The Airport Security Coordinator may issue a Badge to an applicant whose employer provides written certification that a prior employment background check has been conducted in accordance with TSR 1542.209.

#### **4.02 RA Badge Features**

- a. Features of the RA Badge are as follows:
  1. Size 2-1/8 inches by 3-3/8 inches.
  2. Badges are color-coded red.
  3. Attached to clothing by removable clip.
  4. Contains the following items on the front of the Badge:
    5. Name of Airport (MLB).
    6. Six digit unique serial number of I.D.
    7. Airport logo.
    8. Full-face color picture of Badge holder.
    9. Name of Badge holder.
    10. Expiration date (M/Y) of Badge.
    11. Three letter company designator
- b. Badges are issued for use in specific MLB areas.

#### **4.03 Restricted Badge Regulations**

- a. All persons within RA under close escort by an appropriately Badged individual, will be required to display on their person at all times the appropriate Badge.
- b. Personnel of U.S. Government Agencies who have a need for regular access to the RA of the Airport will be issued an appropriate Badge. The U.S. Government employee identification will be accepted as verification that a five (5) year prior employment background check has been completed.
- c. It is not permissible, under any circumstances, to use another person's Badge. It is not permissible for a badged individual to allow another person to use his Badge .
- d. Mutilation or alteration of any Badge will invalidate the Badge.
- e. Badges remain the property of MLB and must be returned to the Badge Sponsor and surrendered to

the Airport Authority upon the individual's termination of employment, work assignment, or lease agreement or Badge expiration at Melbourne International Airport.

f. If there is an apparent breach of TSA Security regulations (TSR 1542), there will be an immediate confiscation of the individual's Badge. After review by the MAPD Chief, if there is a breach, determination will be made if recurrent remedial Badge training will be permitted prior to re-issuance of the Badge. A subsequent At Fault offense, within two years of the first violation of TSA Security regulations (TSR 1542), may result in permanent revocation of the At Fault individual's Badge.

g. The Director reserves the right, based on the severity of the violation, to fine and/or revoke any individual's Badge where such action is determined to be in the best interest of Airport Security.

h. The Director also reserves the right to revoke an individual's Badge if convicted of an FAA eliminating crime.

i. It is the responsibility of each Badge holder to challenge any individual in the RA that is not displaying an appropriate Badge. Any person who is not displaying or cannot produce a valid Badge should be referred to the MAPD.

#### **4.04 RA Badge Accountability**

a. All Badges prominently display an expiration date that is a maximum of twenty-four (24) months from date of issue. The expiration date is printed in a sharp contrasting color, is 1/8 inch in height, and is displayed on the face of the Badge. The expiration date is printed in the following format: MM/YY.

b. All lost, stolen or otherwise not properly returned Badges must be immediately (at the moment of awareness) reported to the Badge Sponsor and MAPD. The Badge will be replaced only after the person to whom the Badge was issued files a written report to the MLB Chief of Police explaining the circumstances leading to the loss or theft. A replacement charge of one hundred dollars (\$100) may be levied at the time of replacement. Further, a fine in accordance with Airport Resolution may be levied for a lost, stolen, or mutilated Badge. If a lost Badge is found and surrendered to MLB, a refund of the fine, if such fine has been imposed, may be made to the employee. A stop list of un-expired Badges reported lost or stolen by name, company, and serial number will be kept posted in the MAPD for reference as may be required. All unaccounted, unexpired Badges reported lost, stolen, or otherwise not properly returned are placed on a stop list by name, company, and serial number. The stop list is distributed immediately to each agency responsible for maintaining a staffed perimeter access point.

c. The MAA is responsible for the control accountability and issuance of Badges. The MAA maintains a master list of all Badges issued and the status of each in a computer database. The database information is provided to the Badge Sponsor periodically in order to account for all Badges issued under their authority.

d. The Airport Police Department maintains a list of all Badges issued. This list is available at all times to verify a Badge when questions arise as to the authenticity of a Badge.

e. Reports of all incidents regarding unauthorized access by individuals into the air operations area are reported to, and a record maintained by the MAA.

f. When five percent of the total number of Badges, issued in the current series of Badges, is unaccountable (that is, lost, stolen, or physically un-recovered upon termination or limitation of privileges), MLB shall: reissue new Badges to all authorized persons; or re-validate current Badges. New or re-validated Badges shall be visually distinct from the Badge to be replaced. Unexpired Badges of the type or style currently being issued that have not been physically recovered shall be considered a part of the unaccountable Badge percentage, and a part of the total number of Badges issued. Expired Badges shall not be considered as part of the unaccountable Badge percentage, or a part of the total number of Badges issued.

g. As a minimum, every two years, the MAA and TSA will review the overall Airport I.D. program for certification and renewal.

## **SECTION 5. FIRE AND SAFETY**

### **General**

**Any person observing any unattended or uncontrolled fire on MLB premises shall immediately report it directly to Melbourne Fire Department by dialing 911.**

All persons using the MLB facilities shall exercise the utmost care to guard against fire and injury to persons or property.

All applicable codes, standards, and recommended practices of the Florida Building Code, National Fire Protection Association (NFPA), and all applicable codes, standards, and recommended practices of the City of Melbourne, County of Brevard, and State of Florida are hereafter adopted as part of the Rules and Regulations of MLB.

Fully charged and currently inspected fire extinguishers of the type recommended by the NFPA and City of Melbourne Code for specific materials, are required at all locations handling flammable materials.

MLB fire protection systems and equipment shall not be tampered with at any time. No person other than authorized employees of the Airport Authority or City of Melbourne shall turn such equipment on and off, or operate any other Airport fire protection equipment.

No vehicle shall be parked within fifteen feet of any hydrant, nor shall any equipment block such hydrant and prevent its use.

The commercial Terminal public areas have been declared non-smoking areas in compliance with the Florida Clean Indoor Act (Part III, Section 386, Florida-Statutes).

### **5.01 Combustibles**

#### **a. Aircraft Electrical Systems:**

1. Radio transmitters and similar equipment installed in an aircraft shall not be tested or operated within a hangar with dynamotors running unless all parts of the antenna system are at least five feet removed from any other object.
2. No aircraft shall be placed at any time so that any fabric-covered surface is within one foot of an antenna system.
3. No airborne radar equipment shall be operated or ground tested in any area on MLB where the directional beam of high intensity radar is within three hundred feet or the low intensity beam is within one hundred feet of an aircraft fueling operation, aircraft fueling truck, or flammable liquid storage facility, unless an approved shielding device is used during the radar operation.

#### **b. Aprons, Buildings, and Equipment:**

All persons on MLB shall keep all areas of the premises leased or used by them clean and free of oil, liquids, grease, and other flammable materials. The floors of hangars and other buildings shall be kept clean and continuously free of rags, waste materials, and other trash or rubbish. Approved metal receptacles with a self-extinguishing cover shall be used for storage of oily waste rags and similar

materials. The contents of these receptacles will be removed daily by persons occupying premises. Drip cans shall be placed under engines and kept clean at all times. Clothes lockers shall be constructed of metal or fire-resistant material. Only approved boxes, crates, cans, bottles or containers shall be stored inside of, or in close proximity to, a hangar or other building on MLB.

c. Cleaning of aircraft parts and other equipment shall be done with non-flammable cleaning agents, or as approved by the Director. When flammable combustibles must be used, only liquids having flash points in excess of 100 degrees Fahrenheit (38 degrees Celsius) shall be used, and special precautions shall be taken to eliminate ignition sources in compliance with good practice recommendations of the City of Melbourne Building and Fire codes.

d. Doping, Spray Painting and Paint Stripping:

The use of "dope" (cellulose nitrate or cellulose acetate dissolved in volatile flammable solvents) within any hangar is strictly prohibited. The process of doping will be carried on as set forth in the National Board of Fire Underwriters, "Standards for the Construction and Protection of Airplane Hangars", and with permission from the Director.

e. Litter and Cleaning of Allotted Space:

1. Each tenant, or persons occupying space at MLB, shall keep their allotted space policed and free from rubbish and debris, or the accumulation of any material. Flammable materials shall be stored only in approved containers in or about tenant areas and all floors shall be kept clean, free from fuel, oil, and other liquids, and litter.

2. Good housekeeping will be required at all times by tenants and occupants of all buildings and hangars, both in their assigned areas, and during aircraft maintenance operations. If, after a warning by the Director the area is not cleaned, then cleaning will be done by the MLB Maintenance Department and the cost of such a service will be billed to the tenant or occupant.

3. The use of volatile or flammable solvents for cleaning floors is prohibited.

4. Drip pans shall be placed under engines and kept clean at all times.

5. Clothes lockers for oil stained clothes shall be constructed of metal or fire resistant materials.

f. Open Flame:

1. No person shall conduct any open flame operations inside of or in close proximity building or appurtenance, unless specifically authorized by MLB.

2. The use of any equipment employing open flames or sparks within any aircraft storage area is prohibited.

g. Operating Motor Vehicles in Hangars:

No person, except in an emergency, shall operate a tractor, tug, or other motor vehicle in any hangar, at any time, unless the exhaust system of such vehicle is protected by screens or baffles, as recommended by the NFPA. This is not to be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving planes within any hangar with proper ventilation.

h. Paint, Varnish and Lacquer Use:

For paint, varnish, or lacquer spraying operations, the arrangement, construction, ventilation, and protection of spraying booths and the storing and handling of materials shall be in accordance with the standards of the City of Melbourne Building and Fire Code.

i. Power-Activated Tools:

The use of power-activated tools on the AOA is strictly prohibited unless prior permission is granted by the Director.

j. Repairing Aircraft:

No person shall repair an aircraft, aircraft engine, propeller, or other aircraft apparatus in any area of MLB other than those areas specifically designated by the Director for such repairs. Minor adjustments may be made while the aircraft is at an aircraft parking position prepared for departure.



## **5.02 Fueling and De-Fueling Operations**

### **a. Aircraft Fueling:**

1. During fuel handling operations in connection with any aircraft, fire extinguishers meeting the requirements of NFPA 407 shall be immediately available for use in connection therewith.
2. The driver, operator, or attendant of any fueling vehicle shall be in control of the vehicle at all times when the vehicle is fueling or de-fueling an aircraft.
3. Aircraft fueling is prohibited while the engine of the aircraft is running.
4. Fueling operations shall be discontinued during electrical storms.
5. During all aircraft fueling or de-fueling operations, the fueling or de-fueling vehicle or mobile equipment and the aircraft must be properly grounded to prevent the possibility of ignition of the fuel by static electricity.
6. Prior to any transfer, and during fueling or de-fueling of aircraft, the tank vehicle and the aircraft shall be bonded and grounded to a point or points of zero electrical potential (the electrical potential of the earth in the vicinity of the aircraft and the fuel tank vehicle). Bonding of an under wing fueling nozzle to the aircraft is not required when a metal-to-metal claming contact between the nozzle and the filler connection is affected.
7. Grounding will be accomplished by attaching the ground conductor on the tank vehicle and fueling vehicle to a proper grounding rod and the aircraft by use of either a Y connection or a second grounding cable device.
8. Bonding must be established between the aircraft and the dispensing nozzle, or coupler connection, by use of the clamp and bonding wire device attached to the nozzle prior to opening the aircraft tank. It is maintained until after the aircraft tank is filled and the filler opening is closed. Under wing nozzles only require bonding devices when they are of an insulated construction, preventing a firm metal-to-metal contact.
9. Persons engaged in aircraft fuel handling shall exercise care to prevent overflow or spillage of fuel. All spills will be reported to the Airport.
10. During fueling or de-fueling, tank vehicles shall be positioned so as to have a clear and unobstructed escape path in event of emergencies. Only one fueler shall be positioned to fuel each wing of an aircraft and no more than two fuelers shall be positioned to serve the same aircraft. When high capacity aircraft are fueled, additional fuelers shall not be parked or positioned within 100 feet from the aircraft served and then only in areas approved by the Director.
11. De-fueling, the transfer of fuel from an aircraft to a tank vehicle through a hose generally is similar to fueling, and the same requirements apply.

### **b. Automotive Fueling Operations:**

1. Automotive and ramp equipment other than fueling service vehicles and tank vehicles, shall be fueled by fuel service contractors authorized by MLB only at prescribed locations and from dispensing systems approved by the Director.
2. When it is deemed not feasible to dispense automotive fuel from tanks with a fixed fueling system, the Director may permit fuel to be dispensed by an approved automotive fuel-dispensing vehicle operated by an authorized fueling service contractor at an approved site. Such operations shall comply with the protective requirements and restrictions as designated by the Director.
3. Automotive fuel-dispensing vehicles shall not dispense fuel unless properly grounded.
4. Automotive fuel-dispensing vehicles shall have a sufficient quantity of absorbent material, approved by the Director, to contain accidental fuel spills.

### **c. Equipment and Personnel Near Aircraft Fueling Operations:**

1. No airborne radar equipment shall be operated or ground tested on any area of MLB where the

directional beam of high intensity radar is within three hundred feet, or the low intensity beam is within one hundred feet of an aircraft fueling operation, an aircraft fueling truck, or a flammable liquid storage facility, unless an approved shielding device is used during radar operation.

2. During fuel handling operations in connection with any aircraft, no passenger shall be permitted to remain in such aircraft or to enter or depart from such aircraft unless a qualified attendant is at each door that is in use for this purpose, and unless means of safe egress is in position in the event that such device is required for the safe and rapid debarkation of the passengers.

3. During fuel handling operations in connection with any aircraft, no person shall allow any motorized ground equipment to be positioned under such aircraft's wing tip. Aircraft fuel tanks are vented through the wing tips, which may produce a dangerous and explosive mixture. Fueling operations shall immediately be terminated should anyone position a vehicle under a wing tip.

d. Fire Extinguishers:

Fire extinguisher equipment at MLB shall not be tampered with at any time, nor used for any purpose other than fire fighting or fire protection. All such equipment shall be annually inspected in conformity with NFPA and the City of Melbourne Fire Code. Tags showing the date of the last such inspection shall be left attached to each unit.

e. Fueling Vehicles:

1. The MAA prohibits the presence in or upon MLB of tank vehicles and fueling service vehicles that are likely to endanger persons or property and render the use of MLB unsafe. Such tank vehicle or fueling service shall not be allowed in or upon any area of MLB unless it conforms to the Rules and Regulations provided in this section and all other Rules and Regulations in use at MLB.

2. No fueling vehicle shall be parked, stored, repaired, or operated within fifty feet of a building or hangar, other than a fueling service area, or within ten feet of any other fueling vehicle.

3. No person shall perform any act or use any material that is likely to cause a spark within fifty feet of any aircraft.

4. No tank vehicle or fueling service vehicle shall be used for transportation of flammable liquids upon MLB unless registered, inspected, and approved by the MAA.

5. Every fueling vehicle shall have signs visible from the outside, clearly displaying the name of the firm or corporation operating the vehicle, as well as the type of fuel contained therein. All signs shall meet DOT and NFPA 407 standards.

6. All fueling vehicles operating in or upon the AOA of MLB are subject to on-the-spot inspection by a duly authorized representative of the Director to determine if the vehicle meets MLB requirements for safe operating conditions.

7. Smoking by any person on or within fifty feet of a tank vehicle or fueling service vehicle is prohibited.

8. The driver, operator, or attendant of any fueling vehicle shall be in control of the vehicle at all times when the vehicle is fueling or re-fueling an aircraft.

9. All fueling vehicles shall be equipped with at least two chock blocks. The parking brake shall be set and chock blocks shall be placed in such a manner as to prevent the forward or backward motion of the vehicle whenever it is parked, left unattended by the driver, or during loading and unloading operations.

10. When parked, fueling tank vehicles shall be positioned for immediate drive away or towing, and a clear space of not less than ten feet shall be maintained between any parked fueling tank vehicle and any similar or other parked or moving vehicle. In addition to the foregoing, where five or more vehicles are parked there shall be 150 pound, dry chemical, wheel-type fire extinguishers positioned so one or more units will be located no more than 100 feet from any vehicle. Tank vehicles and fueling service vehicles shall not be parked in any public area, except as designated by the Director.

f. Fuel Spills:

1. In the event of a fuel spill that involves in excess of five gallons of Jet-A-fuel or Aviation gasoline, the Fire and Operations departments will be notified of the spill. The following people will be notified by the dispatcher of any fuel spill regardless of size and type: the Senior Director of Airport Operations and Maintenance and MLB Operations Manager.
2. Should passengers need to evacuate an area because of a fuel spill, the passengers shall not be re-admitted until the area is declared safe by the fire department and MLB Operations Manager.
3. In the event of a fuel spill and when there is no apparent presence of fire, fuel delivery vehicles shall not be moved until the spillage is dispersed or removed in such a manner as shall be acceptable to the fire department and the Director or MLB Operations Manager. Spilled fuel must be cleaned up immediately by the fuel dispensing company and the area secured. No aircraft or vehicular movement shall be allowed in the area until authorized by MLB Operations Manager.

g. Fuel Storage:

1. All operators of aircraft and all persons who supply aviation fuel at MLB shall use the aviation fuel storage area and delivery facilities designated by MLB for that use.
2. If no designated aviation fuel storage area and delivery facility is available, the aircraft operator may make other arrangements with their suppliers of aviation fuel for deliveries to the operator's aircraft, provided such other arrangements have the prior approval of the Director.
3. The transfer of bulk aircraft or commercial fuel from one fuel service vehicle to another is prohibited within the boundaries of MLB without the permission of the Director.
4. The delivery of fuel shall be under the control of the vehicle attendant, through the use of approved flow controlling devices operated by the attendant, designed to shut off automatically upon release of hand or foot pressure. Latching or fastening devices on the control units are not permitted.
5. The engine of a fueling tank vehicle shall be completely stopped before beginning the filling of the cargo tank, while making or breaking fuel filling connections, during repairs to the fuel handling system, during the fuel transfer, or while making and breaking hose connections.
6. During the filling of fuel storage tanks, no compartment shall be completely filled and the driver/operator, or the attendant, shall be present at the vehicle at all times. The fuel tank vehicle, the tank truck filling rack, and the flammable liquid discharge piping shall all be grounded to a point of zero electrical potential.
7. No fueling vehicle will be parked closer than 50 feet to the Terminal Building while not in use and no more than 10 feet from another fueling vehicle.

h. Smoking:

Smoking, carrying lighted smoking materials is prohibited within the AOA except in areas designated by the Director. No smoking is permitted in hangars, shops, or other buildings in which aircraft or flammable liquids are stored. Smoking is allowed only in areas designated by the Director.

### **5.03 Hazardous Materials**

a. Cleaning Ramps and Other Surfaces:

Any loss of fuel, oil, grease, or any other unsightly material or material that is detrimental to the pavement or any area on MLB, shall be removed immediately by suitable procedures in accordance with the MLB storm water pollution prevention plan. The associated costs and responsibility for the immediate removal of such fuel, oil, grease, or other material, shall be assumed by the operator of the equipment causing same.

b. Control of Contaminants:

No fuel, oil, grease, flammable liquids, or contaminants of any kind, including detergents used to wash

aircraft or other surfaces, shall be allowed to flow into or be placed in any sewer system or open water areas without a separator unless connected to an industrial waste system, or as otherwise approved by the Director.

c. Handling of Explosives and Other Hazardous Materials:

1. Class A explosives and hazardous materials are not acceptable for transportation under applicable federal regulations and are not permitted on MLB.

2. No person shall transport Class B explosives in or upon MLB unless in compliance with the following:

A. The ATCT, Airport Fire Department, and the Director, are notified in advance of the type and amount whenever these explosives are in transit through MLB.

B. That all federal, state, and city laws are adhered to by the operator of the aircraft.

C. That a copy of Department of Transportation's (DOT) waiver to transport/ship Class B is presented.

3. Hazardous materials which pose a potential hazard to human health and safety or the environment shall be sorted, kept, handled, used, dispensed, or transported only in accordance with applicable international, federal, state, and local laws and regulations.

4. Adherence to all applicable regulations governing explosives that are acceptable for transportation is required. Any other material subject to federal or state regulations governing hazardous materials must be handled in strict compliance with those regulations and any other more restrictive regulations that the Director might deem necessary to impose. Any waiver of such regulations or any part thereof by the FAA or by any other regulatory authority shall not constitute or be construed to constitute a waiver of this rule by the Director. Advance notice of at least twenty-four hours shall be given the Director for anyone requesting permission pursuant to this rule.

5. Permission may be given for the movement of radioactive materials only when such materials are packaged, marked, labeled, and limited as required by federal, state, and city regulations applying to the transportation of explosives and other dangerous articles, and which do not create undue hazard to life or property at MLB. The Melbourne Airport Fire Department shall provide the Director with information relative to the hazards of any material subject to this section.

6. All Airport tenants involved with the handling of hazardous materials must provide MLB with a hazardous materials removal plan. The plan will include the name of the company used for removal of hazardous materials and the names and twenty-four hour telephone numbers of tenants authorized to handle such removals. The plan will be updated annually.

d. Sewage, Industrial Waste, Toxic and Hazardous Waste:

1. Tenants shall comply with the requirements of the City of Melbourne Water Department Policy and Regulations regarding the discharge of sewage and industrial waste in the sewer system.

2. No person shall generate, store, keep, handle, transport, treat, or dispose of hazardous waste (as defined by the Resource Conservation Recovery Act, Title 40, code of Federal Regulations, Part 261 or succeeding legislation) in or on MLB.

## **SECTION 6. AIRCRAFT OPERATIONS**

### **6.01 Air Traffic Rules**

- a. Formation takeoffs are not permitted at MLB, without prior permission from the Director.
- b. No person shall land or take off, or attempt to land or take off, on any runway during the time that said runway is closed to operations by order of the Director, except in cases of an emergency.
- c. No person shall land or take off, or attempt to land or take off, any aircraft from any runway which is at the time being used by another aircraft except in cases of emergency and as directed by the ATCT.
- d. Taxiways shall not be used for takeoffs and landings of aircraft without permission of the Director and ATCT.
- e. No aircraft having an actual gross weight (including passengers, cargo, fuel equipment, etc.) in excess of the allowed maximum gross weight for such aircraft shall land, take off, or taxi at MLB without permission of the Director.

### **6.02 Aircraft Marking and Low Visibility Periods**

- a. Every aircraft parked on the ramp or apron shall have its navigational lights illuminated during the hours between sunset and sunrise and during low visibility periods, except in areas designated by the Director or in areas that are lighted during these hours. Other means of identifying and marking of wingtips of aircraft while parked may be used in lieu of the running lights, but prior authorization for any substitute wingtip identification must be obtained from the Director.
- b. All aircraft being taxied, towed, or otherwise moved on the ramp, apron, or taxiways shall proceed with wingtip lights on between the hours of sunset and sunrise and during periods of low visibility.
- c. Aircraft shall not be taxied, towed, or otherwise moved on any part of the operational area until specifically cleared to do so by the ATCT.

### **6.03 Airport Marking and Lighting**

No person shall take off, land, or maneuver an aircraft at MLB unless such person obeys all MLB lighting and pavement marking signals and designations.

### **6.04 Airport Operational Restrictions**

- a. Unless contrary to Federal Aviation Regulations, the Director shall have the authority to designate or restrict the use of runways at MLB including, but not limited to, the following types of operations:
  1. Student pilot training
  2. Training flights
  3. Experimental flights
  4. Equipment demonstration
  5. Air shows
  6. Maintenance flight checks
  7. Aircraft type
  8. Compliance with FAR PART 36
  9. Ultralight and banner towing aircraft
  10. Airships and balloons
  11. Military touch and go operations

b. Other designations and actual restrictions will be communicated through the issuance of operational directives.

#### **6.05 Charter and Itinerant Aircraft**

a. All scheduled airlines are required to advise the Director, through the Senior Director of Airport Operations and Maintenance, at least forty-eight hours in advance, if possible, of any charter aircraft operation they will be conducting at MLB.

b. All non-scheduled charter or itinerant airlines and/or their ground handlers are required to notify the Senior Director of Airport Operations and Maintenance as soon as possible, and as far in advance as possible, of any aircraft operations. Terminal facilities may be denied or delayed based upon current activity schedules.

c. A conflicting flight shall be defined as a flight that is scheduled to overlap another or where there is less than fifteen minutes separation between a scheduled arrival and a scheduled departure. All gate and parking conflicts will be resolved by the Director at his sole and absolute discretion.

#### **6.06 Control of Airfield**

a. The Director may suspend or restrict any or all aircraft operations at MLB to avoid endangering persons or property, and to be consistent with the safety and operation of MLB.

b. In the event the Director determines the condition of MLB or any part thereof to be unsafe for landings or takeoffs, a Notice to Airmen (NOTAM) will be issued, or caused to be issued, closing MLB or any part thereof.

c. The Director may deny use of MLB to any aircraft owner, operator, or pilot who violates the Rules and Regulations issued by MAA.

#### **6.07 Denial of Airport Use or Landing**

a. The Director shall have the right to close MLB to any and all air traffic operations either by local notification to airmen, or by request of issuance of a Notice to Airmen (NOTAM) in order to avoid endangering persons or property due to temporary periods of adverse climatic conditions, or to be consistent with the safe and proper operation of MLB.

b. The Director has the right to deny the use of MLB, or any portion thereof, to any specified class of aircraft, or to any individual or group for non-aeronautical purposes.

c. The Director shall have the right to deny the use of MLB to any pilot operating an aircraft who has violated federal, state, county, or local regulations or ordinances.

d. Touch-and-go operations for aircraft weighing more than 12,500 pounds (MGLW) are prohibited without approval from MAA.

#### **6.08 Derelict Aircraft**

a. No person shall park or store any aircraft in non-flyable condition on MLB property, including leased premises, for a period in excess of ninety days without written permission from the Director.

b. No person shall store or retain aircraft parts or components being held as inventory anywhere on MLB, other than in an enclosed, authorized facility, or in a manner approved in writing by the Director.

c. Whenever any aircraft is parked, stored, or left in a non-flyable condition at MLB in violation of the provisions of this section, MLB shall notify the owner or operator by certified mail requiring removal of the aircraft within fifteen days of receipt of the notice or if the owner or operator is unknown or cannot be found, then MLB shall conspicuously post and affix such notice to the said aircraft. If the owner or operator fails to remove the aircraft within the fifteen day period, then MLB shall cause removal of the

aircraft. All costs incurred by MLB in the removal of any aircraft as set forth herein shall be charged to the owner or operator, if known.

#### **6.09 Disabled Aircraft**

a. Subject to compliance with appropriate federal regulations the aircraft owner shall be responsible for the prompt removal of all disabled aircraft and parts of such aircraft at MLB. In the event of the owner's or operator's failure or refusal to comply, such disabled aircraft or any and all parts thereof, may be removed by MLB at the owner's or operator's expense and without liability for any damage which the aircraft may incur as a result of such removal.

b. FBO's will be capable of recovering any disabled aircraft that it normally handles from the airfield area when required by Authority. The recovery must take place in a reasonable amount of time after the aircraft becomes disabled.

#### **6.10 Fueling Operations**

No person shall operate or engage in fueling any aircraft or vehicles on MLB without prior approval from the Director. Approval to operate or engage in fueling operations shall be limited to a specific place and type of operation. Fueling and de-fueling operations of aircraft and vehicles must comply with MLB Rules and Regulations.

#### **6.11 Helicopter Operations**

a. Helicopter aircraft arriving and departing MLB shall operate under the direction of the ATCT at all times while in the Class D airspace.

b. Helicopter aircraft shall avoid fixed-wing aircraft traffic patterns and altitudes to the maximum extent possible.

c. Helicopters shall not be taxied, towed, or otherwise moved with rotors turning unless there is a clear area of at least 50 feet in all directions from the outer tips of the rotors.

d. Helicopter aircraft shall not be operated within 200 feet of any areas on MLB where unsecured light aircraft are parked.

e. During landings and takeoffs, helicopters shall not pass over any MLB buildings, structures, or their adjacent auto parking areas, or passenger Terminal building.

f. Helicopters will not be positioned on the main Terminal aprons without prior authorization by the Director.

g. No helicopter shall be left running unless a certified helicopter pilot or a certified Airframe and Power Plant mechanic is at the controls.

#### **6.12 Incident and Accident Reporting**

The pilot or operator of any aircraft involved in an incident/accident causing personal injury or property damage must notify the MAPD or MLB Operations, which will forward a MLB Incident Form to the Director. Failure to report an incident/accident to the MAPD or MLB Operations may lead to a civil penalty imposed by the FAA. The report to the MAPD or MLB Operations shall be in addition to all other reports required by other agencies.

#### **6.13 Intoxication and Drugs**

No person is permitted on MLB while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any substance that would impede in the operation of a motor vehicle or aircraft.

## **6.14 Noise Abatement Procedures**

- a. Departing aircraft are routed east to the ocean and west to beyond I-95 prior to making turns.
- b. Air traffic flow to the west is increased at night.
- c. Each noise complaint is recorded by name, address, date, time and description of complaint, and then it is handled at the sole discretion of the Director.
- d. Prohibition of after-burner operations. No use of after-burners shall be permitted at Melbourne International Airport except in the case of extreme emergency or at special events pre-approved by the Airport Authority.
- e. Runways.
  1. Military jet operations shall be confined to Runway 9R-27L (the main 10,181' runway) except when that runway is closed for maintenance or other reason. In that event, runway 9L-27R shall be used.
  2. Use of runway 5-23 by jet aircraft is prohibited.
- f. Maintenance run-ups.
  1. Maintenance run-ups of jet engines shall be confined to the hours of 7:00 am to 9:00 pm Monday through Saturday and 10:00 am and 6:00 pm on Sundays.
  2. Prior to any jet aircraft engine maintenance run-up outside designated hours, permission must be obtained from the Director or his designee.
  3. The Airport may require the construction of a "hush house" or other satisfactory noise mitigation structure for maintenance run-ups if noise levels during run-ups exceed 65 decibels at any airport property line under ordinary weather conditions.
- g. Flight patterns and aviation safety.
  1. A plan shall be developed in conjunction with FAA Tower Staff to establish special air traffic flight patterns and procedures to minimize take-off and landing noise in the vicinity of the Airport and to enhance safety to the surrounding community.
  2. These flight pattern noise mitigation procedures shall be formally incorporated into the Part 150 Airport Noise Abatement Plan.
  3. All aircraft operating at Melbourne International Airport shall meet or exceed all Flight Safety Standards as established by the Federal Aviation Administration. Failure to operate aircraft in a safe manner shall be subject to local enforcement, up to and including termination of any lease with the Authority, as well as referral to the Federal Aviation Administration for further action. In addition, all pilots based at Melbourne International Airport shall not operate an aircraft unless they possess the appropriate type certificate for both the aircraft and the climatic conditions they are operating in.
- h. Monitoring. When and if non-Stage 2 or Stage 3 aircraft utilize the airport for extended periods of time (exceeding one week on a continuous basis) Airport Staff shall initiate a program of event noise monitoring at various locations at and in the vicinity of the airport, with particular attention to residential neighborhoods. Regular reports shall be presented to the Airport Authority to assure compliance with the noise abatement procedures contained in this program during those periods of non-compliant aircraft operations.
- g. Leases.
  1. These Noise Abatement Regulations shall be incorporated in all present, future, renewed or amended aviation leases and commercial aircraft operating agreements at Melbourne International Airport.
  2. These regulations shall apply to any and all sub-tenants located on the airport.
  3. Any aviation tenant or sub-tenant who changes the basic aircraft type and/or numbers of aircraft operating from their facility shall inform the airport of the proposed changes in a timely manner to



ensure the potential noise impact of these changes can be evaluated for conformance with these regulations.

h. General noise abatement. Operators of all aircraft at Melbourne International Airport shall be required to make every effort to keep all noise levels associated with their operations as low as practicable, including the soundproofing of GPU and other apron equipment and to implement any other prudent noise mitigation action required by the Airport Authority.

#### **6.15 Operation of Aircraft**

- a. No aircraft shall land at or take off from MLB unless it is equipped with a functioning two-way radio to permit communication with the ATCT.
- b. Aircraft must use paved surfaces only.
- c. Helicopters cannot use areas other than paved services without prior permission from the Director.
- d. All aircraft shall be maintained and repaired in conformity with FAA, National Transportation Safety Board (NTSB) and FDOT Rules and Regulations.

#### **6.16 Operations of Aircraft During Hours of Tower Closure**

- a. After the hours of Tower operations, as published, all aircraft using MLB must broadcast their intentions on the Common Traffic Advisory Frequency (CTAF) in accordance with suggested procedures published in the Airman's Information Manual.
- b. After the hours of Tower operations, as published, the pilot in command or company holding a certificate of convenience must contact the Director and give notice of training, which requires approaches/landings at MLB. The Director may deny such operation if it threatens the health, welfare, and safety of the MLB personnel or the general public.

#### **6.17 Parking Responsibility**

- a. Aircraft shall not be parked in any area other than those designated by the Director. Airport management reserves the right to designate all parking location areas except those specifically assigned in advance.
- b. It is the responsibility of the MLB tenant to ensure that all aircraft parked or stored on lessee rental/lease property be properly secured and contained at all times.
- c. When instructed by the Director, the operator of any aircraft parked or stored at MLB shall move said aircraft from the place where it is parked or stored. If the operator refuses to comply with such directions, the Director may order such aircraft moved at the expense of the owner or operator, and without liability for the damage which may result in the course of such moving.

#### **6.18 Passengers Enplaning/Deplaning**

- a. All aircraft shall be loaded or unloaded, and passengers enplaned or deplaned, in designated areas unless otherwise permitted by the Director. All passengers shall utilize designated routes to and from the Terminal buildings. Airline personnel shall be stationed to assist and direct passengers during ground level enplaning of passengers unless specifically authorized or permitted by the Director. No pedestrian traffic is permitted to cross any taxiway or Terminal apron unless engaging in the process of enplaning or deplaning an aircraft.
- b. All air carriers not utilizing jet bridges for passenger egress will abide by the Department of Transportation, Federal Aviation Administration (FAA) Regulations, specifically, Section 504 of the Rehabilitation Act and Air Carrier Access Act of 1986 concerning the provision of equipment to facilitate the boarding of individuals with impaired mobility.

c. No person operating a general aviation or military aircraft shall enplane or deplane passengers or cargo on the Terminal ramp at MLB without having made prior arrangements thereof with the MAA, or unless such operation is in accordance with an Operational Directive.

#### **6.19 Power Back Procedures**

Power-back operations are prohibited without prior approval from the Director, whereas the operators must assure applicable safety precautions are followed. Should power back permission be granted, additional safety precautions may be mandated by MLB, at its sole discretion.

#### **6.20 Prohibited Activities on MLB or in FAA Protected Air Space in and around the Vicinity of MLB**

1. Airplane banner pickups and drop-offs.
2. Kites.
3. Model airplanes.
4. Tethered balloons.
5. Motorless aircraft.
6. Parachute jumping.
7. Ultralight aircraft.
8. Unmarked cranes.
9. Unauthorized towers.
10. Any other object constituting a hazard to aircraft operations.

#### **6.21 Repairs and Maintenance**

- a. All repairs to aircraft and engines shall be made in the space designated for this purpose and not on the areas reserved for landing, takeoff, or taxiing unless otherwise authorized by the Director.
- b. Any person performing such services shall leave the ramp area used for repairs in a neat, clean, safe, and orderly condition, including removal of all spilled fuels, lubricants, and solvents upon completion of such services.
- c. Aircraft repairs in aircraft storage hangars shall be limited to inspections and replacement of parts and minor repairs, provided such repairs do not involve appliances using open flames or heated parts.

#### **6.22 Run-Up Procedures**

- a. Maintenance run-ups of jet engines shall be confined to the hours of 7:00 am to 9:00 pm Monday through Saturday and 10:00 am and 6:00 pm on Sundays. No aircraft engine shall be started and run above idle power, for maintenance purposes, except in approved areas for maintenance. When it is necessary to run an aircraft engine above idle power for maintenance purposes, approval must first be obtained from the Director, unless performed at an approved maintenance facility. The operator will be advised of airside approved maintenance areas on the airfield where a run-up can be performed, so long as the prescribed ordinances of the City of Melbourne are observed. The location will be determined based on wind direction and time of day.
- c. No aircraft engine shall be run up immediately in front of, or adjacent to, the passenger Terminal building, or with the aircraft in such a position that parked aircraft, taxiways, runways or spectators are in the path of the jet blast slipstream.
- d. It is the responsibility of the operator of the aircraft to comply with any and all instructions from the ATCT and not interfere with air traffic in the air or moving on the ground.

### **6.23 Starting of Aircraft Engines**

- a. No aircraft engine shall be started or operated in any manner unless a licensed pilot or mechanic is at the controls. Wheel blocks equipped with ropes or other suitable means of chocking the wheels of an aircraft to deter movement shall always be placed in front of the main landing wheels before starting the engine or engines, unless the aircraft is locked into position by locking brakes.
- b. No aircraft engine shall be started unless there are adequate fire extinguishers available to extinguish a fire as a result of the engine start.
- c. No aircraft engine shall be started or operated inside a hangar.
- d. Aircraft engines may be started at passenger loading gates so long as the engine is not operated above the idle setting. Engine exhaust, blast and/or propeller wash shall be directed in such a manner as to cause no injury, damage, or hazard to any person, structure, or property.
- e. Operations contrary to this section are restricted except with expressed approval from the Director.

### **6.24 Taxiing or Moving Aircraft on Operational Areas**

- a. Whenever any aircraft is being taxied, towed or otherwise moved on the apron, ramp, or airfield, there shall be a person attending the controls of the aircraft who shall monitor by radio the transmitting frequency in use by the ATCT, who, if necessary, will cause that frequency to be monitored by another person in the aircraft. In the event of radio equipment failure, the ATCT may use a light gun signal for instructional purposes.
- b. No aircraft shall be taxied, towed, or otherwise moved on the Airport in a careless or negligent manner, or in disregard of the rights and safety of others, or without due care, or at a speed, or in a manner which unreasonably endangers persons or property.
- c. No parallel traffic may be permitted on taxiways or taxi lanes without approval from the Director.
- d. Aircraft movement shall be restricted to designated runways, taxiways, ramps, and aprons only. In addition, a visual inspection of the aircraft movement areas must be conducted to ascertain that it is safe to proceed without danger of incursion with persons or property.
- e. Wing walkers are required whenever pushed back aircraft are to pass by any other aircraft or through active vehicle service roadways. Push back personnel must wear reflective clothing and carry lighted signal wands while in the process of moving or directing aircraft. Aircraft must have its navigation lights illuminated when either taxiing or under tow.

### **6.25 Taxiing Into or Out Of Hangars**

No aircraft shall be taxied into or out of a hangar under its own power.

### **6.26 Terminal Ramp and Gate Restrictions**

- a. General aviation, private, business, or corporate aircraft shall not enter or use the Terminal area gates or commercial aircraft parking positions. General aviation, business or corporate, must park at a general aviation facility unless otherwise authorized by MLB. Said aircraft shall use Fixed Base Operator (FBO) facilities for overnight parking and services.
- b. An aircraft must have prior approval from the Director to park in any non-leased area.
- c. General aviation, private, or corporate business aircraft, are temporarily permitted to park in front of the U.S. Customs gate for required inspections.
- d. No surface painting or marking of the ramp or gate areas is permitted without written approval of the Director.

**6.27 Use of Unsafe Areas**

No aircraft shall use any part of the airfield, apron, ramp, taxiway, runway, or closed areas considered temporarily unsafe for landing or takeoff, or which is not available for any reason. The boundary of such areas will be marked by the Director, with barricades and flags by day, and high intensity flashing yellow lights at night and low visibility periods, and/or appropriate NOTAM issued.

**6.28 Washing of Aircraft**

No person shall clean, paint, wash, polish, or otherwise maintain an aircraft other than in areas approved, and in a manner designated by the Director. Fluids, solvents, and detergents used in the washing process must be consistent with all applicable environmental protection plans, and must be approved by the Director.

## **SECTION 7. VEHICLE OPERATIONS LANDSIDE**

### **General**

No person shall operate any motorized vehicle of any kind on MLB while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any substance that would impede in the operation of a motor vehicle.

No person shall sound his/her horn except as a legal warning.

No person shall operate any motor vehicle on MLB overloaded or carrying more passengers than that for which the vehicle was designed. No person shall ride on running boards, stand up in the body of a moving vehicle or ride on the exterior body of a vehicle except in the bed of a pickup truck, or with arms and legs protruding from the body of any motor vehicle. Fire apparatus and other emergency vehicles are exempt from this provision.

The MAPD has been authorized by the Director to enforce MLB Rules and Regulations. All persons while on MLB, shall comply with all lawful orders or directives given by the Director.

The MAA assumes no responsibility or liability for loss, injury, or damage to persons or property on MLB, or using MLB facilities, not caused by negligence of MLB or its employees.

### **7.01 Reserved Parking**

- a. Any parking area outside the AOA on MLB property that is reserved for other specific parking purposes, other than general parking.
- b. Each vehicle parked in reserved parking shall prominently display the identifying insignia provided by MLB or shall bear other markings acceptable to MLB. Every such vehicle shall be parked only in the space or area specifically assigned to it.
- c. No person shall park any vehicle in any reserved parking area without a valid permit (placard) issued by MLB permitting parking in such a reserved area.

### **7.02 Restricted Parking**

No person shall park a vehicle in any manner so as to block or obstruct:

1. Fire hydrants, fire apparatus, and the approaches thereto.
2. Gates or emergency exits.
3. Building entrances or exits.
4. Authorized emergency vehicles.

### **7.03 Employee Parking**

No person shall park in an Airport employee lot unless they have an approved and current parking media issued by the MAPD.

#### **7.04 Authority to Remove Vehicles**

- a. MAPD may remove or cause to be removed from any restricted or reserved parking areas, any roadway or right-of-way, or any other area on MLB, any vehicle which is disabled, abandoned, or illegally or improperly parked or which creates an operational problem in accordance with the licensing requirements for the operating Florida motor vehicle and traffic laws and the City of Melbourne Code of Ordinances.
- b. MLB shall not be liable for damage to any vehicle or loss of property which might result from the act of such removal.

#### **7.05 Designated One-Way Traffic**

Vehicular traffic on the entrance and exit roads serving the Passenger Terminal Complex shall be one-way and shall be so designated by signs posted and maintained by MLB. Movement of vehicular traffic in the opposite direction to that indicated by the signs is prohibited.

#### **7.06 Loading or Unloading of Vehicles**

- a. No person shall stop a motor vehicle for loading, unloading, or any other purpose on MLB other than in areas specifically designated for such use and only in the manner prescribed by signs, lines, and other means provided.
- b. Parking at curbside of the Terminal Building is prohibited.
- c. Stopping at the curbside of the Terminal Building shall be restricted specifically to loading and unloading of the public, passengers, and their baggage, unless approved otherwise by the Director.
- d. Unattended vehicles shall be cited and may be towed away in accordance with the Florida motor vehicle and traffic laws.

#### **7.07 Procedures in Case of Crashes**

- a. The driver of any vehicle involved in a crash on MLB, which results in injury to or death of any persons, or property damage shall immediately stop such vehicle at the scene of the crash and shall render such reasonable assistance as may be needed.
- b. The driver shall immediately, by the quickest means of communication, give notice of the crash to the MAPD (telephone: 723-6227, extension 221 or cellular 288-0147) or to the City of Melbourne Police Department (telephone: 259-1211 or 911).
- c. The driver of each vehicle involved shall furnish the name and address of the owner and the driver of the vehicle, the operator's license and vehicle registration and the name of the liability carrier for the vehicle to any person injured, the driver or occupant of the vehicle damaged, to any police officer, and to any representative of MLB.

#### **7.08 Public Parking**

- a. Operators of motor vehicles using the public parking facilities at MLB shall observe and comply with all regulatory and directional traffic signs entering and departing said facilities.
- b. Vehicles shall be parked in marked spaces only. No persons shall park any motor vehicle in such a manner as to occupy a part of another space.
- c. No person shall park motor vehicles in any area requiring payment for parking therein without paying the required parking charges for the right and privilege of parking therein.
- d. No vehicle shall remain in any public parking facility at MLB for more than forty-five consecutive days without notification to the parking attendant.

## **7.09 Traffic Regulations**

### **a. Issuance of Traffic Citations:**

1. MAPD is authorized to issue traffic citations to motor vehicle operators who violate any provisions of the Florida motor vehicle and traffic laws and/or City of Melbourne Code of Ordinances governing the operation, loading, unloading, or parking of motor vehicles on MLB.

2. No person shall assist anyone in violating or circumventing the parking provisions of this ordinance. If fines and warrants are ignored, those offenders shall be subject to such additional fines or imprisonment as may be fixed by the court pursuant to this ordinance and/or any other general punishment or penalty provision of applicable Florida Statute, County Ordinance and/or Federal regulation.

### **b. Careless Driving:**

No person shall operate a motor vehicle in a careless manner, which is other than in a careful and prudent manner, having regard for width, grade, curves, corners, traffic, and use of roadways, weather conditions, and all other attendant circumstances, so as not to endanger life.

### **c. Reckless Driving:**

No person shall operate a motor vehicle on MLB in reckless manner, so as to indicate a willful or wanton disregard for the safety of persons or property.

## **SECTION 8. VEHICLE OPERATIONS AIRSIDE**

### **General**

No person shall operate any motorized vehicle or aircraft of any kind on MLB while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any other substance that would impede the operation of a motor vehicle or aircraft.

No person shall sound his/her horn except as a legal warning.

No person shall operate any motor vehicle on MLB overloaded or carrying more passengers than that for which the vehicle was designed. No person shall ride on the running board, stand up in the body of a moving vehicle or ride on the exterior body of a vehicle except in the bed of a pickup truck, or with arms and legs protruding from the body of any motor vehicle. Fire apparatus and other emergency vehicles are exempt from this provision.

The MAPD has been authorized by the Director to enforce MLB Rules and Regulations. All persons while on MLB, shall comply with all lawful orders or directives given by the Director.

The MAA assumes no responsibility or liability for loss, injury, or damage to persons or property on MLB, or using MLB facilities, not caused by negligence of MLB employees.

### **8.01 Authority to Operate Motorized Vehicles**

- a. An operator must prove his/her authority to operate a vehicle on the AOA by visibly displaying his/her valid MLB ID/ Security Badge with AOA driving endorsement or an appropriate MLB driving certificate. If the operator fails to produce the above, he will not be permitted to continue operating the vehicle on the AOA and a notice of safety/security violation will be issued.
- b. No person shall operate or cause to be operated any motor vehicle on the AOA, unless such operation is required on the AOA and is directly related to an aviation activity on MLB, to the business of MLB, or to the business of a tenant of MLB engaged in a business activity authorized by the Director.
- c. No person shall drive a motor vehicle on the AOA prior to having successfully completed an AOA Familiarization Course and having obtained a certification attesting to same. Persons operating motor vehicles on the AOA shall have an AOA driving symbol displayed on their MLB ID/ Security Badge.
- d. Privileges to operate motor vehicles airside may be suspended or permanently revoked by the Director for violation of MLB Rules and Regulations.

### **8.02 Contractors Access and Operations on the AOA**

- a. Contractors access to the AOA must be prearranged before access is granted.
- b. The contractor must use the approved gates and paths to get to the AOA site. Equipment, if stored on the AOA overnight, must comply with the procedures set forth by MLB.
- c. The contractor must abide by FARs and MLB Rules and Regulations that pertain to airfield operations.



### **8.03 Crossing Runways and Taxiways**

- a. No person at MLB shall operate a motor vehicle beyond the hold bars of a runway or within the safety area of a runway or taxiway, without first having received clearance to proceed from the ATCT.
- b. During periods when the ATCT is shut down, no person shall operate a motor vehicle beyond the hold bars of a runway, within the safety area of a runway or taxiway, without first determining that no aircraft are approaching and broadcasting their intentions on the Common Traffic Advisory Frequency (CTAF). Movement across said runway or taxiway shall then be made expeditiously.

### **8.04 Insurance Requirements**

All motor vehicles operating or otherwise located on the AOA shall have proof of current insurance that includes, but shall not be limited to, personal injury and property damage in amounts stipulated by the Director.

### **8.05 Loading Bridges**

No person is permitted to operate a motorized vehicle or aircraft of any kind underneath a loading bridge unless Airport personnel are performing maintenance.

### **8.06 Movement/Non-Movement Areas**

- a. The movement area is generally defined as all runways and taxiways. This area is under control of the ATCT.
- b. The non-movement area is generally defined as vehicle service roadways, aircraft parking areas, and ramp areas. This area is not under the ATCT control.
- c. Only vehicles that have been authorized by the Director, and that have two-way communications with the ATCT, are permitted to operate in the movement area. Additionally, all vehicles operating in the movement area shall be equipped with an approved rotating or flashing beacon rated at not less than 500,000 CP, mounted upon the highest part of the vehicle unless under MLB approved escort.

### **8.07 Operations Near Aircraft**

- a. No person, other than the operator of an aircraft, vehicles servicing that aircraft, or MAA vehicles, shall operate a motor vehicle on the AOA at MLB so as to pass within twenty feet of a parked aircraft or, contrary to established vehicle operational procedures, including but not limited to specific routes or zones marked on pavement, regulatory signs, etc.
- b. In the case of an aircraft being loaded or unloaded in ground level, no vehicle shall be operated between said aircraft and the Terminal concourse while passengers are enplaning or deplaning.

### **8.08 Right-Of-Way**

- a. Taxiing aircraft and aircraft under tow have the right-of-way over all ground vehicles.
- b. Ground vehicles must yield to aircraft during engine startups.
- c. Vehicles responding to an emergency (e.g. ARFF, MLB Operations, and MAPD vehicles) have the right-of-way.
- d. Vehicles entering upon the service roadway will yield the right-of-way to vehicles already traveling on the service roadway.
- e. Vehicles cannot pass between an aircraft and its intended parking stand.

### **8.09 Service and Repair of Motor Vehicles**

a. No person shall fuel, service, clean, repair, maintain, or overhaul any motor vehicle or other motorized equipment on the AOA except for immediate minimum repairs required to remove said vehicle from AOA in the event of breakdown, other than areas established by MLB.

b. No person shall fuel, service, clean, repair, refuel, maintain, or overhaul any motor vehicle or motorized equipment on the AOA, in the designated areas, without providing properly labeled, dated, and marked containers for storage, usage, and disposal of all materials and wastes such as, but not limited to, motor and engine oil, waste oil, automatic transmission fluid, power steering fluid, brake fluid, cooling agents, cleaners, solvents, antifreeze, paints, filler compounds, batteries, grease and lube, gasoline, kerosene, soaps and detergents and/or other similar items.

### **8.10 Speed Limits – Restricted Area**

a. No person shall drive a vehicle at MLB at a speed greater than is reasonable and prudent under the existing conditions, while having regard for the existing actual and potential hazards. The Terminal ramp speed limit is 15 miles per hour and Service Road speed is 25 miles per hour.

b. No person shall operate any motor vehicle on the AOA in violation of any traffic control device, sign, pavement marking, or contrary to the order by the ATCT, a MAPD officer or a MLB representative.

### **8.11 Towed Equipment**

All towed equipment will be transported in a safe and reasonable manner.

### **8.12 Traffic Regulations**

a. Unnecessary pedestrian traffic is prohibited on all aprons at MLB unless it is part of a controlled and escorted tour.

b. Only MLB approved motorized equipment is permitted to operate on the AOA. The use of bicycles, skateboards, or other recreational devices on the AOA is strictly prohibited unless specifically authorized by the Director.

c. Tenants/Operators must advise the Director and the MAPD of the loss or theft of any vehicle that is authorized to operate on the AOA.

d. Any vehicle authorized to operate on the AOA shall submit to and conform with any other vehicle marking and/or lighting requirements as prescribed by the Director.

e. Vehicles should not be parked in a manner that interferes with access to fire hydrants or fire extinguishers.

f. Vehicles should not be parked under passenger loading bridges or under an aircraft (unless the vehicle is servicing the loading bridge).

g. No person shall operate a motor vehicle in a careless manner, which is other than in a careful and prudent manner, having regard for width, grade, curves, corners, traffic, and use of roadways, weather conditions, and all other attendant circumstances, so as not to endanger life, limb, or property.

h. No person shall operate a motor vehicle on MLB in reckless manner, so as to indicate a willful or wanton disregard for the safety of persons or property.

### **8.13 Vehicle Identification**

A tenant or operator whose business requires the use of a ground vehicle on the AOA, who has been granted permission to operate by MLB, must comply with the following minimum identification standards:

1. The vehicle will display company name and/or company logo.

2. Vehicles that do not meet the requirements due to the nature of their construction must be pre-approved by the Director, at which time identification standards will be established on a case-by-case basis.

#### **8.14 Vehicle Permits**

MLB has the right to require MLB issued vehicle permits for vehicles operating on the AOA. AOA vehicle permits will be issued by the MAPD.

#### **8.15 Vehicle Roadworthiness**

a. No person shall operate a motorcycle, scooter, truck or other motor vehicle in any hangar or building on the AOA unless such vehicle is equipped with an exhaust system protected by screens or baffles to prevent the escape of sparks or the propagation of flame. Any vehicle discharging excessive exhaust fumes may be barred from operating on the airfield until repairs are made, at the discretion of the Director.

b. No vehicle shall be permitted on MLB unless it is in sound mechanical order. Vehicles used at night must have adequate headlights and taillights.

c. Vehicles leaking fluids may be barred from operating on the airfield at the discretion of the Director.

d. Maintenance of vehicles and equipment at Terminal gate positions or adjacent apron/ramp areas is prohibited unless authorized by the Director.

#### **8.16 Yielding to Aircraft**

All motor vehicles on the AOA shall yield the right-of-way to aircraft in motion under all conditions.

## **SECTION 9. COMMERCIAL GROUND TRANSPORTATION**

### **General**

Commercial ground transportation vehicles shall be defined as any motor vehicle used by a commercial enterprise for the purpose of carrying its passengers, guests, customers, or clients to or from MLB whether for charge or without charge, including but not limited to taxicabs, limousines, charter buses\motor coaches, courtesy vehicles operated by hotels, motels, rental car agencies, schools, restaurants, travel agencies, tour guides, or real estate companies, or contracted shuttle vehicle services, which may include: buses, vans, limousines, or cars.

All commercial vehicles, with the exception of limousines, shall be identified by permanently affixed signs with lettering at a minimum of three inches in height, visible from a distance of six feet, and identifying the company operating such vehicle, except as further defined under Section 9 of these Rules and Regulations.

All commercial ground transportation owners, operators, and chauffeurs, while operating at MLB, shall comply with the following and other applicable provisions of the City of Melbourne Code of Ordinances, State of Florida Statutes, MLB procedures, Rules and Regulations, Operational Directives, and shall be subject to on-site directives and direction by authorized MLB personnel.

No commercial ground transportation provider may refuse or neglect to transport to any location to any passenger requesting service on the basis of race, sex, national origin, age, disability, short haul, or location of destination, so long as said person(s) are orderly and willing and able to pay the prescribed fare.

Commercial ground transportation vehicles shall be kept in good operating condition and appearance. The Director reserves the right to inspect and/or remove from service any vehicle deemed unsafe or unkempt.

Commercial ground transportation vehicles being operated on the streets and other vehicular traffic areas on MLB including parking areas, shall turn off the vehicle engine when such vehicle is parked.

### **9.01 Commercial Ground Transportation Vehicle Operators**

#### **a. Appearance:**

Drivers of commercial ground transportation vehicles are to have a neat and clean appearance.

#### **b. Baggage Portage:**

Chauffeurs or persons associated with commercial ground transportation are prohibited from carrying passengers' baggage from the baggage claim area, Terminal building area, or curbside areas, unless authorized by the Director in the cases of assisting handicapped, aged, or infirm persons, operating from a dispatch center located within the Terminal building, or when porter service is not available.

#### **c. Conduct:**

1. Owners and operators of commercial ground transportation vehicles shall not engage in loud, boisterous conversation or use any gesture or language considered offensive while on Airport

property.

2. No person is permitted on the Airport while under the influence of an alcoholic beverage, illegal drug, controlled substance, or any substance that would impede in the operation of a motor vehicle or aircraft.

d. Permits:

No operator will operate a commercial vehicle without a public vehicle driver's permit (hack card) issued by the City of Melbourne properly displayed on the driver at all times.

e. Operating Permits:

The Airport operating permits shall be issued to specific vehicles and are not transferable. Loss or mutilation of the operating permit will require application for and issuance of a replacement permit in order to operate on Airport property. Loss, revocation, or suspension of any required permits or certificates or non-compliance with any requirement shall invalidate the Airport permit.

f. Display of Permit:

The Operating Permit shall be displayed as follows:

1. Outside windshield on lower right side (passenger side)
2. Properly affixed to windshield with backing removed (no tape, etc.)
3. Affixed in upright manner.

g. Expiration:

All permits expire on September 30<sup>th</sup> of each year. If an Airport operating permit is not used for a period of ninety (90) days, it will automatically expire.

h. Lost, Stolen or Mutilated Permits:

Lost, stolen, or mutilated permits should be reported to the Airport Security Department personnel immediately and application for a replacement permit should take place no later than the close of the next business day.

i. Surrender of Permit:

Any driver issued a vehicle permit pursuant to these regulations will surrender the permit immediately upon demand by an authorized Airport representative.

j. Suspension and revocation:

Any Airport operating permit issued under these Rules and Regulations may be revoked or suspended by the Director if the holder thereof has violated any of the provisions of these Rules & Regulations, Florida Statutes, or any City of Melbourne ordinance pertaining to commercial ground transportation.

k. Solicitation:

1. Permitted ground transportation providers are allowed to solicit business outside the Terminal building contingent on observing the "first in-first out" policy.
2. Contracted ground transportation providers are allowed to solicit business inside the Terminal building at the ground transportation counter only, and outside the Terminal building area.
3. Limousine drivers, chauffeurs, and bus drivers are permitted to enter the Terminal building, unless prohibited by mandates issued by the TSA, in order to locate pre-arranged pickup of passengers. They must display a sign, 8-1/2" x 11" in size, with their client's name lettered in black marker, the airline flight number, and the number of persons in their party and display their public vehicle drivers permit on their person.
4. No solicitation will be allowed by non-contracted and non-permitted transportation providers in and around the Terminal building.
5. All ground transportation operators must properly display a City of Melbourne Public Vehicle Driver's permit on their person.

l. Use of Facilities:

All commercial ground transportation owners, operators, or chauffeurs using the facilities at the Airport shall do so pursuant to agreements, permits, certificates, or other conditions as may be required by the Airport.

## **9.02 Commercial Ground Transportation Vehicles**

### **a. Discharge of Passengers and Baggage:**

1. Commercial ground transportation vehicles such as shuttles, courtesy vehicles, limousines, and taxicabs, arriving at the Airport to discharge passengers, customers, clients, and guests may do so curbside in front of the Terminal building.
2. Vehicles must depart immediately upon discharging passengers and baggage.
3. Charter buses, motor coaches, and regularly scheduled buses are permitted to discharge passengers in front of the Terminal in designated areas only.

### **b. Parking:**

1. Limousine commercial ground transportation vehicles shall park attended, or may park unattended if a fingerprint based FBI criminal history check has been completed by MAPD, in the designated areas within the commercial lane and shall advance forward as vehicles ahead pull away. Operators must remain within fifteen feet of their vehicles at all times, unless a fingerprint based FBI criminal history check has been completed by MAPD, or when TSA rules and regulations require vehicle attendance.
2. Contracted shuttle vehicles shall have an option to use the commercial lane or their restricted areas.
3. Curbside flat rate permitted taxis are permitted to park attended at the designated staging area in the commercial lane or other areas as approved by the Director. Operators must remain within fifteen feet of their vehicles at all times.
4. All other ground transportation vehicles, including charter buses and shuttles operating on the Airport shall park attended in areas designated by the Director. Operators must remain within fifteen feet of their vehicles at all times.

### **c. Pick-Up:**

1. Commercial ground transportation vehicles, except curbside flat rate permitted taxis and contracted shuttle vehicles, arriving at the Airport to pick up passengers, customers, clients, guests, baggage, tickets, or any other purpose, must enter the commercial lane through the key operated toll gate and park in the properly designated commercial areas. Operators must remain within fifteen feet of their vehicles at all times, unless a fingerprint based FBI criminal history check has been completed by MAPD, or when TSA rules and regulations require vehicle attendance.
2. With prior permission by authorized Airport personnel, limos may pickup disabled passengers at the curbside-terminal.
3. The Airport shall charge and invoice each vehicle operated on a per use basis at a rate authorized by the Director.
4. Staging for curbside flat rate permitted taxis will take place beyond the key operated tollgate, inside the commercial lane, without charge. Operators must remain within fifteen feet of their vehicles at all times.
5. Chartered buses, motor coaches, and Greyhound buses are permitted to pick up passengers in front of the Terminal in designated areas only. Operators must remain within fifteen feet of their vehicles at all times.
6. Space Coast Area Transit (SCAT) buses are permitted to pick up passengers along the commercial lane or in front of the Terminal in designated areas. Operators must remain within fifteen feet of their vehicles at all times.

- d. Unauthorized Parking:
  - 1. Commercial ground transportation vehicles shall not be left unattended on Airport property without prior written permission of the Director.
  - 2. All commercial ground transportation vehicle operators shall remain within fifteen feet of their vehicle at all times, unless otherwise authorized by authorized Airport personnel.

### **9.03 Commercial Ground Transportation Operations**

- a. Taxis Available for Hire:

Taxicabs are in line and available on a “first in-first out” basis. The preceding shall not be construed as preventing a passenger from boarding the commercial vehicle of his choice after being informed of “first in-first out” practice.
- b. Consent of Additional Taxi Passengers:

No taxi operator shall accept any additional passengers without the consent of the passenger by whom the vehicle has already been engaged. The practice of doubling up passengers other than described above is permissible only when there are no other for-hire vehicles available.
- c. Schedule of Rates and Charges for taxis:
  - 1. A rate schedule, established by the operator’s employer, will at all times be affixed in a prominent and conspicuous places readily visible to the occupants of both the front and rear seats of the vehicle.
  - 2. No taxi operator shall collect fares or compensation, for transportation services, in an amount that is greater or less displayed on the taxi meter as a result of the charge calculated by the posted rate schedule. Transportation of baggage that accompanies the passenger shall be included in such rates and charges. This provision shall not apply to gratuities received directly from a passenger.
  - 3. The words “fares” or “compensation” shall not be construed to include gratuities.
- d. Taxi Meters:

No operator driving a taxicab shall operate on MLB unless in full compliance with City of Melbourne ordinances relating to taxi meters.
- e. Limousines Available for hire are staged and available on a “first in-first out” basis, unless prearranged.
- f. Schedule of Rates and Charges for Limousines:
  - 1. No chauffeur shall collect fares or compensation for transportation services in an amount that is greater or less than the quoted rate established by the operator’s employer. Transportation of baggage that accompanies the passenger shall be included in such rates and charges.
  - 2. This provision shall not apply to gratuities received directly from a passenger.
  - 3. The words “fares” or “compensation” shall not be construed to include gratuities.
- g. Charter Buses/Motor Coaches:
  - 1. Charter buses/motor coaches shall be identified by the name and/or logo of the company that owns and/or operates it.
  - 2. Only buses so identified shall be permitted to pick up or discharge passengers on MLB.
  - 3. Charter buses/motor coaches operating on MLB shall park in areas designated by the Director.
  - 4. Charter buses/motor coaches are permitted to be left running while parked and during passenger loading and unloading.
- h. Courtesy Vehicles:
  - 1. Courtesy vehicles shall be identified by the name and/or logo of the company that owns and/or operates the vehicle.
  - 2. Only vehicles so identified shall be permitted to pick up or deliver passengers on MLB.
- i. Shuttle Vehicles Available for Hire:

1. All shuttle services require prior arrangements through the contract shuttle dispatcher.
  2. Upon request, shuttle dispatchers shall courteously inform passengers or others of alternate means of ground transportation and where it can be obtained.
- j. Schedule of Rates and Charges for Shuttle Vehicles:
1. No shuttle operator shall collect fares or compensation for transportation services in an amount that is greater or less than the rate established by his/her employer.
  2. Such rates and charges shall be at all times affixed in a prominent and conspicuous place, readily visible to the occupants of both the front and rear seats of the vehicle. Transportation of baggage that accompanies the passenger shall be included in such rates and charges.
  3. This provision shall not apply to gratuities received directly from a passenger. The words “fares” or “compensation” shall not be construed to include gratuities.

#### **9.04 Tour Operators**

- a. All tour operators who desire to transport or arrange for the transporting of a designated group of persons and their baggage arriving or departing the Melbourne International Airport shall have prior written permission from the Director.
- b. Tour operators shall conduct their activities only in areas designated by the Director.
- c. All tour operators shall be subject to these Rules and Regulations and to the standard operating procedures and directives of the MAA.



## **SECTION 10. AIRPORT CHARGES**

### **General**

MLB charges, fees, and rentals to aviation related users, for use of its property, buildings, services, and the use of expendable economic resources. These fees are developed by federal guidelines, surveys, appraisals, actual and administrative costs, and current economic conditions. Operational charges are reviewed annually and revised as necessary. The methods listed above are applied when determining rates and charges at the time a new use aviation agreement or lease is developed. All fees, charges, and rentals will have provisions for changes in economic conditions such as inflation, or actual costs of administration or expense of expendable economic resources.

### **Aeronautical Charges:**

Charges are collected for the following uses of MLB for aviation purposes:

a. Airfield:

1. Aviation land lease rental is determined by a combination of one or more of the following: appraisal, market survey, fair market value based on current economic conditions, actual and administrative costs, financial investment and activity proposed by tenant, and length of lease term
2. Hangar and cargo space is charged by a combination of one or more of the following: survey, fair market value based on current economic conditions, and actual and administrative costs.
3. Landing fees will be charged at a rate times each thousand (1,000) pounds of the Maximum Gross Landing Weight assigned to an identifiable aircraft. Rates for airlines with fully executed operating agreements may be less than all other aircraft operating at MLB.
4. Fuel flowage will be charged by a percent of the fuel purchased or a volume charge unless prior agreements have been executed and are active.
5. Miscellaneous reimbursement charges for services rendered.

b. Terminal:

Aviation related Terminal charges are determined by market survey, fair market value based on current economic conditions, passenger usage, and actual costs and include:

1. Terminal floor space.
2. Loading bridge usage.
3. Baggage belt maintenance.
4. Solid waste management either domestic or international (sterile).
5. Electric reimbursement.
6. Checkpoint and inspection charges.
7. U.S. Custom charges.
8. F.I.S. Terminal operational and maintenance charges after hours or weekends and holidays.
9. Computerized scheduling systems.
10. Combination of operational charges.
11. Counter space.
12. Office space.

## **SECTION 11. PENALTIES**

### **General**

MLB visitors, tenants, concessionaires, lessees, invitees, contractors, subcontractors, together with their agents, employees, invitees, and guests using the facilities of the Melbourne International Airport shall comply with MLB Rules and Regulations.

#### **11.01 Enforcement and Penalties**

a. The Director shall be charged with the enforcement of these Rules and Regulations and with the enforcement of the City of Melbourne Code, Chapter 6, under the general police powers of the City or the Airport. If, in the discretion of the Director, violations of these Rules and Regulations, or violations of City of Melbourne Code, Chapter 6, are of a minor nature and do not warrant summons to court, then the Director may, in his discretion, administratively suspend the violator from the use and privileges of the Airport.

b. Violations of any MLB Rules and Regulations may result in verbal or written warnings or notices, suspension or revocation of permits or badges, removal from and denied access to MLB, termination of leases and agreements, and fines not to exceed five hundred dollars \$500.00 for each violation. The Director shall consider the severity and frequency of the violation(s) when determining the penalty and/or the amount of the fine to be imposed.

c. MAPD officers are empowered to issue verbal or written warnings, citations, or recommend monetary fines, or to arrest any tenant or concessionaire whose agent or employee violates any part of these Rules and Regulations.

d. MLB Operations personnel are empowered to issue verbal or written warnings and to recommend monetary fines for certain violations of MLB Rules and Regulations.

e. In addition to the foregoing procedures for enforcement of Rules and Regulations, such Rules and Regulations may be enforced by any other means provided by law for the enforcement of municipal ordinances.

#### **11.02 Hearing Process**

Any person aggrieved by an action of the Airport Authority, including imposition of a fine, denial or revocation of a permit or other adverse action taken by the Airport Authority pursuant to these Rules and Regulations, may file with the office of the Director a written notice of appeal to the Airport Administrative Hearing Board, provided such notice is received at the office of the Director within ten calendar days of the aggrieved action. The person filing the request shall give his or her full name and address. Upon receipt of such notice of appeal, the matter shall be set for hearing before the Airport Administrative Hearing Board. After the hearing is requested, it may be held at the next regular meeting of the MAA, provided the request is submitted at least fourteen days prior to the meeting. The MAA shall mail to the person requesting the hearing, written notice of the time and place where the hearing will be held. The notice will be mailed at least five days in advance of the hearing. At the hearing, testimony shall be taken under oath or affirmation. The aggrieved party shall testify and present witnesses on his or her behalf. Any party may be represented by counsel. All matters of procedure, including the admission

of testimony and other evidence, shall be determined by the airport attorney. The Airport Administrative Hearing Board shall have the authority to reverse, uphold or modify the action of the Airport Authority from which appeal is taken.