



## RULES AND REGULATIONS

Franklin County Board of Commissioners hereby adopts and approves the following rules and regulations for the operation on and use of the Triangle North Executive Airport (KLHZ).

### DEFINITIONS

- A. Unless from the context a different meaning is apparent as used in these regulations, the terms hereinafter used shall be defined as follows;
- a) "Owner" shall mean the County of Franklin.
  - b) "AOA" shall mean aircraft operating area. This includes all runways, taxiways, aprons and ramps.
  - c) "Airport" shall mean the Triangle North Executive Airport.
  - d) "Airport Director" shall mean the official of the County having immediate charge of the airport.
  - e) "Person" shall mean an individual, partnership, firm, association, or corporation.
  - f) "FAA" shall mean the Federal Aviation Administration.
  - g) "Triangle North Executive Airport Advisory Council" or "Council" shall mean the board appointed by the Franklin County Board of Commissioners.

### REGULATION ENFORCEMENT

- A. The Airport Director shall, at all times, have authority to take such reasonable action as may be necessary to enforce these regulations and to efficiently manage the airport and its operations.

### AIRPORT USE

- A. Triangle North Executive Airport is a publicly funded airport operated by Franklin County. Access to the Airport is granted only on an as-needed basis in compliance with The Department of Homeland Security and the Transportation Security Administration.
- B. The Owner has the right to, and does hereby regulate all commercial enterprises using the airport as a basis of operation, whether such operation is aeronautical or non-aeronautical in nature. No commercial operation of any kind or type shall be

- conducted on the airport unless specifically authorized by the Airport Director, in writing.
- C. The commercial use of the airport or any of its facilities in any manner shall create an obligation on the part of the user/operator thereof to obey all the regulations herein provided and adopted by the Owner. The privilege of using the airport and its facilities shall be conditioned on the assumption of full responsibility and risk by the user/operator thereof; and he shall release and hold harmless and indemnify the Owner, the Airport, its officers, and employees from any liability or loss resulting from such use of the airport or airport facilities, as well as claims of third persons to using the airport.
  - D. The privilege of using the Airport shall be upon the further condition that any person, persons, corporations, co-partnership, businesses, or others desiring to use the same for commercial operations, shall furnish an insurance policy of indemnity against personal injury and property damage in a reasonable sum and terms as the Owner shall require.
  - E. Any person violating any of the airport rules and regulations may receive a warning or be punished as provided by law or ordinance.
  - F. No person shall solicit funds for any purpose. No signs, advertisements, and non-aeronautical equipment, portable buildings, or trailers may be erected, moved-in, brought-onto or installed on Airport property, except as may be specifically authorized by the Airport Director.
  - G. Garbage, refuse, and other waste material shall be placed in receptacles or trash bins provided for trash, recycling or disposal; and no person shall destroy, remove, or disturb in any way buildings, signs, equipment, markers, or other property on the airport.
  - H. All hazardous materials brought onto and used must be discarded off-site at a qualified disposal area.
  - I. All commercial, private and monthly rented hangar and storage tenants shall provide a key or code to their lock for their hangar for emergency, inspection, safety or other airport purposes.
  - J. Any person damaging any runway, ramp, or taxiway light or fixture by operation of aircraft or otherwise, shall immediately report such damage to the Airport Director. Persons causing damage to runway and taxiway lights as a result of operations of an aircraft or otherwise or willful acts will be liable for replacement cost of the light(s) and/or fixture(s).
  - K. Wash area shall be used for the purpose of washing and polishing aircraft by business or tenants of the Airport. Any other purpose must be approved by the Airport Director. Washing/cleaning materials and run-off shall be used and disposed of properly. If company performs detailing of aircraft professionally, it will need to follow all insurance and obligations required by regulations of the Airport to include fees.

#### MOTOR VEHICLE REGULATIONS

- A. Unless authorized by the Airport Director, no highway, automotive or fuel vehicles shall be operated on the airport except on roadways, parking areas, AOA et cetera, that are specifically designated for such vehicles. Such vehicles shall be parked in the manner prescribed by the Airport Director while on the airport. All aircraft shall have right-of-way over all surface vehicles. Airport vehicles and pedestrians shall have right-of-way over all personal vehicles. No unauthorized use of automobile/motorcycle or otherwise is permitted on runway or taxiway at any time.

- B. No person shall operate any vehicle in a careless or negligent manner, with disregard for the safety of others, or exceed fifteen (15) miles per hour speed limit.
- C. All vehicles operating within the AOA shall display a brightly colored flag, strobe light or vehicle flashers.
- D. Every accident involving injury or property damage shall be reported to the Airport Director and any regulatory or law enforcement agency having jurisdiction.
- E. No vehicle or other property without valid registration, insurance and inspection is allowed on airport property.
- F. All vehicles located on the Airport property must be operational.
- G. No vehicles (to include boats, campers, trailers) without valid registration and inspection can be stored within hangar space at the Airport.
- H. Any person observing suspicious, unauthorized or criminal activities should report such activities immediately to the Airport Director or staff, local Sheriff's office, or Transportation Security Administration.
- I. Persons entering the Airport's groundside property by automobile, other vehicle conveyance, fly-in, or on foot (does not include person in aircraft using approved airside facilities) do so at their own risk and with no liability incurring to Franklin County/Triangle North Executive Airport for any injury or damage to person or property. Further, any person desiring to use the Airport shall observe and obey all laws, resolutions, orders, rules, and regulations promulgated and enforced by Franklin County/Triangle North Executive Airport.
- J. No person may make their leased/owned hangar/building their living quarters on the Airport or live in them at any time.

#### SPECIFIC VEHICLE AND PARKING REGULATIONS

- A. No parking allowed at the end of any T-hangars.
- B. T-hangar owners/occupants may only park their motor vehicles on the access ramp in front of their hangar when loading/unloading or attending to their aircraft and in such a way as to not impede access to the taxiways. When their aircraft is not in their hangar, they may only park in their hangar or in the terminal parking lot.
- C. No parking in the taxiways except for loading and unloading aircraft.
- D. Motor vehicles must yield right of way to all aircraft and pedestrians at all times.
- E. Only Triangle North Executive Airport's aircraft owners, pilots, and hangar owners/occupants and those designated by such tenant will be granted motor vehicle access to the AOA. The aircraft owner shall be responsible for the people designated by him/her. Gate access by vehicle criteria must be approved and documented yearly.
- F. Parking at the terminal and AOA should not interfere with loading, unloading, or fueling of aircraft or access to the terminal and should be limited to short periods of time.
- G. When their aircraft is not on the field, tie-down lessees may only park their vehicles in their tie-down location or in the parking lot.
- H. When their aircraft is present on the field, tie-down lessees may only park directly adjacent to or on their tie-down space only while they are attending to their aircraft and in such a way as not to obstruct access to any other aircraft or the taxiways.
- I. At no time should a motor vehicle be parked in such a way as to impede access to any aircraft, taxiway, runway, or hangar also to include in front of the terminal on the ramp.

## AERONAUTICAL ACTIVITY REGULATIONS

- A. The FAA air traffic rules and regulations governing the operation of aircraft and other aeronautical activities in effect as of this date, as well as all additions thereto, are made a part of these airport rules and regulations as fully as if they were attached hereto.
- B. Every aircraft owner, his/her pilot or agents, shall be responsible for notifying and promptly removing disabled or wrecked aircraft from the operational areas of the Airport, under the direction of the Airport Director.

## AIRCRAFT OPERATION RULES

- A. All aircraft not hangered including storage boxes on the airfield shall be tied down overnight and during inclement weather.
- B. All aircraft owners or their agents are responsible for the tie down or security of their aircraft at all times and particularly during inclement weather.
- C. Small single engine aircraft parking for overnight customers on the transient apron shall pay a tie down fee of \$10.00 for each night, except that such fee may be waived upon purchase of fuel if exceeds \$10.00. Additional nights will be \$5.00. Turboprop, multi-engine and jet aircraft parking for overnight customers on the transient apron shall pay a ramp fee of \$100.00 for each night, except that such fee may be waived upon purchase of fuel that exceeds \$100.00.

## RULES FOR AIRCRAFT FUELING OPERATIONS

- A. Smoking or lighting of an open flame are prohibited within fifty feet of any fueling operation.
- B. Fueling operations shall be conducted in accordance with National Fire Protection Association (NFPA) regulations, State and local regulations and FAA Advisory Circulars.
- C. Refueling of any aircraft with an engine running, i.e. "Hot Fueling" is not permitted with the exception of on-board Auxiliary Power Unit's (APU) where the exhaust is above and on the opposite side of the fueling operation.
- D. No fuel storage and dispensing equipment shall be installed and used at the airport without the prior written approval of the Owner. All such equipment shall be of a modern design and shall be kept in a safe and non-leaking condition and must meet all applicable rules of state, local and federal agencies.
- E. The Airport will allow fuel to be dispensed by staff in only approved galvanized steel Type 1 or 2 fuel containers designed for jet-a or avgas/100LL to ensure maximum safety. Placard markings on container showing No Smoking, Flammable, AvGas/100LL (1203) or Jet-A (1863) is required. Fuel customers will have to be aviation-related and show proof of license/certificate. Fuel customers must sign release form of liability in advance. Once fuel product is dispensed in approved container, it is no longer the responsibility of Triangle North Executive Airport. No fuel containers shall be brought through the terminal at any time. Approved fuel containers will be available at

terminal for purchase.

#### FIRE REGULATIONS

- A. Smoking is not permitted in County Buildings/Hangars.
- B. Smoking or lighting of an open flame is prohibited at places with posted signs within fifty feet of fuel trucks, fuel-loading stations, tank farms and on the AOA.
- C. Tenants are required to keep their premises clean and clear of boxes, crates, cans, bottles, paper, unusable airplane parts or wreckage, scrap wood or metal, discarded airplane or automobile tires, trash, or other litter so that not to accumulate around an owned, rented, or leased hangar/building. The Airport Director shall notify the hangar/building owner, renter or lessee by registered letter to remove the offending litter. If within ten (10) work days after receipt of the letter the hangar/building owner, renter, or lessee has not removed the trash and litter as directed, the Airport Director may have the area cleaned and the cost of such cleaning shall be charged to the hangar/building owner, renter, or lessee.

#### FLYING CLUBS

- A. A Flying Club is a nonprofit or not-for-profit entity (e.g. corporation, association, or partnership) organized for the express purpose of providing its members with aircraft for their personal use and enjoyment only. Flying Clubs may not hold themselves out to the public as fixed-base operators, a specialized aviation service operation, maintenance facility or a flight school and are prohibited from advertisements as such. Flying Clubs may not indicate in any form of marketing or communications that they are a flight school, and Flying Clubs must not indicate in any form of marketing and/or communications that they are a business where people can learn to fly.
- B. No Flying Club shall permit its aircraft to be used for flight instruction for any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instruction. An exception applies when the instruction is given by a lessee-based on the airport who provides flight training and the person receiving the training is a member of the Flying Club. Flight instructors who are also club members may not receive payment for instruction except that they may be compensated by credit against payment of dues or flight time.
- C. The Flying Club should file periodic documents as required by Triangle North Executive Airport, including tax returns, insurance policies, membership lists, and other documents that the Airport reasonably requires.
- D. If a Flying Club aircraft is used for flight instruction for members, it must carry minimum liability insurance of \$1,000,000 and shall indemnify and hold harmless Franklin County and Triangle North Executive Airport from and against any and all liability claims, demands, suits, judgments, costs, and expenses (including attorney's fees), which may be incurred by Franklin County by reason of any act or omission of the Flight Club, its members or any other person or entity associated.
- E. All Flying Clubs are required to conform to FAA Order 5190.6B, FAA Airport Compliance Manual, Chapter 10.6, Flying Clubs; as amended by the Federal Register, Vol. 81, No. 50 dated March 15, 2016.

[https://www.faa.gov/airports/resources/publications/orders/compliance\\_5190\\_6/media/5190\\_6b\\_chap10.pdf](https://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/media/5190_6b_chap10.pdf).

- F. The Airport Director will determine whether the operation of a Flying Club meets the appropriate guidelines and allowed to operate.

#### REGULATIONS GOVERNING REQUIREMENTS FOR COMMERCIAL OPERATIONS

- A. No commercial operator shall be allowed to operate on the airport without a fully executed lease agreement with the Owner.
- B. Assignment and sub-letting without prior written consent of Franklin County/Triangle North Executive Airport is prohibited. Any assignment or subletting shall be expressly subject to all terms and provisions of the original lease. This applies to all county owned property at Triangle North Executive Airport.
- C. No commercial operator may use the terminal building for a base of operations without a written agreement detailing the fees for usage of the terminal. Use and cost of the conference room is limited to usage authorized by the Airport Director.
- D. The Owner shall determine substantial conformance to the standards for commercial operators.
- E. Commercial operators must show financial solvency and business ability to the satisfaction of the Owner.
- F. The minimum liability insurance which a commercial operator shall carry will be determined by the nature of the commercial operation. (See below)  
Airport bodily injury and property damage liability insurance limits:
- a. Aircraft Maintenance and Repair: \$1,000,000
    1. Preventative maintenance as described in 14 CFR Part 43.7 is permitted when the maintenance is performed by the owner or operator of the aircraft.
    2. Liability insurance is not required if the AMT is a W-2 employee of the aircraft owner.
  - b. Flight Instruction
    1. Instruction provided in student owned aircraft (\$250,000)
    2. Liability insurance is not required if the flight instructor is listed as a named pilot on the student's aircraft. Proof of such liability insurance coverage must be provided to the Airport Director.
    3. Instruction provided in non-student owned aircraft (\$1,000,000)
  - c. Aircraft Charter Taxi Service: \$1,000,000
  - d. Aircraft Rental and Sales: \$1,000,000
  - e. Aircraft Brokerage
    1. Individuals engaged in representing aircraft owners do not require liability insurance in that the operation is not commercial in nature by NC Department of Revenue policy. If the aircraft sales organization owns aircraft for sale and stores them at the Airport, this would constitute a commercial operation requiring Airport bodily injury and property damage liability insurance in the amount of \$1,000,000.
  - f. Parachute/Skydiving Operations: \$1,000,000
  - g. Certified Flying Instructors (CFI): \$1,000,000
  - h. Agriculture Spraying Operations (AG)
    1. Each AG operation shall carry liability insurance in the amount of \$1,000,000 for the cleanup of any hazardous chemical spills on Airport

property caused by the Ag operator.

- i. Avionics Repair and Maintenance: \$1,000,000
- j. Aircraft Vendors to include upholstery, aircraft detailing and other related aircraft business activity: \$1,000,000
- G. Minimum standards for hangars, shops, or other buildings to be constructed on the airport: Buildings shall be fireproofed and of metal or masonry construction, properly designed doors, stressed in accordance with the National Building Code, floor of properly constructed concrete or asphalt or sufficiently designed load strength to sustain all types of aircraft using the facility.
- H. Areas for office space, restrooms, and lounge which may be an adjunct to other buildings, must also be fireproofed and of steel or masonry construction.
- I. Aircraft parking aprons shall be constructed according to plans and specifications approved by the Owner. Areas of aircraft parking apron may be required for operators selling aviation petroleum products, ramp services, and aircraft repair.
- J. All Certified Flying Instructors (CFI) must provide flight instruction by the means of using personal aircraft or borrowed time in other based aircraft on the field. A list of all CFI students by CFI must be provided to the Airport Director.
- K. All services shall be provided on a fair and non-discriminatory basis to all users of the Airport. The prices charged for each unit of service shall be fair, reasonable, and non-discriminatory, provided that the operator may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar type price reductions to volume purchasers.
- L. Commercial operators on the airfield shall provide notice to the Airport Director of any aircraft that is on the airfield for service. The aircraft shall remain on the airfield in a vacant tie-down spot approved by the Airport or within the area designated by the Airport Director for up to one week before charges apply. Charges include a fee of \$5.00 a day not to exceed the monthly contracted fee of tie-down spots on the airfield. If a plane remains on the airfield without payment after the given time or becomes derelict, removal of aircraft under further action by the Owner shall occur.
- M. The operator shall provide his services in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (P.L. 88-352). Accordingly, no person shall be denied equal services on the grounds of age, race, color, national origin, religion or sexual orientation.

#### PROCEDURES FOR RECEIVING & PROCESSING APPLICATIONS FOR COMMERCIAL OPERATIONS

- A. Any applicant wishing to establish a commercial activity on the airport shall be furnished a copy of these minimum standards, as amended, and shall make application in writing to the Airport Director, setting forth in detail the following to be delivered to the Owner:
  - a. The name and address of the applicant.
  - b. The proposed land use, facility, and or activity sought.
  - c. The names and qualifications of the personnel to be involved in conducting such activity.
  - d. The financial responsibility and technical ability of the applicant and operator to carry out the activity sought including a credit report and financial statement.
  - e. The tools, equipment, services, and inventory, if any, proposed to be furnished in connection with such activity.
  - f. The requested or proposed date for commencement of the activity and the term of

conducting the same.

- g. The estimated cost of any structure or facility to be furnished, the proposed specifications for same, and the means or method of financing such construction or acquisition of facilities.
- B. Any commercial operator operating at the time of adoption of these regulations shall be permitted to operate while his/her application is pending.
- C. Upon filing of such an application with the Airport Director, it shall be immediately referred to the Owner and considered at a future scheduled meeting.
- D. Upon consideration of the application, the Owner shall determine whether the applicant meets the standards and qualifications as herein established and whether such application should be granted in whole or in part.
- E. Upon approval of any such application in principle, the Owner shall cause to be prepared a suitable lease or contract agreement setting for the terms and conditions under which the operation shall be conducted.
- F. Any rejected application shall be returned to the applicant within ten (10) days of the rejection with a written explanation of the reasons for rejection.

#### SPECIAL AIRPORT USES

- A. The Owner obligates itself to operate the Airport for the use and benefit of the public and to keep the Airport open to the various types, kinds, and classes of aeronautical use for which the airport facility is designed and intended to serve.
- B. The Owner has established these rules to be met by all users so as to provide for the safe and efficient use of the airport and to otherwise protect the safety of persons and property, both on the ground and in the air.
- C. It is understood that the landing area facilities constructed are primarily intended for the use of powered aircraft whose weights are not in excess of the published strengths of the paved surfaces concerned. Operations on these surfaces of aircraft slightly in excess of the published pavement strengths may be permitted on an infrequent basis with the permission of the Airport Director.
- D. No commercial operations involving non-powered aircraft, including gliders, balloons, parachuting, and other unusual and special classes of aeronautical activities, will be permitted on the airport without the prior written approval of the Airport Director. It is strongly recommended that operators utilize a radio to communicate with the airfield.
- E. Considering the Owner's obligation to keep the airport open to the public for aeronautical purposes, the airport facilities may not be used for non-aviation events unless otherwise approved by the Airport Director.
- F. Agriculture Spraying Operations
  - a. Agriculture spraying operations (AG) will be conducted in an area so designated by the Airport Director and in accordance with airfield procedures approved by the Airport Director and made known to all businesses conducting agriculture spraying operations. A land fee of \$10.00 a day will be charged if AG brings onto airfield trailers or other property to conduct such operations. AG operations shall be accomplished in accordance with the standards of the Environmental Protection Agency and the North Carolina Department of Environmental Quality.
- G. All ordinances or parts of ordinances in conflict herewith are repealed.



#### GATE ACCESS BE VEHICLES

- A. Gate card proximity cards are available for businesses and tenants of Triangle North Executive Airport. All other gate proximity cards distributed will be by discretion of the Airport Director.
- B. All gate access proximity cards must be updated once a year starting July 1 over every year with updated contact and vehicle information.
- C. The Airport requires that all gate card holders with vehicles access must provide an electronic copy of their driver's license for internal record keeping. If holder does not comply, the Airport has the right to restrict access to the airfield by vehicle.
- D. If a gate card is lost or stolen or damaged, it must be immediately reported to the Airport Director. Replacement gate cards are \$5.00 each.
- E. Speed limit shall not exceed 15 miles per hour (mph) on the airfield.
- F. When accessing the AOA via the access-controlled gates, authorized users should block the entrance until the gate closes so that no unauthorized vehicles can access the AOA. No piggybacking should occur.

#### STORAGE SPACE

- A. The Airport offers storage space within the t-hangar facilities for aviation-related customer use for storage of aeronautical equipment and parts.
- B. Storage area rental fees are set by the Airport Director.
- C. The rent shall be due on the first day of each month and shall be considered delinquent if not paid by the 10<sup>th</sup> calendar day of the month. If the rent is not received by the tenth day of the month, or if mailed postmarked by the tenth of the month, Permittee will be subject to a fifteen (\$15.00) dollar late payment fee. If the rent is still not received by the fifteenth day of the month, it will be grounds for the immediate cancellation of this Permit, without further notice to the Permittee, and the removal of items from the storage space.

#### ACTIVE REGISTRATION AND AIRWORTHINESS OF AIRCRAFT

- A. All aircraft must be actively registered by the FAA.
- B. If either of these two conditions cannot be met, the aircraft is considered to be un-airworthy.
  - a. All aircraft must conform to its type design (TC). Conformity to type design is considered attained when the aircraft configuration and the components installed are consistent with the drawings, specifications, and other data that are part of the TC, which includes any supplemental type certificate (STC) or other approved alterations.
  - b. The aircraft must be in a condition for safe operation. This refers to the condition of the aircraft relative to wear and deterioration, for example, skin corrosion, window de-lamination or crazing, fluid leaks, flat tires/wear, missing engines, etc.
  - c. The Airport's goal for those persons who operate and maintain aircraft is to keep them in an airworthy condition or what is referred to as "continued airworthiness" or show signs that they are working toward airworthiness.
- C. If an aircraft is not actively registered or deemed non-airworthy, actions and timeline by

- tenant and Airport Director will need to be discussed to move toward airworthiness.
- D. If tenant does not comply to bring aircraft to airworthiness status, aircraft may be moved by Airport or tenant to another portion of the airfield to allow more room on the ramp for other aircraft to operate or further discussion with tenant as to removal of aircraft from the airfield.

FEE SCHEDULE

- A. The Airport shall establish and publish a fee schedule for all Airport services including hangars, t-hangars, tie-downs, storage rooms, offices, shop rooms, fuel and oil.

**Adopted by Franklin County Board of County Commissioners**

Date: 6/21/21

  
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 Michael S. Schriver, Chairman

  
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 Kristen King, Clerk to the Board

