

# BOARD POLICY 700 <sup>1</sup>

## OPERATIONS

### ARTICLE 1. AERONAUTICAL OPERATIONS

#### Section 7-1.01 General

Aeronautical activities at Mojave Air & Space Port shall be in conformance with applicable federal, state and District rules and regulations as set forth herein. Violations of rules and regulations shall constitute cause for the levying of fines or termination of privilege to use or lease District property.

#### Section 7-1.02 Categories of Use

For the purposes of this Code, use of the airport facilities is defined as follows:

(a) Class I Use: Commercial aviation activities including all use of the airport by scheduled or non-scheduled certified or chartered air carriers.

(b) Class II Use: Industrial aviation activities including the use of airport by operators of aircraft where such operation is for the purpose of testing, constructing, reconstructing or modifying said aircraft or appurtenants thereto.

(c) Class III Use: Business aviation activities including all use of the airport by operators of aircraft where such operation is for the purpose of securing economic gain where such gain is incidental to the operation of the aircraft.

(d) Class IV Use: Aircraft activities incidental to fixed base operations, including flight instruction and all other profit making activities not described in Classes I, II and III hereinabove.

(e) Class V Use: General aviation activities including all use of the airport by operators of aircraft for recreational purposes provided, such operation does not involve uses described in Classes I through IV hereinabove.

#### Section 7-1.03 Operations Permit

(a) Persons engaging in Class IV operations other than long-term tenants, shall obtain an Operations Permit from the Manager on or before the first day of January each year. The permit shall contain the following information:

1. Permittee Name;
2. Permittee Address;
3. Permittee Telephone Number;
4. Permittee Email address
5. Nature of Activity;
6. Number of take-offs and landings expected per month;
7. Registration number of each aircraft owned or used by applicant; and

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<sup>1</sup> Adopted on September 18, 2018 by Res. No. 18-07-784

<sup>2</sup> Article VII. Records Retention Sections 7-7.01,7-7.02, 7-7.03, 7-7.04, 7-7.05, 7-7.06, 7-7.07, 7-7.08, 7-7.09, 7-7.10 amended on October 1, 2019 by Res. No. 19-10-796

8. An insurance certificate indicating the District has been named an additional insured on the Permittee's insurance policy and showing that the District will receive 30-days prior written notice of a change in the certificate. Coverage is to be in the amount of at least \$1,000,000 per person and \$3,000,000 in the aggregate.<sup>2</sup>

(b) Permits shall be issued by the General Manager on a non-discriminatory and non-exclusive basis provided, the permit may be denied or revoked by the Manager if the applicant has violated airport rules and regulations within the past 12 months. The applicant may appeal the decision to the Board.

#### **Section 7-1.04 General Regulations**

(a) Pilots and aircrew shall be guided by the rules promulgated by the Federal Aviation Agency except as otherwise specified.

(b) Pilots shall become acquainted with local flight patterns and procedures.

(c) Aircraft shall not be operated on the ground or in flight in such a manner as to cause unnecessary noise.

(d) Airport based aircraft must be covered by BI&PD in the amount of \$1,000,000 each occurrence or \$3,000,000 aggregate, providing a certificate of insurance to the District and providing ten (10) days written notice to District of cancellation.

(e) Witnesses and participants in aircraft accidents occurring on or within the airport shall make a full report to the General Manager, Director of Operations, Security, or person designated by the General Manager, as soon after the accident as is practicable, together with names and addresses.

(f) Aircraft shall not be left unattended unless properly secured or within hangar. Owners of such aircraft shall be held responsible for damage to other aircraft or property.

(g) Aircraft shall be stored and repairs made only in areas designated for that purpose by the General Manager, Director of Operations, or person designated by the General Manager.

(h) Pilots, aircrew, and persons attending or assisting in operations shall not be under the influence of intoxicating liquor or habit-forming drugs, nor shall such person obviously under the influence of intoxicating liquor or habit-forming drugs be permitted to board aircraft, except a medical patient under proper care or in case of emergency.

(i) Persons shall not take or use any aircraft, aircraft parts, instruments or tools pertaining thereto owned, controlled or operated by any other person while such aircraft, aircraft parts, instruments or tools are stored, housed, or otherwise left on airport or within its hangars without the written consent of the operator thereof, except upon satisfactory evidence of the right to do so duly presented to the General Manager, Director of Operations, Security Manager, or person designated by the General Manager.

(j) Persons desiring to base aircraft at Airport must register the aircraft at the Airport Office prior to beginning operation and any time a change in ownership occurs.

(k) Every aircraft owner, pilot, and agents shall be severally responsible for the prompt removal, not to exceed 30 days, under the direction of the General Manager, Director of Operations,

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<sup>2</sup> Adopted 09/18/2018

Security Manager, or person designated by the General Manager, of wrecked or damaged aircraft.

(l) Persons shall not enter a restricted area posted or closed to the public, except as authorized by the General Manager, Director of Operations, Security Manager, or person designated by the General Manager.

(m) Animals shall not be permitted on the airport without the approval of the General Manager, Director of Operations, Security Manager, or person designated by the General Manager, and then must be leashed or restricted so as to be under control. If approved, animals must be registered with the Security Office providing type animal, physical description, and proof of applicable veterinary health records (i.e. shot records). The owner of an animal is solely responsible for damage or injury caused by the animal.

(n) Only minor preventive maintenance may be performed in Tie-down areas. Fluid spills must immediately be reported to Fire, Security, or Director of Operations.

(o) No tools, tool boxes, cans, ladders, or boxes of any description may be left on the airport unattended or unsecured. Unsecured items may result in Law Enforcement notification for investigation or collection. Owner of unattended item will be responsible for any response fees incurred.

(p) Persons shall not reside in hangars.

(q) Areas between T-Hangars and Box Hangars in the west-end general aviation area shall remain clear of obstructions.

#### **Section 7-1.05 Engine Starts, Run-ups**

(a) Aircraft engines shall not be started or run unless a competent operator is at the controls, and unless the aircraft is equipped with adequate brakes fully applied or the wheels are securely blocked.

(b) Aircraft engine starts, run-ups shall not be conducted in such a place or manner as to impede the flow of traffic or cause hazard to other persons, equipment, or property.

(c) Aircraft shall be started and warmed up only at such places as the Airport Manager shall designate for such purpose or as coordinated with the Airport Manager, Director of Operations, or Air Traffic Control Tower (ATCT).

1. Engine warm-up or final pre-flight checks occur at the pilot's hangar, ramp area, wash-rack located off Taxiway C, or the engine run-up pad located at the southernmost end of Taxiway A, or the transient parking ramp in front of the Voyager restaurant. Other areas may be available as coordinated directly with the ATCT.
2. Engine testing ("run-ups") are authorized only at the engine run-up pad located at the southernmost end of Taxiway A, the intersection of Taxiway A and Taxiway F, and must be coordinated through the ATCT, during normal business hours or security after normal business hours. Additional locations may be authorized with the approval of the General Manager, Director of Operations, or person designated by the General Manager. Jet engine testing, "run-ups, or similar, is not authorized on the transient parking ramp in front of the main terminal or ramp areas immediately adjacent to the main terminal.

### **Section 7-1.06 Taxiing**

- (a) Aircraft shall not be taxied into or out of a hangar.
- (b) Aircraft shall taxi at a safe speed, and in no case in excess of 15 miles per hour.
- (c) Cockpit and engine checks shall be made at the run-up area or such other location as to not interfere with ground traffic movement.

### **Section 7-1.07 Pattern**

The aircraft traffic pattern for the airport shall be the pattern on file with the Division of Aeronautics.

### **Section 7-1.08 Take-offs and Landings**

Touch and Go landings, low approaches, etc., shall be permitted only after the pilot of the aircraft has been approved for such operations by the Air Traffic Control Tower (ATCT) during business hours. After normal business hours, or during periods of ATCT closure, pilots must self-report, broadcast intentions, on the published Common Traffic Advisory Frequency (CTAF) 127.6.

### **Section 7-1.09 Parking of Aircraft**

- (a) Permanently based aircraft shall be parked in Tie-down areas or in a hangar under license or lease.
- (b) Transient aircraft shall be parked in areas designated for transient parking.
- (c) Flying school and rental aircraft shall be parked only in the Tie-down area assigned by the General Manager.
- (d) When directed by the General Manager, the owner, operator, or pilot shall move an aircraft from the place where it is parked or stored to another designated place. If the directions are not followed, airport personnel may tow the aircraft to the other place at the operator's expense and without liability for damages.

### **Section 7-1.10 Fire Safety**

- (a) Persons shall not clean or degrease aircraft or engines, unless such operations shall be done in a location properly equipped to handle such work or in a space designated by the General Manager.
- (b) Persons shall not permit an open flame in any hangar, shop, building, room, or other confined place.
- (c) Lessees of hangars or other airport areas shall provide Safety Data Sheets listing all stored chemicals or compounds to the Fire Department.
- (d) Persons shall not keep, store, or discard inflammable liquid, gas, signal flare, or other inflammable material in a hangar, shop, building, room or other place in such a manner as to constitute an unsafe condition or fire hazard as determined by the General Manager, Fire Chief, or designated representative.

(e) Lessees of hangars or other airport areas shall provide suitable metal receptacles with hinged lids for the storage of oily waste rags and other rubbish. Such waste or rubbish shall be removed by lessee at frequent intervals. In garages, shops or other buildings operated or maintained by the airport, the above and other rules prescribed by the District Board of Directors shall be observed by the employees of the District engaged in operation or maintenance of such garages, shops or other buildings.

(f) Persons shall not smoke in a hangar, shop, or other building where it is dangerous to do so or where it is specifically prohibited by the General Manager. NO SMOKING signs located in restricted areas are to be strictly observed.

(g) Persons shall not use volatile inflammable substances for cleaning purposes in the hangars, shops, or other buildings in violation of Section (a) above.

(h) Lessees shall keep the floors of hangars, shops, aprons and areas adjacent thereto, leased by them, reasonably free and clean of oil, grease, weeds, waste and other inflammable materials.

(i) Adequate and readily accessible fire extinguishers shall be provided by lessees and maintained in proper working order. Each fire extinguisher shall carry a suitable tag showing date of most recent inspection.

(j) Hangar entrances shall be kept sufficiently clear at all times to permit ready access to the buildings to combat fires.

(k) All aircraft doping shall be performed in a recognized and approved maintenance station.

#### **Section 7-1.11 Aircraft Washing**

Persons who desire to use the aircraft washing facilities at the Airport shall obtain permission from the administrative office in advance.

#### **Section 7-1.12 Parachute Activities**

Part 105 of the Federal Aviation Regulations is hereby adopted by this reference and made a part hereof for the purpose of regulating parachute activities at the Airport.

### **ARTICLE II. UNMANNED AIRCRAFT SYSTEMS**

#### **Section 7-2.01 UAS Definition**

This section pertains to Unmanned Aircraft Systems (UAS), small (s)UAS, Remote Piloted Vehicles (RPVs), and/or Optionally Piloted Vehicles (OPV), when not piloted. The terms sUAS and UAS are interchangeable for all unmanned systems. sUAS operators not affiliated with the District or District tenants will not be authorized to operate during Tower operating hours and/or when the District's Class D airspace is active.

#### **Section 7-2.02 FAA Guidance**

All UAS activities must follow FAA guidance for unmanned operations within the National Airspace System.

- (a) Public aircraft operations require a Certificate of Authorization or Waiver issued by the FAA.
- (b) Civil aircraft operations (other than model), including those conducted in accordance with a COA or in accordance with the FAA's sUAS rule, Title 14 of the Code of Federal Regulations (14 CFR) part 107.
- (c) Model aircraft, hobby or recreation, must comply with 14 CFR par 101, Subpart E. Model aircraft flown for recreational purposes are restricted to operating in the designated recreation area, bounded by Byers St , Byers St access road, Airport Blvd and Highway 58. The designated RC area is 150 yards long and 60 yards wide and contained within the following latitude/longitude points-350250N 1180940W, 350250N 1180935W, 350248N 1180941W, 350248N 1180935W. Use of the RC area requires coordination with the Operations department and/or Air Traffic Control Tower. Flight outside the described area is not authorized and may result in loss of privileges or other actions.

### **Section 7-2.03 Local Administrative Requirements**

Persons authorized to conduct (s)UAS operations must contact the Operations office and submit the following documents, as applicable, prior to operations approval.

- (a) District Operations Plan
- (b) License to Enter

## **ARTICLE III. COMMERCIAL SPACE OPERATIONS**

### **Section 7-3.01 Facilities**

District shall provide access to those facilities necessary for the Launch, including taxiways and runways. District is responsible abiding by requirements as listed in FAA Part 420 applicable to the District's site license.

- (a) Air Traffic Control Services. District shall provide the necessary airspace and ground control for launch operations.
- (b) Security and Safety. District will communicate with other airport users and issue appropriate NOTAMs when taxiways and runways are impacted.

### **Section 7-3.02 Operator Requirements**

Operator is responsible for all aspects of the Launch, including providing to District in a timely manner all information relevant to the Launch, such as schedules, personnel rosters, flight plans, facility needs, fire and safety requirements, and hazard assessments.

- (a) Operator shall conduct all operations within District's airside operations area (AOA) and/or spaceport boundary in accordance with established FAA airport operating procedures.

(b) To ensure a safe working environment for involved and uninvolved personnel, Operator shall:

1. Provide hazard radius/safe distance calculations based on aircraft, rocket, or combination of vehicle fuel, propellant, or hazardous material quantities;
2. Provide for the safety and security of Operator employees and facilities within the hazard areas, including restricting those within the hazard radius to only essential employees;
3. Assist District with security and/or traffic control support as coordinated or agreed upon. Operator is solely responsible for validating authorized observers and spectators;
4. Provide a subject matter expert/team to supplement District ARFF response based on the nature of the Launch;
5. Provide specialized tools, equipment, and personnel beyond normal ARFF equipment and personnel; and
6. Coordinate, as needed, emergency medical standby service.

**Section 7-3.03      District Property Protection**

(a) In addition to the District's standard general liability, worker's compensation and automobile insurance requirements, Operator shall, at its sole cost and expense, procure and maintain the types and limits of insurance, including the additional insured endorsements and cancellation clause: A commercial general liability policy providing coverage against claims for bodily injury or death and property damage occurring in or upon or resulting from the operation and Operator's use of MASP property and facilities in a minimum amount of One Hundred Million Dollars (\$100,000,000.00). Such insurance shall be primary, and not require contribution from any of the Additional Insureds or their insurance coverage and shall afford immediate defense and indemnification to the additional insureds.

(b) Operator is solely responsible for and will compensate District the full amount of any damage to the Facilities, Airport, and/or Spaceport caused in whole or part by Operator or its guests or contractors.

(c) Any equipment or personal property belonging to Operator or its agents, servants, employees, contractors, invitees, patrons, or guests that remain in the Premises after the Launch shall be deemed abandoned and may be disposed of by District at Operator's sole expense. District assumes no responsibility for losses caused by theft, disappearance, or abandonment of equipment or personal property.

## ARTICLE IV. FUEL

### Section 7-4.01 Fuel Sales

The board shall establish a profit goal for fuel sales. The General Manager shall establish fuel sale rates within the board's policy. Jet A fuel may be discounted to volume or cash customers. The board shall establish the discount rate. The General Manager has the authority to negotiate the price per gallon of fuel sold for purchases of 10,000 gallons or more.

### Section 7-4.02 Fuel Credit Accounts

Generally, fuel will be sold on a cash basis. However, fuel will be sold on credit to holders of bank cards, or to tenants with the approval of the General Manager based on the tenant's credit worthiness. For convenience, tenants approved for purchase of fuel on credit will be called "fuel credit accounts" in this section. The terms for fuel credit accounts are:

(a) A tenant desiring to open a fuel credit account shall make application to the Director of Administration on using forms, supplied by the District. The Director of Administration shall recommend action on the application and the General Manager shall act on the recommendation.

(b) The Director of Administration shall render an invoice to each fuel credit within fifteen days after the fuel is delivered. Fuel credit accounts are due for payment thirty days after the invoice is tendered.

(c) Fuel credit accounts not paid in full on the due date are delinquent. Delinquent accounts shall have interest at the rate of 1% per annum from the first date of the month that the invoice is tendered until sixty days thereafter or until paid, whichever occurs first, and shall bear interest at the rate of 1½ % per annum from the 61st day of delinquency until paid.

(d) Credit will not be extended to fuel credit accounts which have been delinquent for sixty days or more.

### Section 7-4.03 Fuel Handling

(a) Except as provided herein, the District shall be the only fuel handler at Mojave Airport. The District shall coordinate or conduct all defueling operations and be responsible for the handling of salvage fuel. As used herein, "salvage fuel" means fuel removed from an aircraft, which is accompanied by a change of ownership of the fuel.

(b) The following shall be observed when aircraft are fueled or defueled:

1. Spills shall immediately be reported to Mojave's Fuel, or Fire Department.
2. No aircraft shall be fueled or defueled while the aircraft engine is running or while such aircraft is in the hangar or enclosed place. Provisions for hot refueling aircraft will be approved by the General Manager on a case-by-case basis.
3. NO SMOKING, radios, or cell phones permitted within 50 feet of a fuel tank or an aircraft being fueled or defueled. NO SMOKING is permitted within 50 feet of a truck or fuel



carrier being used for fueling operations.

4. During fuel handling, passengers are not permitted in the aircraft unless a cabin attendant is stationed near the cabin door. Only personnel engaged in fuel handling, maintenance, and operation of an aircraft are permitted within 50 feet of fuel tanks or such aircraft during fueling or defueling operation, except as provided above. Persons engaged in aircraft fuel handling shall exercise care to prevent overflow of fuel. Persons shall not start the engine of aircraft when there is gasoline on the ground or pavement. When gasoline is spilled or leaks around an aircraft, the aircraft pilot shall notify the Fuels or Fire Department.
5. Hoses, funnels, and appurtenances used in fueling or draining operations shall be properly equipped with a grounding device to prevent possibility of static ignition. During fuel handling, no person shall operate a radio transmitter or receiver, or switch electrical appliances off or on. During fuel handling, no person shall use material likely to cause a static spark within 50 feet of such aircraft. Fueling hoses and draining equipment shall be maintained in a safe, sound, and non-leaking condition.
6. With a written authorization issued by the General Manager, a tenant may store fuel for special needs such as extended night or weekend operations or for the purpose of maintenance activities. Storage permits may be extended to tenants with special purpose fuels not stored or dispensed by the District, e.g., JP8, Hydrogen Peroxide, or Nitrous Oxide or other special use propellants used for developing or testing special use propulsion systems or craft.
7. Defueling of aircraft for maintenance, demolition, or any other purpose shall be coordinated and under the control of the District fuel department, in accordance with Air Transport Association Specification 103. Private operators may defuel jet fuel for regular maintenance activities on a case-by-case basis if coordinated with the fuel department. Salvaged fuel shall be removed from aircraft in accordance with the highest standards for fuel handling, and shall be immediately deposited in a designated container owned or approved by the District (“approved temporary container”). Salvaged fuel shall be permanently removed from the approved temporary container within 48 hours and deposited into: (1) a permanent container owned or approved by the District (“approved permanent container”); (2) permanently removed from District property; or (3) loaded into an aircraft owned by the owner of the aircraft from which the salvaged fuel was removed in accordance with ATA standards.
8. Except as provided herein, containers shall not be used for storage of salvage fuel or fuel not purchased at the Mojave Airport (“off-airport fuel”). Fuel containers may be permitted at Mojave Airport on a case-by-case basis for storage of fuel not stored or dispensed by the District or for the purpose of storing fuel during maintenance actions. Fuel containers, including auto fuel, must be kept in a designated area. A tenant shall make written application to the General Manager with specific justification to obtain a fuel container permit for commercial or private activities. Authorization may be contained in a lease agreement or other written instrument approved by the District. If authorization is granted, private operators must keep the container in a location approved by local agencies and the General Manager so as to contain leaks or spills and not pose an undue hazard to life or property. The District shall be named as an insured on a general or specific liability insurance policy by the user. The District may waive insurance requirements on a showing of good cause. Leaks or spills shall be the sole responsibility of the owner/operator to remediate at the direction of the General Manager.

(c) A defuel fee of \$0.20/gallon shall be assessed by the District for handling salvage fuel and a fee of \$25 per month will be assessed if a rental area is required. Spill kits are available at the District Office for \$50 each. Violations of this fuel policy will result in lease review or termination.

(d) The District requires a valid form of payment at the time of sale of fuel from the District. If a credit card is rejected or denied, the aircraft will be subject to an administrative fee of \$300.00 per day and will be assessed until the charge for the fuel is paid in full.

## **ARTICLE V. CONSTRUCTION AND DEVELOPMENT ACTIVITIES**

### **Section 7-5.01 Construction and Development Activities**

(a) All non-aeronautical activities at the Airport shall be in conformance with applicable federal, state, and county laws, ordinances, rules, and regulations, and with District rules and regulations set forth herein. Violation of District rules and regulations shall constitute cause for the levy of fines or termination of the privilege to lease or use District property.

(b) All construction projects including but not limited to grading, new building construction, installation of new mechanical, plumbing, and electrical systems, additions, alterations, and repairs to existing construction and to existing mechanical, plumbing, and electrical systems within the airport boundary or affecting District property must be coordinated through the District Facilities, Engineering and planning department. For project review the District requires:

1. A copy of the Kern County Permit Application and a complete set of building plans stamped and signed by a California Licensed Design Professional. In some cases, Mechanical, Electrical, or Plumbing only plans may be signed by a California Licensed Contractor of the applicable classification
2. Proof of Submission of FAA Form 7460, Notice of Construction. A 7460 is required for projects necessitating the use of a crane, erection of antennas, or any other temporary or permanent object affecting District navigable airspace.
3. A Precise Development Plan (PDP) or a PDP Modification and a Precise Development Application if applicable. A PDP or PDP Modification may not be required in all cases. New developments, exterior site improvements, and some tenant improvements will require application for a PDP or PDP Modification; please consult with the District.

(c) Once reviewed by the District, the project applicant will receive a Project Review Letter which must accompany any PDP, PDP Modification, or building permit application to Kern County.

## **ARTICLE VI. VEHICULAR TRAFFIC**

### **Section 7-6.01 General**

This article describes vehicular traffic regulations for the Mojave Airport. These regulations are adopted pursuant to Vehicle Code section 21108. All roadway signage, including, but not limited to, speed limit signs and stop signs, are established and must be followed at all times.

### **Section 7-6.02 Speed Limits**

(a) The following speed limits are established for vehicular traffic on roads at the Mojave Airport.

<u>Street</u>	<u>Maximum Speed</u>
Airport Blvd. south of Sabovich St.	40 mph
Sabovich St. east of Airport Blvd.	35 mph
Sabovich St. west of Airport Blvd.	35 mph
Riccomini Rd. east of Airport Blvd.	40 mph
Poole St. east of Airport Blvd.	40 mph

(b) The basic speed law of the State of California applies to vehicular traffic on roads at the Mojave Airport not designated above.

### **Section 7-6.03 Intersection Stops**

Full stop is required at the following intersections:

Barnes St. east approach to Airport Drive  
Flight Research Building Dr. to Sabovich St.  
Mobley St. east and west approach to Poole St.  
Kennicut St. south approach to Poole St.  
Kennicut St. east approach to Airport Blvd.  
Poole St. east approach to Airport Blvd.  
Unnamed street west of Building 14 north approach to Sabovich St.

### **Section 7-6.04 Motor Vehicle Regulations**

(a) Motor vehicle operators must possess a valid license and insurance commensurate with the operating area (landside, airside).

(b) Persons shall not travel on any portion of the airport except upon roads, walks or places provided for the particular class of traffic nor occupy the roads or walks in such a manner as to hinder or obstruct their proper use.

(c) The General Manager shall designate areas to which vehicle access is restricted. No person, other than a peace officer or other governmental officer in the performance of their official duties, shall operate or park a vehicle within a restricted area without permission from the General Manager. The General Manager may revoke, suspend or refuse to issue a permit for a person or vehicle to enter a restricted area if the permittee or applicant does not have lawful business in such area and cannot otherwise justify the necessity for having such a permit; if the permittee or applicant has violated airport rules or regulations; or if such activities threaten airport safety or security.

1. Tenant company vehicles used in daily operation within the airfield operations area (AOA) shall be painted as set forth in FAA Advisory Circular (AC) 150/5210-5D dated April 1, 2010, or most current regulation, or as authorized by the General Manger, or designated representative.
2. Private vehicles not contracted by Mojave Airport or client companies are not authorized to operate within the AOA without approval from the General Manager, Director of Operations, Security Office, or other designated representative. The vehicle operator must

register for a pass with the Security office.

(d) Any accident involving a motor vehicle, which results in personal injury or property damage shall be reported to the Security Manager.

(e) No vehicles, other than aircraft, shall be driven over or across any portion of a runway or taxi-way on the Airport unless the General Manager determines the person using the vehicle must drive over or across the runway or taxiway in order to conduct business at the Airport. A vehicle, which is regularly used on the Airport, shall also be equipped with an operating two-way radio capable of communicating on the Airport Air Traffic Control frequency during business hours or, after hours, on the Common Traffic Advisory Frequency.

(f) Motor vehicle traffic shall yield the right-of-way to aircraft.

(g) Persons shall not operate any motor vehicle within the AOA at a speed in excess of 20 miles per hour. On passenger loading ramps and in areas immediately adjacent to hangars, authorized motor vehicles shall not operate at a speed in excess of 10 miles per hour. All persons operating motor vehicles on District property shall obey all traffic signs and directives.

(h) Vehicles shall not be parked on the Airport other than in the manner and locations indicated by posted traffic signs and markings.

(i) Vehicles, coaches, motor homes, trailers, or other portable structures may be left unattended only in designated parking areas and only during normal Airport business hours. Overnight parking may be permitted by the General Manager for a period not to exceed 5 days. Overnight parking may be permitted by action of the Board for longer periods.

(j) If a vehicle is moved by District personnel, a towing charge will be levied. Liability for damage while moving the vehicle will not be assumed by the District.

(k) Only vehicles designed or intended for the conduct of aviation support activities or personnel movement (cars, trucks, certain bicycles, certain golf carts) are allowed in the Airport Operations Area (AOA). Purely recreational vehicles (skateboards, unicycles, etc.) are prohibited unless authorized by the General Manager and operator/owner assumes responsibility for damage to property or injury to self and others.

## **ARTICLE VII. RECORDS RETENTION**

### **7-7.01 GENERAL**

District records are open to inspection during regular office hours, and every person has a right to inspect the records, except as otherwise provided by law.

### **7-7.02 DEFINITIONS**

As used in this Article, “public records” and “writing” shall have the same definition as in the California Public Records Act, Government Code section 6250, et seq., as amended.

### **7-7.03 EXCEPTIONS**

Nothing herein requires disclosure of records not subject to disclosure by law, including without limitation, the following records:

(a) Preliminary drafts, notes, or intra- or inter-agency memoranda not retained by the District in the ordinary course of business, if the public interest in withholding such records clearly outweighs the public interest in disclosure;

(b) Records pertaining to pending litigation which the District is a party or to claims made pursuant to Division 3.6 (Commencing with section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled;

(c) Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;

(g) Records exempted or prohibited pursuant to provisions of Federal or State Law, including, but not limited to, provisions of the Evidence Code relating to privilege;

(h) The disclosure of other records which is prohibited or not required by law.

### **7-7.04 ADDITIONAL PUBLIC RECORDS**

Notwithstanding the foregoing:

(a) Every employment contract between the District and a public official or public employee is a public record.

(b) An itemized statement of the total expenditures and disbursements of the District provided for in Article VI of the California Constitution shall be open for inspection.

### **7-7.05 JUSTIFICATION FOR WITHHOLDING OF RECORDS**

The District shall justify withholding a record by demonstrating the record is exempt by law or the public interest served by not making the record available clearly outweighs the public interest served by disclosure of the record. Notice of intent to withhold records shall be provided to the person who requested the record within ten days of the request for inspection.

### **7-7.06 COPIES OF RECORDS**

(a) A person may obtain a copy of an identifiable record. On written request, an exact copy shall be provided in a form determined by the CEO. Officers, agents, and employees of the District are not required to request records in compliance with this Section when acting within the course and scope of employment or office holding. A written response shall be provided to the person requesting the recorded within ten days of the request.

(b) A payment shall be made in the amount of \$0.25 cents per page or, in the case of large or unusual sized records, the amount charged shall be the actual cost charged by an outside print company. A certified copy of such record shall require an additional payment of \$2.00. No charge shall be imposed for research or labor.

(c) A person who desires to obtain a copy of a record must deposit an amount equal to the estimated fees for copying prior to receiving the record. The portion of the deposit not required shall be refunded. If the deposit is insufficient an additional deposit will be required.

#### **7-7.07 PUBLIC COUNTER FILES**

(a) Except for writings exempt from public disclosure, the District shall maintain a duplicate copy of approved minutes, the agenda, and written materials distributed to the Board for discussion or consideration at the next scheduled Board meeting at the District's administrative office. Public records discussed during a public meeting but not previously available to the Board shall be made available before the commencement of discussion at such meeting and shall be made available for public inspection immediately or as soon thereafter as practicable.

(b) No charge will be imposed for the use of the records described in this section, unless a copy is requested in which case a copy charge shall be imposed.

(c) The CEO shall also maintain a record of requests for inspection that are declined, including the reason.

#### **7-7.08 RETENTION OF ORIGINAL RECORDS**

The following original records shall be maintained in perpetuity in the District's files:

- (a) The Certificate of Incorporation of the District;
- (b) Certifications of annexation proceedings;
- (c) Certificates of the Secretary of State reciting the filing of annexation papers by the District in his office;
- (d) Certifications by the Secretary of State that detachment papers have been received and area is excluded from the District;
- (e) Resolutions;
- (f) Minutes of meetings of the Board;
- (g) Certificates of Assessed Valuation prepared by the Auditor of each County in which property taxable by the District lies;

- (h) Documents received from the Tax Assessor detailing District taxes collected;
- (i) Ballot arguments pro or contra on bond issues;
- (j) Results of bond propositions received from the canvassing bodies;
- (k) Results of elections for the directors received from the canvassing body;
- (l) Records of securities acquired with surplus moneys;
- (m) Receipts for securities from banks;
- (n) Documents received relating to claims against the District;
- (o) Documents received pursuant to eminent domain proceedings by the District;
- (p) Records affecting title to land or rights of way owned by the District or liens thereon;
- (q) Records determined by the Board to be of significant and lasting historical, administrative, legal, fiscal or research value; and
- (r) Records required by law to be filed and preserved.

**7-7.09 RETENTION OF DUPLICATE ORIGINAL RECORDS**

The following original records may be destroyed if a copy is maintained in perpetuity:

- (a) Financial records summarizing the financial status of the District other than reports prepared pursuant to Article 9 (commencing with section 53891) of Part 1 of Division 2 of the Government Code;
- (b) Oaths of Office and related materials depicting the authenticity of the appointment of director or officer;
- (c) Paid vouchers with attached documents, summary of collections, registers of demands issued and journals of warrants paid, if the original is maintained in the District's files for a period of five years;
- (d) Reports of the District in correspondence not covered in another Section of this Article; and
- (e) Records received pursuant to State statute not expressly required by law to be filed and preserved.

**7-7.10 DESTRUCTION OF RECORDS**

Records of the District may be destroyed in accordance with Chapter 7, Title 7, of

the Government Code (section 60200, et seq.) or any other applicable law.