

# **Regulatory Updates**

Chapter 3, Code of Ordinances

Airport Rules and Regulations

# Overview

- Background
- Benefits
- Areas to Review
  - Chapter 3
  - Airport Rules and Regulations
- Timeline
- Public Engagement
- Questions/Feedback

# Background

## Chapter 3, Code of Ordinances

- The governing code that defines the legal and operational framework of the Airport
- Provides basis for:
  - operational and rulemaking authority,
  - business permitting, and
  - enforcement
- Last revised in 2021

## Airport Rules and Regulations

- A set of rules and procedures for the use of airport facilities, applicable to pilots, tenants, and visitors
- Governs:
  - general use,
  - aircraft rules,
  - vehicles and pedestrians, and
  - fueling and hazardous materials
- Last revised in 2021

# Benefits of a Review

## Safety and Compliance

- Keep aligned with best practices, new laws, and regulations

## Resolve Issues

- Remove vague/confusing language; address new concerns and challenges

## Improve Operations

- Reduce inefficiency, increase competitiveness

# Public Feedback

## Town Halls (2)

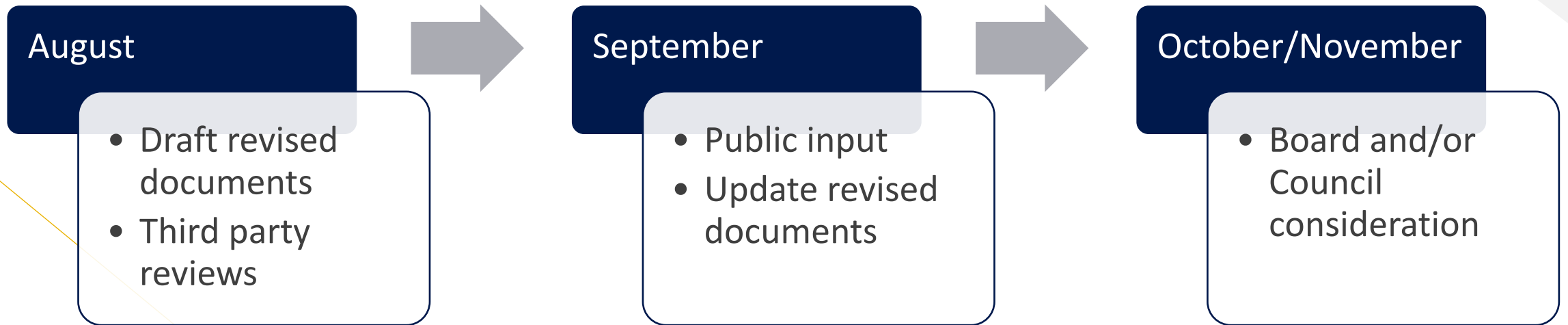
- 5 attendees

## Large Tenant/Fleet

- Sheltair, US Aviation, Med-Trans, High Flying Hangars, U.S. Trinity, etc.

## Emails

# Timeline



# Chapter 3, Code of Ordinances

## Significant Changes

- Remove Board bylaws requirement
- Lease-related approvals may be performed administratively
- Removes requirement for civil enforcement
- Removes blanket provision allowing enforcement for ANY rule/standard violation
- Adds 22 sections of SPECIFIC violations that may be enforced.

## Minor Changes

- Clarifications in the definitions section
- City may take appropriate action resulting from material misstatements
- Codifies insurance requirements for businesses
- Clarifies vague language related to enforcement procedures.

# Chapter 3, Code of Ordinances

## Section 3-109(c)

- Removes requirement that the Airport Advisory Board maintain bylaws covering board officers, officer powers, and notice of meetings.

## Reason

- Section 2-29 of the Code of Ordinances and the Board and Commission handbook cover these issues
- Approved and regularly reviewed by the City Council
- Maintain consistency with Council direction and other City boards

# Chapter 3, Code of Ordinances

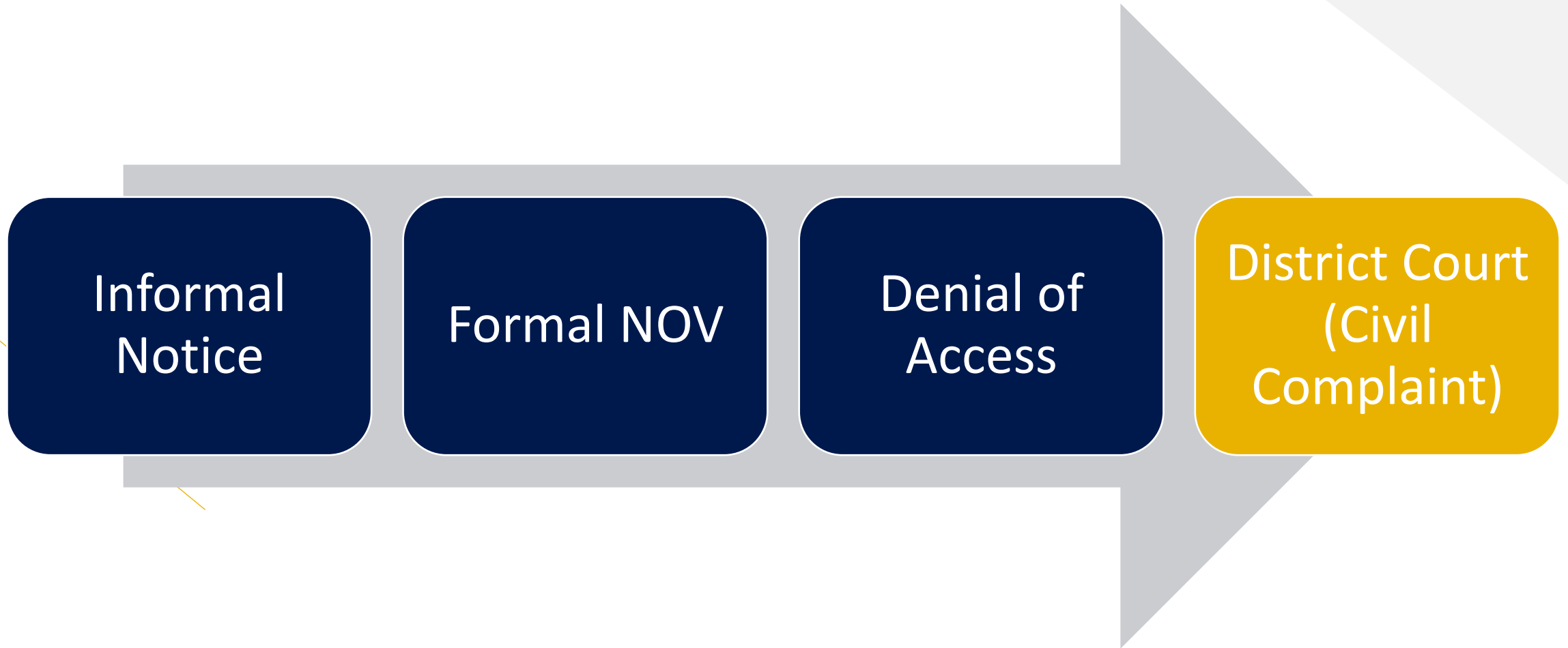
## Section 3-121(2)

- Adds a provision permitting approvals subsequent to a lease to be performed administratively.
- Examples include:
  - Consent to assignment
  - Consent to sublease
  - Consent to mortgage

## Reason

- City Council approval is largely ministerial or automatic.
- Board and Council process adds 30 days or more to the approval process.
- Any changes to lease language (i.e., an amendment) would still require Board and Council approval.

# Current Enforcement Model



# Chapter 3, Code of Ordinances

## Section 3-402

- Removes the requirement that any enforcement of the Code be done as a civil judgment
- Results in judgements being handled as Class C misdemeanors like the rest of the City (e.g Code Enforcement)

## Reason

- City of Denton Municipal Court is not structured for the Civil judgement process; violations would be filed in district court
- Enforcement of other areas of the Code of Ordinances has no requirement for a civil judgement process.
- As a result, enforcement would be longer, more costly, and less effective

# Chapter 3, Code of Ordinances

## Section 3-401

- Removed general language that permitted enforcement for a violation for rules/regulations beyond this chapter.
- Note: Additional violation language to be added in (see next slide)

## Reason

- Referencing violations of rules outside of the chapter is too broad for effective enforcement.
- Enforcement should and will be based on specific language in the chapter.

# Chapter 3, Code of Ordinances

## Section 3-408 to 3-428

- Adds specific language into code, violations of which can be enforced.

## Reason

- Enforcement should be tied to specific requirements spelled out in the Code of Ordinances (as opposed to referencing other rules and regulations).

# Current Enforcement Model



# Chapter 3, Code of Ordinances

Questions and Feedback

# Airport Rules and Regulations

## Significant Changes

- Updated hangar use regulations
- Clarifies mowing and solid waste responsibilities
- Requires fences and gates be maintained and kept secure when not in use
- Adds Special Events section

## Minor Changes

- Updated definitions
- Updates firearm rules to comply with state law
- Requires vehicles on the airport be operable and have current registration, as applicable
- Various clarifications for safety, operational efficiencies

# Airport Rules and Regulations

## Section 2-7

- Permits limited non-aeronautical storage in non-city-managed hangars
- Must conform to FAA use policy, fire code, and other select limitations (e.g. no campers/RVs)
- May not be used as a permanent or temporary residence (except as permitted by FAA).

## Reason

- The FAA hangar use policy has received clarifying updates.
- City no longer has an operational need for a blanket prohibition on non-aeronautical uses that fall within FAA allowances.

# Board Direction

## Question:

- Should DTO limit boats in hangars?
- Should DTO limit long-term vehicle storage in hangars?

## Status:

- Vehicle storage would provide more flexibility for tenants and possibly create more efficient use of currently unusable space.
- May result in more enforcement effort/actions.

# Airport Rules and Regulations

## Section 2-8

- Maintains prohibition on non-aeronautical items on city-owned aircraft hangars.
- Clarifies use restrictions and creates to Exhibit 1 to provide more detail on rules for city-owned hangars.

## Reason

- City maintains prohibition as a landlord decision
- Exhibit 1 is intended to create a method for establishing tenant rules for the City's hangars that are governed by monthly permit, not a lease.

# Board Direction

## Question:

- Should DTO limit non-aeronautical items from city-managed hangars?

## Status:

- Limiting non-aeronautical items provides greater enforcement clarity for landlord (City).
- Allowing non-aeronautical items might require greater, enforcement effort actions, but further justify market-based rates.

# Airport Rules and Regulations

## Section 2-17

- Clarifies mowing responsibilities extend from leasehold to public pavement, unless such area is being mowed by the Airport.
- Obligates Airport to publish a map of areas it mows and give a 90-day notice of any changes.

## Reason

- While mowing obligations are stated in individual leases and Ch. 17 of the City Code, this provision is intended to provide more transparency.
- The City's maintenance of a map of its and tenant's mowing areas is intended to reduce any confusion over mowing responsibility.

# Airport Rules and Regulations

## Section 2-19

- Clarifies that tenants are responsible for solid waste disposal.

## Reason

- While tenant solid waste obligations are stated in individual leases, this provision is intended to provide more transparency.
- NOTE: Airport maintains a site for shared dumpster service for any tenant who pays for service through the City of Denton.

# Airport Rules and Regulations

## NEW: Section 4-17

- Airport Security Fence and Gate Management.
- Tenants must maintain fencing and gates on their leasehold (unless otherwise maintained by Airport).
- Access gates shall be controlled
- No signs may be placed on the security fence except by lease agreement.
- Airport may secure gates/fence if tenant fails to do so.

## Reason

- Create clarity and transparency regarding fence/gate maintenance.
- Sets new requirement that gates, particularly pedestrian gates, shall be controlled at all times. There has been at least one authorized entry to the airfield due to an unlocked pedestrian gate.
- Limits the visual obstruction and distraction that results from signage placed directly on the fence. Puts all tenants on an even playing field.

# Airport Rules and Regulations

## NEW: Section 6-1

- Special Events is any event or activity that is outside normal operation for that activity.
- Tenants must obtain a permit (permission) from the airport prior to a special event.
- Sets specific requirements for a special event permit.
- Special event host must give proper notice to affected airport tenants.
- No shows, demonstrations, or exhibitions without written authorization.

## Reason

- Special Events can be disruptive to other airport tenants and/or create safety risks that must be abated or discussed with the airport.
- Airport staff need prior notice to:
  - Understand any risks
  - Confirm contact information
  - Route for possible submission of Citywide Special Event Permit

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# **Airport Rules and Regulations**

Questions and Feedback