

**RULES AND
REGULATIONS OF
ERIE REGIONAL AIRPORT
AUTHORITY GOVERNING
ERIE INTERNATIONAL
AIRPORT APPROVED BY THE
BOARD of DIRECTORS VIA
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RULES AND REGULATIONS
GOVERNING AERONAUTICAL,
VEHICULAR AND PEDESTRIAN
ACTIVITIES
AT

ERIE INTERNATIONAL
AIRPORT

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Section 1. Authority

1.01 Municipal Body. The Erie International Airport (the “Airport”), situated in the Township of Millcreek, Erie County, Pennsylvania, is owned and operated by the Erie Regional Airport Authority (the “ERAA” or the “Authority”).

1.02 Board of the Authority. The Authority is governed by a Board consisting of nine (9) members, five (5) appointed by the City Council and four (4) appointed by the County Council with its principal offices at Erie International Airport, Main Terminal Building, 4411 West 12th Street, Erie, Pennsylvania 16505.

1.03 Airport Director. The daily operations of Erie International Airport are under the direction and control of the Executive Director of the Authority, who is appointed by the Board.

Section 2. Purpose and Scope of Rules and Regulations

2.01 Purpose. The Board of the Authority has adopted the following Rules and Regulations in order to provide for the protection, welfare and safety of all persons and their property using the Erie International Airport, including members of the public and employees of users or lessees of Airport facilities.

2.02 Scope. The following Rules and Regulations will govern the conduct of the persons upon or near the Erie International Airport engaged in aeronautical, vehicular or pedestrian activities at the Airport, or while flying within the boundaries of the Airport Control Zone, other than such conduct or activity specifically regulated or controlled by federal or state statutes or regulations, or unless exceptions to these Rules and Regulations are authorized in writing by the Airport Director.

2.03 Conflicts.

1. These Rules and Regulations will govern the conduct of all persons and the use of all property situated on Airport property or in the Airport Control Zone to the extent permissible by law. The following Rules and Regulations are believed to be in conformity with all applicable federal and state statutes, regulations and directives. However, in the event of any conflict with these Rules and Regulations, such statutes, regulations and directives shall control and supersede.

2. In the event of any conflict in the effect or operation of any of these Rules and Regulations with any provision of a lease or agreement between the Authority and other parties, the matter shall be referred to the Airport Director for interpretation. In the event he is unable to satisfactorily resolve the matter, it shall be turned over to the Board to be resolved by resolution.

2.04 Effective Date. These Rules and Regulations, and any amendments adopted thereto, shall be effective as of the date of their adoption by the Board unless otherwise specified in the adopting resolution, and shall supersede all conflicting Rules and Regulations, if any, previously in effect.

2.05 Amendments. The Board or the Airport Director, if so delegated by the Authority, reserves the right to amend, modify, rescind or change, in any manner whatsoever, any Rule or regulation without prior notice to the public or any other person.

2.06 Notice to Public. The complete text of all Rules and Regulations adopted by the Authority shall be maintained at the principal offices of the Authority, and shall be available during business hours for inspection and copying by any member of the public. Public notice of the existence of these Rules and Regulations and of the right to inspection shall be posted prominently in at least two (2) or more locations accessible to the general public at the Erie International Airport.

2.07 Distribution. Copies of these Rules and Regulations may, from time to time at the sole discretion of the Board, be provided to those persons using the facilities of the Airport on a daily or frequent basis as an air carrier, fixed base operator, lessee, franchisee or common surface carrier.

Section 3. Definitions

3.01 Airport. Airport shall mean the entire real property owned, leased or under the control of the Erie Regional Airport Authority, whether or not such property is contiguous to the principal portion of the Airport, together with the Airport Control Zone lying over such real property, situated in the Township of Millcreek, Erie County, Pennsylvania.

3.02 Aircraft Landing Area. The Aircraft Landing Area shall be all runways taxiways and safety areas adjacent thereto as defined and identified pursuant to Federal Aviation Administration ("FAA") regulations.

3.03 Air Movement Areas. The Air Movement Areas shall be all areas of the Airport exclusively reserved for the operation, placement, movement and storage of aircraft and all areas adjacent thereto as defined by FAA regulations and/or the Airport Director.

3.04 Airport Control Zone. The Airport Control Zone shall be all that air space lying above and adjacent to the surface areas of the Erie International Airport as defined and identified pursuant to FAA regulations.

3.05 Airport Director. The Airport Director shall mean the duly appointed Executive Director of the Erie Regional Airport Authority.

3.06 Authority. The Erie Municipal Airport Authority was incorporated on January 23, 1951 under the Pennsylvania Municipality Authorities Act of 1945, as amended, pursuant to an Ordinance enacted on November 28, 1950 by the Council of the City of Erie, Pennsylvania. The Erie Regional Airport Authority formerly had its name changed by the Council of the City of Erie, Pennsylvania, to the Erie Regional Airport Authority by amendment on April 25, 2008.

3.07 Board. Board shall mean the governing Board of the Erie Regional Airport Authority comprised of nine (9) persons, each appointed for a term of five (5) years with five (5) being appointed by the Council of the City of Erie, Pennsylvania, and four (4) appointed by County Council of Erie County, Pennsylvania, who serve without compensation.

3.08 Bureau of Aviation or Commonwealth. Bureau of Aviation or Commonwealth shall mean the Bureau of Aviation of the Pennsylvania Department of Transportation.

3.09 City Council. City Council shall mean the City Council of the City of Erie, Pennsylvania.

3.10 County Council. County Council shall mean the County Council of the County of Erie, Pennsylvania.

3.11 Persons. Persons shall mean any individual, firm, co-partnership, corporation, company, association, joint stock association or other representative thereof.

3.12 Minimum Standards. The Minimum Standards for Aeronautical Services at the Erie International Airport as adopted by the Board of the Erie Regional Airport Authority and set forth herein in Section Nine.

Section 4. General Rules and Regulations

4.01 Closed or Restricted Areas. No person shall enter any area of the Airport posted as closed or restricted to the public except:

- a. Person(s) assigned to duty therein
- b. Person(s) authorized by the Airport Director or his designated representative.
- c. Passengers under appropriate supervision entering the aircraft parking areas only for the purpose of embarkation upon or debarkation from parked aircraft.

The authority will, insofar as is possible, post closed or restricted areas.

4.02 Solicitation of Funds. No person shall solicit funds for any purpose, or offer any merchandise or services for sale, on the Airport without the permission of the Board of the Authority.

4.03 Signs, Advertisements, Circulation of Printed Matter. No person shall post, distribute or display signs, advertisements, circulars, printed or written material at the Airport except with the approval of the Airport Director and in such manner as may be prescribed.

4.04 Travel Areas. No person shall:

1. Traverse on Airport property other than on roads, walks or places provided for the particular class of traffic, other than emergency or service vehicles.
2. Use the roads or walks in such manner as to hinder or obstruct their proper use.

4.05 Animals and Birds. No person shall enter the Airport property with a dog, cat or any other animal, bird or living creature except service animals unless such animal is confined to a vehicle or shipping crate. Dogs or other animals may be permitted for short periods in front of the Terminal Building if restrained by a leash or confined in such manner as to be under control at all times.

4.06 Personal Property.

1. No person shall abandon any personal property on the Airport. Property so abandoned shall be disposed of in the manner prescribed by Commonwealth statutes.

2. Any person finding any lost article shall refer the article to the Airport Police Officer on duty.

4.07 Disorderly or Indecent Conduct. No person shall commit any disorderly, obscene, indecent or unlawful act or commit any public nuisance upon the Airport.

4.08 Prohibition Against Gambling. No person shall conduct any gambling in any form or operate gambling devices anywhere upon the Airport.

4.09 Disposal of Trash. No person shall dispose of trash, garbage, paper, junk, debris or other refuse or materials except in containers and at locations provided for that purpose.

4.10 Use of Restrooms. No person shall use a comfort station or restroom other than in a clean and sanitary manner.

4.11 Destruction of Property. No person shall destroy, injure or disturb in any way any building, sign, equipment, marker or other structure, tree, flower, lawn or other public property on the Airport. Any person so doing, either by accident or intent, shall be liable for the reasonable value of the property so damaged or destroyed.

4.12 Transportation of Firearms, Ammunition or Explosive Materials. No person, except duly sworn peace officers in the performance of their duties, or members of the Armed Forces of the United States on official business, shall bring, carry or transport onto the Airport any firearms, ammunition or explosive materials without written permission of the Airport Director, except that air carrier passenger may carry cased sporting arms to the baggage check-in area in a secured case, unloaded and without ammunition, and in compliance with all air carrier regulations.

4.13 Transportation of Weapons. No weapons of any kind will be carried into the Airport for aircraft security clearance without prior knowledge of the Airport Police Officer on duty.

4.14 Permits for Air Shows. No air shows, air meets, fly-ins, aerial demonstrations, aerobatics, static displays or other special activities shall be held at or over the Erie International Airport without prior written permission of the Board of the Erie Regional Airport Authority, and no such permission shall be granted unless and until the applicant shall have secured insurance protection in an amount specified by the Authority and with the Authority as additional

named insured. Such insurance shall be presented well in advance by a date to be specified by the Authority after the initial request for permission. The time period covered by the insurance shall be such that coverage is extended for the time required for setting up for the Air Show and for the takedown/cleanup activities. The Authority reserves the right to refuse such permission at its sole discretion. (Reference Resolution 2018-26 approved by the Board on October 24, 2018).

4.15 Damage to Person and Property. The Authority assumes no liability for loss, injury or property damage to persons or property on the Airport or using Airport facilities by reason of fire, theft, vandalism, wind, flood, earthquake, collision, or other acts beyond their control.

4.16 General Insurance Requirements. Where insurance is specified and required, the coverage provided, shall either be in the form of an aviation insurance policy or an airport premises policy. In the case of airline operators, the aviation policy will normally cover the hull, passengers, baggage within the aircraft, and exposures relating directly to the aircraft operations. All other policies will ordinarily be a form of airport premises coverage, which ordinarily provides the same type of protection to the Airport Authority as that which would be provided under general liability coverage. In all cases, the Erie Regional Airport Authority, its officers, and employees should be named as additional insured. The additional insured clause must provide that the Authority will receive the benefits of the policy and the protection of the policy. In all cases, the above named will be insured to the full limits of the policy. In all cases, the policy or an endorsement to the policy must confirm that the above named have been included as additional insured and the declaration pages of the policy must confirm the specific types of coverage being provided. Evidence of such insurance must be provided by certificates of insurance in a form satisfactory to the Authority and must specifically provide that a minimum of thirty, (30) days notice of cancellation of any policy will be given to the Authority prior to the date of cancellation. In all instances, this is a mandatory requirement. The minimum requirements for insurance coverage are set forth in Attachment A.

4.17 Registration of Aircraft. All aircraft hangared, parked, or remaining on the Erie International Airport on a permanent basis shall be registered with the Authority at its offices in the main terminal building giving owner(s) name(s), address(es), phone numbers (permanent and local), aircraft type, aircraft registration number, and location of aircraft at Erie International Airport. For the purposes of this section, the term “permanent basis” shall mean any evidence or intention to hangar, park, or maintain an aircraft on the Erie International Airport for all or any portion of fourteen (14) calendar days. The owner and/or operator of an aircraft shall be required to present evidence of aircraft liability as required in Attachment A for their aircraft. Aircraft in this category shall not be required to comply with the requirements of Section 4.16 unless said aircraft is operated in conjunction with or as part of one of the enumerated commercial activities described in these regulations.

4.18 Security Identification Display Area/TSAR Part 1542 Requirements. The Erie Regional Airport Authority shall train each individual under TSAR Part 1542. This training is required for personnel authorized unescorted access to the Security Identification Display Area, (SIDA). If the Airport is fined due to tenant negligence; that tenant will be responsible for the fine(s).

4.19 Airport Warning Notice Program (AWN). The purpose of the Airport Warning Notice Program is to develop and ensure continued security awareness and compliance among Erie International Airport (ERI) employees, tenants, vendors and contractors to the Airport Security Plan and TSAR Part 1542 Regulations. All persons in possession of an airport issued identification badge (ERI ID) or Touch Tag or other airport authorized identification medium as outlined in the Airport Security Program (ASP) or Airport Rules and Regulations (ARR), tenants of the ERI Airport, contractors, vendors and visitors of any tenant of ERI Airport. The Airport Warning Notice (AWN) Program will address all violations of safety and security protocol.

1.

4.20 Fuel Spills. All fuel spills no matter how small must be reported immediately to Airfield Operations. Do not walk or drive through a fuel spill. In addition, any damage to the environment such as water, streams, air etc. are the responsibility of the tenant to clean up. All costs incurred and fines from the Environmental Protection Agency or the Airport Authority are the responsibility of the tenant. Should the Airport incur costs and fines the tenant shall be responsible to either pay or reimburse the Airport in full.

4.21 Hazardous Incident/ Conditions. Hazardous incidents/conditions in non-movement areas shall be reported to the airport police and the individual's immediate supervisor. All aircraft incidents/accidents in the non-movement area shall be reported to the Airport Police immediately for investigation. Failure to report any hazardous incident or condition will constitute permanent revocation of Airport Issued I.D. Badge and/or fines to individual(s) and the tenant, up to \$10,000, and possible criminal charges.

Section 5. Motor Vehicle Regulations

5.01 Registered Vehicles. Only vehicles registered with the airport police or escorted shall be allowed to use the landing area of the Airport. Anyone doing work on the Airport, and in need of gate access control is required to pay, time and one half for off duty Airport Police or Airfield Maintenance personnel to monitor the gate or gates.

5.02 Vehicles Permitted in Landing Areas. Vehicles eligible to use the landing area shall include, but not be limited to, automobiles, trucks, ambulances, hearses, buses, snow removal equipment and construction equipment. Bicycles, motorcycles and motor scooters shall not be permitted in any landing areas.

5.03 Two-Way Radio Requirements. Any vehicles, as a condition for use of the movement area, must be equipped with a functioning two-way radio capable of communication with the Air Traffic Control Tower on the currently active Ground Control frequency. (See Driver's Training.)

5.04 Vehicle Requirements for Beacon (Day). Vehicles shall be equipped with a functioning flashing or rotating amber beacon, rated at not less than 500,000 CP, mounted upon the highest part of the vehicle. This beacon must be in operation at any time the vehicle is in the movement area of the Airport.

5.05 Vehicle Requirements for Beacon (Night). Any vehicle, whether permanent or temporary permit, that is to be used at night must be equipped with above-mentioned beacon.

5.06 Vehicle Flag Use. Vehicles operating in the AOA/movement areas for daylight operation, may substitute a three-foot square flag consisting of nine squares of alternate aviation orange and white instead of the beacon.

5.07 Vehicle Control-by-Control Tower. No vehicle shall cross an active taxiway and/or runway without specific approval for each trip from the Air Traffic Control Tower.

5.08 Vehicle Speed Non-Movement Area. No vehicle shall exceed ten (10) miles per hour on any ramp, apron or other aircraft parking area. All designated travel markings shall be obeyed. Drivers must adjust their driving to changing ramp conditions if the ramp is wet or icy. Never operate ground equipment in an unsafe manner.

5.09 Vehicle Speed Movement Area. No vehicle shall exceed thirty-five (35) miles per hour on any movement area of the airport.

5.10 Vehicle Parking Rules and Regulations. Vehicle Rules and Regulations shall be as follows in Section 5.11 to 5.15:

5.11 Vehicle Parking. No person shall park, stand or leave a vehicle at any location on the airport except:

- a. In the public parking lots in a space designated for parking;
- b. At locations marked by signs, markings or other means, in the manner permitted by the signs or markings;
- c. As directed by a law enforcement officer or other Authority representative.

5.11.1. Airport Terminal Curbside. No person shall park, stand, wait, or leave a vehicle unattended in front of the airport terminal. Curbside in front of the terminal shall be used only for the purpose of actively loading and unloading of passengers and/or baggage.

5.11.2. Handicapped Zone. No person shall park any vehicle in or obstruct a handicapped parking space unless it displays a handicapped parking sticker issued by Pennsylvania, or another State. The fine for handicapped parking violation shall be \$75.00.

5.11.3. Owner Responsible. The registered owner of the vehicle shall be held strictly liable for any violations of 5.11.1 above.

5.11.4. Towing. Vehicles parked in violation of Section 5.11 may be towed or relocated. If the vehicle is towed, the owner or driver must provide proof of identity and pay the cost incurred prior to release of the vehicle.

5.11.5. Fines. Violators shall pay fines as approved by the Authority. All fines for section 5.11 through 5.11.6 shall be \$25.00 except for Handicapped Zone 5.11.2, which shall be \$75.00 and section 5.11.4, Towing which shall be at a rate determined by the Authority and the towing entity.

5.11.6. Written Notice. If parking violations are not paid within ten (10) days of the violation a letter will be sent to the registered owner of the vehicle advising them that the cost of the violation has increased by ten (ten) dollars and that the fine must be paid within twenty (20) days from the date of the letter. If the fine is not paid within those twenty (20) days the issuing officer shall go in front of the District Judge and file the legal charges for failure to pay fines.

5.11.7. Referral to Court. Any person who commits a violation and does not pay the fine within ten days of receipt of the ticket shall have the fine increased from twenty-five (25) dollars to thirty-five (35) dollars and then be given an additional twenty (20) days to pay the fine. If the fine is not paid within those twenty (20) days the issuing officer shall go in front of the District Judge at Magisterial District 06-2-02 and file the legal charges for failure to pay fines. Any person who commits a violation and does not believe the fine is just may file an appeal at Magisterial District Court 06-2-02, located at the Millcreek Township Municipal Building.

5.12 Requirement for Valid State Drivers License. No person shall operate any vehicle or other piece of mechanized equipment anywhere upon the Airport unless in possession of a valid Pennsylvania driver's license, or similar certificate from another state which is currently accepted by the Commonwealth of Pennsylvania by reciprocity.

5.13 Driving Under the Influence. No person shall operate any vehicle or other mechanized equipment upon the Airport while under the influence of alcohol, narcotics or other drugs.

5.14 Operation by Common Carrier. No person shall operate any common carrier or other vehicle for hire in the regular transport of passengers to or from the Airport without a written agreement and permit issued by the Authority.

5.15 Common Carrier Loading and Unloading Zones. No common carrier or vehicle for hire shall load or unload at any place other than that specified or designated by the Airport Director. The following rules apply:

- a. Only properly authorized car rental agencies, ground transportation providers, transportation network companies (TNC), commercial vendors doing business with airport tenants, and delivery companies making deliveries to the Airport or its tenants are permitted to use the commercial lane.
- b. The ground transportation providers shall provide and install at their own expense sign (s) meeting the Authority's approval.

- c. There will be no parking, standing or stopping curbside in front of the terminal building. All vehicles that are unattended will be issued a parking citation by airport police and towed.
- d. Any ground transportation provider who by itself or its agents violates the above rules will immediately and without rights of appeal forfeit its access to the airport property.

5.16 Insurance. All common carriers, if permitted by Rules and Regulations of the Pennsylvania Public Utilities Commission, shall be required to provide comprehensive automobile general liability insurance in amounts not less than \$1,000,000 each person \$2,000,000 each accident, and \$1,000,000 property damage. For additional requirements relative to this insurance, see Section 4.16.

5.17 Abandoned Vehicle. The Authority shall take possession of any vehicle abandoned on any portion of Airport owned property. The Authority shall comply with Title 75, Vehicles Law of Pennsylvania, Chapter 73-Abandoned Vehicles and Cargos. The abandoned vehicle shall be towed by an authorized salvor. The owner shall be responsible for fines, towing fees, and storage of said vehicle.

5.17.1. Relocation/Impoundment.

1. Vehicles that are standing or parked in violation of the provisions of these Rules and Regulations, or Pennsylvania Vehicle Code, or Millcreek Ordinance, or posted signs, or specific direction of an Authority employee, are subject to impoundment or relocation at the owner's and/or driver's expense.

2. All towing and all storage/parking charges shall be paid before the vehicle is released to the owner and/or driver. If the vehicle is relocated to airport paid parking, the parking charge will accrue from the time the vehicle was first observed illegally standing or parked, at the short term parking rates.

3. The public safety officer shall determine whether the vehicle should be relocated to the airport public parking lot, or impounded to another impound yard.

A. Non Movement Area Ground Equipment Area Ground Equipment Operations

5.18 Aircraft/Pedestrian Right-of-Way. Operator of any vehicle shall yield the right-of-way to all moving aircraft, shall allow a safe stopping distance and maneuvering area at all times. Pedestrians (including passengers and employees) always have the right-of-way. Never drive between passenger gate and aircraft, between aircraft when they are double parked, or across passenger walkways during enplaning/deplaning. Emergency vehicles and snow removal equipment are exempt from this rule.

5.19 Ground Equipment Safe Operation. Anyone on driving on the airport or on the airfield will take extra caution when moving around fixed objects and other ground equipment. Drivers will allow enough clearance to safely stop or avoid oncoming traffic or personnel.

Drivers will approach aircraft slowly when positioning ground equipment. Follow air carrier specific company policies and operation guides.

5.20 General Equipment Positioning. Do not position any ground equipment on an aircraft until the aircraft has been properly chocked. Position ground equipment (except belt loader, container/pellet loaders, cargo king, or catering truck) so it can be driven away from aircraft without backing up. Always use a guide person when backing up near an aircraft. Do not position any ground equipment against, under or inside an aircraft.

5.21 Fuel Truck Operations. Fuel trucks must move in a forward motion. In the event this is impossible and a fuel truck must use reverse then the driver must use a guide person.

5.22 Ground Equipment Use. Use ground equipment only for the job it is designed to do. A belt loader is not a baggage cart; a ground power unit is not a tug. No riders are permitted on ground equipment unless there is a seat provided for them (the fender of a tug or the belt loader conveyor are not passenger seats). Never use one piece of equipment to push another.

5.23 Ground Equipment Parking. Park ground equipment only in designated parking areas to reduce congestion and provide more room to maneuver your vehicle safely. Always turn off motorized equipment when parked and not in use, or when waiting for flights (weather permitting, i.e., subzero temperatures may require that vehicle(s) not be turned off). Make sure equipment is in neutral or park (if applicable), and parking brakes are set before starting equipment. Come to a complete stop, shift into neutral or park (if applicable), set parking brake, and turn off engine (weather permitting) before getting off equipment.

Section 6. Non-Tenant Business Rules and Regulations/Pedestrian Rules

A. Non-Tenant Business Rules and Regulations

6.01 Non-Tenant Business Permit. Any non-tenant business desiring access to the Airport for the purpose of conducting business thereon shall first obtain from the Authority a permit prior to conducting any such business on the Airport property. Thereafter, no such non-tenant business shall conduct, at any time, any activity upon Airport property without a valid permit.

6.02 Definition of Non-Tenant Business. Any person, as defined in Section 3.10 herein, not having a lease, concession, or other contract with the Authority governing its operations, but who does supply or provide directly goods, commodities, services or facilities to the public at the Airport as a regular business activity for profit is hereby defined as a non-tenant business. The term shall include, inter alia, all vehicles operated for hire, taxis, and non-tenant rental car concessionaries. The term shall not include buses operating on a regular basis as a part of the Erie Metropolitan Transit Authority or any commercial vehicle engaged in providing goods, commodities, or services to the Authority, any federal or state agency operation at the Airport, or any fixed based operator or lessee of the Authority.

6.03 Application for Permit.

1. The Authority may issue a non-tenant business Permit only upon receipt of a signed and verified application from the non-tenant business on a form approved by the Authority containing, inter alia, the following information:

- a. Name of the non-tenant business, address, telephone number, type of business, type and description of vehicle to be operated (if any) on Airport property.
- b. Name, address, and job title of all local management personnel, and all employees actually engaged in the operation of vehicles to be operated on Airport property.
- c. The names and addresses of every person, as defined in Section 3.11, having an interest in the non-tenant business. In the case of corporations not traded publicly, the names and addresses of each shareholder and the number of shares held by such person.
- d. In the event the applicant is a corporation, the name, address, and telephone number of the principal office of the corporation and of the local office, if any, in the event such principal office is not located in Erie County.
- e. In the event the applicant is a foreign corporation, the applicant shall submit evidence of its registration to do business in Pennsylvania.
- f. Satisfactory proof of all business and/or motor vehicle permits required by local, state, and federal authorities.
- g. Satisfactory proof of comprehensive general liability insurance in the amount of at least \$1,000,000 covering all business operations, employees, and customers. Ordinarily such proof shall be in the form of a Certificate of Insurance issued to the Authority stating thereon that such insurance shall not be cancelled upon less than (10) days prior to written notice to the Authority.

2. The submission of such an application by a non-tenant business shall constitute an expressed understanding and agreement by such applicant that he/she/or it will, in the event such application is approved by the Authority:

- a. Enter into a written agreement in such form as may be approved from time to time by the Authority governing the operation of the applicant on the Airport property. The agreement governing non-tenant business operations then in effect will be attached to the application and will be properly executed by the applicant and delivered with the application. If approved, one copy of the agreement executed by the Authority shall be returned to the applicant.

- b. Pay the permit fee specified under the rules and regulations now existing or hereafter adopted by the Authority.
- c. Covenant to obey and adhere to all rules and regulations of the Authority, now existing or hereafter adopted, and the directions of all authorized personnel or employees of the Authority issued within the scope of such rules and regulations.

3. In the event said application is approved and there is a subsequent change in the facts or circumstances reflected on the application for a non-tenant business Permit, the business is required to file a written verified statement with the Authority notifying it of said change or changes within five (5) days from date such changes shall occur. Failure to file such statement shall constitute grounds for revocation of Permit in accordance with the provisions of Section 6.06.

6.04 Issuance of Permit. Within thirty (30) days after the applicant has been submitted to the Authority, the application will either be approved or disapproved by the Executive Director of the Airport acting by and on behalf of the Authority. In the event the application is approved, the applicant must execute and deliver the written agreements specified in Section 6.03 and pay the permit fee prior to the issuance of said Permit. In the event the application is disapproved, the Authority shall specify the grounds for such disapproval in writing, and the applicant shall have the right to a hearing for reconsideration before the Board of the Authority if requested.

6.05 Term of Permit. Permits will be issued annually for a period of twelve (12) months beginning on January 1st each year, subject to the right of revocation by the Authority as specified in Section 6.06. Unless renewed as herein provided in Section 6.08, such Permit shall automatically expire at the end of said twelve (12) months.

6.06 Revocation of Permit. A non-tenant business Permit may be revoked by the Authority for cause at a public meeting of the Authority upon five (5) days prior written notice to the non-tenant business of the meeting at which such revocation shall be considered. Such notice shall be either hand- delivered or mailed by certified mail to the address given on the application or any subsequent address given to the Authority in writing. The term “cause” includes, but is no limited to:

- a. Breach of the written agreement or any subsequent agreement entered into with the Authority.
- b. Failure to perform any of the covenants and agreements entered into with the Authority, including failure to make timely payment of any fees, fines, or other monies due and owing to the Authority.
- c. Violation of any rules, regulations, or standards of the Authority now existing or hereafter adopted.

- d. Failure on the part of any agents, employees, or representatives of the business to obey any directions properly issued by any duly authorized officers, agents, or employees of the Authority.
- e. Violation of any statutes or regulations of the United States or the State of Pennsylvania.
- f. Violation of any ordinance of the City of Erie or the Township of Millcreek applicable to the operations of the business conducted on Airport Property.
- g. Evidence of financial insolvency or instability, moral turpitude, or commission of a crime.
- h. Any other act or omission of the permittee adversely affecting the Airport operations or posing a danger to the public health, safety, or welfare.

6.07 Application/Permit Fees.

1. There may be a charge to be determined by the Authority payable in advance to defray the administrative costs of processing each application for a non-tenant business Permit. This cost is not refundable in the event the Permit application is rejected. In the event the Permit is approved, said fee shall be credited against any annual permit fee due and payable.

2. The annual permit fee will be determined by the Airport Authority and will insure that the airport fees are in line with the rates and charges of the airline industry. The airport will keep a copy of all rates and charges in the administration offices of the Authority and will be provided to any person or entity upon request.

6.08 Renewal. Applications for renewal of Permits shall be submitted to the Authority not less than thirty (30) days nor more than sixty (60) days prior to the date of renewal. Upon approval of such renewal application by the Executive Director, the applicant shall, prior to the date of expiration of an existing Permit, execute and deliver to the Executive Director of the Authority a written agreement in the form then approved for use for non-tenant business by the Authority and pay the fee required by these rules and regulations.

6.09 Limitation on Vehicle Use Under Permit.

1. A non-tenant business Permit will allow the business to pick up and deliver persons at the Airport terminal in any vehicle registered with the Authority.

2. In the event a registered vehicle is temporarily out of service, a non-tenant business may obtain a temporary permit to operate a properly marked substitute vehicle for a period not exceeding thirty (30) days.

All commercial vehicles doing business on the airport shall maintain an airport issued permit.

6.10 Limitation on Scope of Business. A non-tenant business Permit shall not permit a business to have an office or designated place of business on Airport property, install or maintain direct telephone lines, park or operate rental cars on Airport property, or otherwise conduct any business activity whatsoever in any area except that which is expressly permitted by the Authority under these Rules and Regulations or the terms of the agreement entered into between the Authority and the permittee.

6.10.1. Prohibition Against Ultra Vires Business Activities. No person, as defined in Section 3.10 herein, shall engage in any business activity at the Airport or commit any act in furtherance thereof, which is not permitted specifically by the terms of any lease, concession or other written agreement between the Authority and such person.

6.11 Registered Vehicle Parking. Each non-tenant business shall be entitled to park one registered vehicle in the parking spaces designated and reserved by the Authority for the exclusive use of non-tenant business permit holders. The Authority reserves the right, at any time without notice, to discontinue the use of such spaces, relocate the same, or increase or decrease the number of such reserved spaces.

B. Pedestrian Rules

6.12 Restrictions on Use of Air Operations Area. No person or persons, except airmen, duly authorized personnel, passengers going to or from aircraft or others personally conducted by airmen or Airport attendants shall be permitted to enter the air operations area. This does not give any person or persons so authorized the privilege or unrestricted use of this area for pedestrian use. These privileges are confined to the necessary use of the air operations area in connection with flights, inspections or routine duties and may be revoked by the Airport Executive Director when, at his/her discretion, such action is necessary for the safety of the public.

6.13 Prohibition Against Crossing Runways and Taxiways. No pedestrian may cross any runway and taxiways while going from one building to another.

Section 7. Aircraft Fueling and Defueling

7.01 Right to Sell and Dispense Aviation Fuel. Aviation tenants whose lease provides the right to sell and dispense aviation fuel and who desires to exercise such right shall:

- a. Submit aviation fuel services data to the Authority for approval, which shall specify hours and types of services, types of fuel, lubricants and other products available.
- b. Utilize only fuel storage and dispensing facilities and equipment which meet or exceed all safety and pollution control requirements of appropriate local, state and federal agencies and authorities.

- c. Secure written approval from the Authority prior to the installation of storage and dispensing equipment or before the acceptance of delivery of any new type or brand of fuel.
- d. Establish and file with the Authority a schedule of retail sale prices for all grades of aviation fuel, which prices shall be comparable with those in effect at other airports in the region.
- e. File with the Authority, at least five (5) business days prior to the effective date, any change in price of fuel or in hours of attended operation.
- f. Require the wholesale supplier of fuel to submit a monthly report to the Authority showing quantities and types of fuel delivered to the premises.

7.02 Required Markings – Fuel Tenders and Outlets. All fuel tenders shall be appropriately marked as to the type of fuel contained. Fuel outlets will be marked with type and grade of fuel. “No Smoking” and “Flammable” signs will be posted on both sides and the rear of the vehicle.

7.03 Operation of Fuel Tenders. Fuel tenders shall not be operated on any portion of the air operations area unless equipped with and operating ground control transceiver and approved amber rotating beacon or omni-directional strobe light.

7.04 Disposition of Aviation Fuels, Lubricants, Chemicals. No aviation fuels, lubricants, oils, greases, chemicals or other harmful liquids or materials shall be drained onto or deposited on any Airport surface.

7.05 Fueling or Defueling of Aircraft Fuel Tanks. No aircraft fuel tank shall be fueled or defueled in any building or structure upon the Erie International Airport.

7.06 Transportation and Storage of Flammable Materials. No fuel or other flammable material shall be transported into or upon the Erie International Airport in any unapproved container and no fuel or other flammable substance shall be stored in any building except in an approved area.

Section 8. Aircraft Operations

A. General Description of Operations/Authority of Airport Director

8.01 General Conduct of Aeronautical Activities. All aeronautical activities at the Erie International Airport and all aircraft arriving at or departing from the Airport, or in the airspace constituting the Airport Control Zone, shall be conducted in conformity with the current provisions of the Federal Aviation Regulations as issued by the Federal Aviation Administration and the laws of the Commonwealth of Pennsylvania.

8.02 Airport Director – Authority to Control Aircraft Operations. The Airport Director shall, at all times, have the authority to take such action to protect and safeguard all persons and property and to control operations or any other activity at the Airport as may be necessary.

8.03 Airport Director – Authority to Suspend or Restrict Aircraft Operations. The Airport Director, either directly or through an authorized representative, may suspend or restrict any or all aircraft operations without regard to weather conditions, whenever such action is deemed necessary in the interest of safety.

B. Taxiing and Flight Rules

8.04 Aircraft Taxi Control. During hours of Tower operation pilots will taxi their aircraft into the air operations area only after they have received clearance from the Airport Control Tower.

8.05 Aircraft Taxi Speeds. Aircraft will be taxied at a safe and reasonable speed and with due regard for other aircraft, persons and property.

8.06 Aircraft Taxi Procedure. No aircraft shall taxi in such a manner so as to cause its wing or tail section to overhang any fixed field installation such as fences, buildings, hangars or mobile equipment such as fuel tenders, carts, automobiles or other aircraft.

8.07 Takeoff and Landing. Takeoffs and landings shall be made only on designated runways. Aircraft shall not take off from or land upon the grass areas or taxiways of the Airport except in cases of emergency and as authorized by the Airport Control Tower.

8.08 Special Procedures During Hours of Aircraft Control Tower Closure. During hours of Tower closure, the following special rules shall apply:

- a. Pilots shall broadcast their intentions “in the blind” on Tower local control frequency prior to taxiing and entering the runway for takeoff.
- b. Pilots shall broadcast “in the blind” on Tower local control frequency prior to entering downwind, on base leg and on final approach for landing.
- c. In the event of an emergency, whether in flight or on the ground, pilots shall broadcast the nature of the problem on Tower local control frequency, in order to alert Airport Authority personnel.

C. Aeronautical Ground Rules

8.09 Restrictions on Aircraft Start-up/Run-up. There shall be a qualified pilot or mechanic at the controls of all aircraft whenever the engine is operated. Under no circumstances shall an aircraft engine be started or allowed to run with no one at the controls.

8.10 (Reserved).

8.11 Prohibitions on Smoking. Smoking shall be prohibited:

- a. In any place where smoking is specifically prohibited by signs.
- b. On all apron areas.
- c. Within twenty – five (25) feet of any fuel tender not in motion.
- d. Within fifty, (50) feet of fueling operation in progress.
- e. Any area where prohibited by OSHA, Federal, State, etc. or any other competent authority.

8.12 Disposition of Aircraft Parts. The aircraft owner shall be responsible for the prompt disposal of any wrecked aircraft or aircraft parts. In the event it is necessary for the Authority to remove such aircraft or aircraft parts for the good of the Airport, such removal shall be at the owner's expense and without liability for damage which may result in the course of such removal.

8.13 Unlicensed Aircraft – Parking, Tie-down or Storage. Unlicensed aircraft shall not be parked, tie down or stored in open areas for more than forty-five (45) days beyond the date of a license expiration.

8.14 Unattended Aircraft. No aircraft shall be left unattended on the Airport unless properly secured or hangared. Owner of aircraft not so secured shall be responsible for any damage resulting from failure to comply.

Section 9. Minimum Standards for Aeronautical Fixed Base Operations

9.01 Establishment of Minimum Standards. Any person, partnership, corporation or group of individuals desiring to provide one or more aeronautical fixed base services using the Airport must adhere to these standards as a condition precedent to establishing and providing the specified service.

A. Aircraft Sales

Any aeronautical service desiring to engage in the sale of new or used aircraft must lease or provide as a minimum the following:

9.02 Minimum Land Area. A minimum area of land to be determined by the Airport Executive Director shall be provided for buildings, storage of aircraft, display and auto parking.

9.03 Buildings. Provide or construct 500 square feet of properly lighted and heated space for office and public use. Indoor restrooms must be provided.

9.04 Personnel. Provide one or more persons holding current commercial pilot certificate with ratings appropriate for the type of aircraft to be demonstrated. Provision must be made for the office to be attended a minimum of eight (8) hours per day, five (5) days per week.

9.05 Equipment. A dealer in new aircraft shall own or have exclusive lease on a minimum of one current model demonstrator, not more than twelve (12) month old.

9.06 Parts and Service. Dealer shall have an adequate supply of parts and servicing facilities to provide maintenance service to customer's aircraft during warranty period.

9.07 Insurance. Dealer shall carry airport general liability insurance including hangar keepers and aircraft coverage on demonstrator aircraft as required in Attachment A for their operations. For additional requirements relative to this insurance, see Section 4.16.

9.08 Hours of Operation. Dealer shall provide adequate hours of operation as approved by the Airport Executive Director.

B. Airframe and/or Powerplant Repair

Any service desiring to engage in airframe and/or powerplant repair service must provide as a minimum the following:

9.09 Minimum Land Area. An area of 15,000 square feet must be provided for the building, office space, temporary parking of aircraft and auto parking.

9.10 Buildings. Service must provide or construct a building sufficient to provide 10,000 square feet of shop and parts storage space. Provide for properly lighted and heated restrooms for customers and separate facilities for service employees.

9.11 Personnel. Provide a minimum of one person currently certificated by the FAA with ratings appropriate for work to be performed. Additional personnel shall be provided to keep office attended during normal working hours.

9.12 Hours of Operation. Hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week with provisions for emergency mechanical service on call during weekends and holidays.

9.13 Equipment. Sufficient equipment, supplies and availability of arts to perform maintenance in accordance with manufacturer recommendations or equivalent on various types of based aircraft.

9.14 Insurance. Any operator of an Airframe and/or Powerplant Repair service shall carry airport general liability insurance coverage as required in Attachment A for their operations. For additional requirements relative to this insurance, see Section 4.16.

C. Specialized Aviation Service Operations

Any individual desiring to engage in the repair or servicing of any aircraft must provide as a minimum the following:

9.15 Personnel. The person must be certified by the FAA with ratings appropriate for the work to be performed, and provide proof of current certification to ERAA.

9.16 Permitted. The person must pay a fee of \$2,000 per annum for the right to operate on the ERAA.

9.17 Insurance. Any operator of an Airframe and Powerplant and Experimental Aircraft and light sports aircraft service shall carry comprehensive general liability insurance coverage in an amount not less than \$1,000,000 each occurrence. The required policy is an Airport Premises Liability/Product Liability/Hangar Keeper's Liability. For additional requirements relative to this insurance, see Section 4.16. See Attachment A. In this category, the mechanic(s) is only allowed to work on aircraft based in hangars at the Erie Regional Airport Authority.

D. Aircraft Rental

Any service desiring to engage in the rental of aircraft to the public shall provide as a minimum the following:

9.18 Minimum Land Area. 12,400 square feet of land to provide space for aircraft parking, auto parking and buildings.

9.19 Buildings. 400 square feet of office space shall be provided, adequately lighted and heated, public use telephone, public lounge, 45, square feet of flight planning area with flight service telephone or equivalent located on Airport property.

9.20 Personnel. A minimum of one person holding a current commercial pilot certificate with appropriate ratings. Additional person provided for office to be attended during normal working hours.

9.21 Aircraft. Service shall own or have exclusive lease in writing for one (1) aircraft equipped for flight under instrument conditions.

9.22 Hours of Operation. Minimum hours of operation shall be eight (8) hours per day, five (5) days per week.

9.23 Insurance. Insurance coverage shall be as required in Attachment A. For additional requirements relative to this insurance, see Section 4.16.

9.24 Maintenance. Aircraft to be maintained in accordance with the FAA regulations.

E. Flight Training

Any service desiring to engage in pilot flight instruction shall provide as a minimum the following:

9.25 Certification. Flight training service shall be certified by the FAA as approved for instruction leading to private, commercial, instrument and flight instructor ratings, and shall meet all requirements of appropriate Commonwealth and federal regulations.

9.26 Minimum Land Area. Provide 12,400 square feet of land for building space, aircraft parking and automobile parking.

9.27 Buildings. Lease or construct a building of at least 1,000 square feet for office, pilot lounge, classroom and flight planning area with restrooms.

9.28 Personnel. A minimum of one (1) person certified by the FAA as flight instructor with proper ratings for training required. Additional personnel as required to attend office during normal working hours.

9.29 Aircraft. One (1) aircraft equipped for flight and training under instrument conditions, owned or exclusively leased in writing by the service.

9.30 Hours of Operation. Minimum hours of operation shall be eight (8) hours per day, six (6) days per week.

9.31 Insurance. Insurance coverage shall be as required in Attachment A; student and rental coverage in like amounts. For additional information relative to this insurance, see Section 4.16.

F. Air Taxi or Charter Service

Any service desiring to engage in air taxi or charter service shall provide as a minimum the following:

9.32 Minimum Land Area. 12,400 square feet of land as a minimum shall be provided for buildings, aircraft parking and auto parking.

9.33 Buildings. 1,000 square feet of buildings shall be provided for office, customer lounge, flight planning and restrooms. Hangar space shall be provided with a minimum of 1,000 square feet of floor space.

9.34 Personnel. A minimum of one (1) FAA certified commercial pilot appropriately rated to conduct air service offered. Additional personnel as required to attend office during normal working hours.

9.35 Aircraft. A minimum of one aircraft equipped for flight under instrument conditions. If only one (1) aircraft is owned or leased, it shall be multi-engine. Non-owned aircraft must have exclusive lease in writing.

9.36 Hours of Operation. Minimum hours of operation shall be eight (8) hours per day, six (6) days per week and provide on call service during non-office hours.

9.37 Certification. Operator must meet all provisions of FAR Part 135.

9.38 Insurance. Insurance coverage shall be as required in Attachment A; student and rental coverage in like amounts. For additional information relative to this insurance, see Section 4.16.

G. Aircraft Fuels and Dispensing Service

Any service desiring to dispense aviation fuels and oil and/or provide and other related line service shall as a minimum provide the following:

9.39 Minimum Land Area. 5,000 square feet of land for fuel storage area and 500 square feet of land for office area.

9.40 Buildings. Provide 400 square feet of office space with public telephone and restrooms and 10,000 square feet of hangar space.

9.41 Personnel. One or more persons trained in the servicing of aircraft on duty during normal working hours.

9.42 Equipment. Minimum of two (2) mobile fueling vehicles, capable of adequate separation of various grades of fuel, and properly metered. Mobile trucks shall have a minimum of 1,200 gallons total or 500 gallons in each of two different storage compartments. Fixed storage shall be at least 10,000 gallons aviation gasoline and 10,000 gallons aviation jet fuel. Additional equipment as required to perform services in Paragraph 9.39 herein.

9.43 Services Required. Service shall be required to provide the following:

- a. Fuel service for 100LL and Avjet.
- b. Inflation of tires and aircraft struts.
- c. Oxygen service.
- d. De-icing service.
- e. Portable heaters and starting service.
- f. Tow vehicles.

9.44 Hours of Operation. Service to be provided from 8:00 A.M. until sunset, seven (7) days per week including holidays. Business shall have on call service during all hours of closure.

9.45 Insurance. Any operator providing refueling service shall provide airport general liability insurance coverage as required in Attachment A. For additional information relative to this insurance, see Section 4.16.

H. Radio, Instrument and/or Propeller Service

Service desiring to provide radio, instrument or propeller service must hold an FAA repair station certificate and ratings for same and provide as a minimum the following:

9.46 Minimum Land Area. Service shall provide a minimum of 1,000 square feet of land for buildings.

9.47 Buildings. Provide a building of at least 800 square feet for office, restroom and hangar space for aircraft undergoing repair.

9.48 Personnel. A minimum of one (1) FAA certified repairman, qualified in terms of the repair station certificate.

9.49 Hours of Operation. Minimum hours of operation shall be eight (8) hours per day, five (5) days per week.

9.50 Insurance. Airport general liability insurance coverage as required in Attachment A. For additional information relative to this insurance, see Section 4.16.

I. Aerial Application Operations

Service desiring to engage in aerial application operations must hold an Agricultural Aircraft Operator Certificate issued by the FAA under Part 147; comply with the requirements of federal, Commonwealth and subdivisions thereof; and provide as a minimum the following:

9.51 Minimum Land Area. 12,400 square feet of land to provide for buildings, aircraft parking and tie down, and parking space for loading vehicles and equipment.

9.52 Buildings. Lease or construct 320 feet of land to provide for building space for office and storage. Telephone must be provided.

9.53 Personnel. One (1) person holding current FAA commercial certificate, properly rated for the aircraft to be used and meeting the requirements of Part 137 of the FAA Regulations and applicable regulations of the Commonwealth. For pesticide applications, service must comply with current regulations for handling and using of hazardous materials.

9.54 Aircraft. One (1) aircraft which will be airworthy, meeting all the requirements of Part 137 of the FAA Regulations. Aircraft shall be owned or leased by agreement in writing and based on service's leasehold.

9.55 Facilities. A segregated chemical storage area, protected from public access.

9.56 Hours of Operation. Available on call twenty-four (24) hours per day during the normal aerial application season.

9.57 Insurance. Aircraft liability and comprehensive general liability insurance coverage as required in Attachment A. For additional information relative to this insurance, see Section 4.16.

J. Specialized Commercial Flight Services

Services desiring to engage in specialized commercial air activities including, but not limited to those listed below, shall provide as a minimum the following: Banner towing and aerial advertising; aerial photography or survey; fire fighting or fire patrol; power line pipeline patrol; any other operations specifically excluded from Part 135 of the FAA Regulations.

9.58 Minimum Land Area. 12,400 square feet of land to provide for buildings, aircraft parking and tie downs.

9.59 Buildings. Construct or lease 320 square feet of office space, with telephones.

9.60 Personnel. One, (1) person having a current commercial certificate with appropriate ratings for the aircraft to be flown.

9.61 Aircraft. One (1) properly certificated aircraft owned or leased by written agreement.

9.62 Hours of Operation. The operating hours will be from 8:00 A.M. to 5:00 P.M. five (5) days per week.

9.63 Insurance. Aircraft liability and airport general liability insurance coverage as required in Attachment A. For additional information relative to this insurance, see Section 4.16.

K. Multiple Commercial Aeronautical Services

Operators desiring to engage in two or more commercial aeronautical services must provide as a minimum the following:

9.64 Minimum Land Area. The leasehold for multiple activities shall contain 36,000 square feet. Land shall be sufficient to provide specific use areas for activities desired. This land need not be additive so long as a combination can be feasibly used, i.e. auto and aircraft parking areas.

9.65 Buildings. Provide building or buildings containing 25,000 square feet of floor space for offices, hangar, lounge, flight planning and minimum shop space for FAA repair stations as required by certificates. Space may share multiple use where compatible, i.e. customer lounge, general offices and restroom facilities.

9.66 Personnel. Multiple responsibilities may be assigned to personnel in order to meet personnel requirements for all activities as long as office is attended at all times during business hours. Personnel shall have the necessary qualifications as noted in the specific activity sections for all duties assigned.

9.67 Aircraft. Aircraft shall meet the requirements of the specific activity sections, except that, where possible within operational limits and requirements, aircraft may serve multiple uses.

9.68 Equipment. All equipment specifically required for each service to be provided.

9.69 Service. All services required for each activity must be provided during hours of operation specified.

9.70 Hours of Operation. Operations will adhere to hours of operation specified for each service to be provided.

9.71 Insurance. Operator will, as a minimum, obtain insurance equal to 50% of the aggregated total for services being performed or the highest single limit of service being performed whichever is higher. See Section 4.16 for additional requirements for such insurance. Also see Attachment A.

L. Landing Fee Collection Procedures

9.72 Aircraft Owners. Aircraft owners and/or their operators shall pay the Authority a fee for the privilege of landing at Erie International Airport. Such fee shall be defined in Schedule A of the Airline Operating Agreement (AOA). The Authority reserves the right to set higher landing fees for scheduled commercial aircraft services which have not signed leases.

9.73 Schedule A. Effective January 1 each year, landing fees shall be increased in the amount reflected in Schedule A.

9.74 Exemptions. The following aircraft are exempt from paying landing fees:

- a. Single engine aircraft operating under FAR Part 91 rules unless the aircraft is only using the airport to clear U.S. Customs.
- b. Aircraft owned by the Federal Government unless the total government use of the airport is substantial.
- c. Aircraft owned by the Commonwealth of Pennsylvania unless the total government use of the airport is substantial.
- d. Aircraft owned and operated by fixed base operators based at Erie International Airport, which aircraft are used to provide the specific services authorized or permitted that entity under its operating agreement with the Authority.
- e. Aircraft making emergency landings at the airport.
- f. Civil Air Patrol (CAP).
- g. Aircraft operation mercy or ambulance flights on a non-profit basis (the Authority may require proof of non-profit status).
- h. Aircraft chartered by the Authority.
- i. Aircraft based at Erie International Airport. "Based" aircraft shall include those owned or operated by residents of Erie County and the surrounding airport market service area which are hangared or tied down at the airport for at least one hundred eighty days in each calendar year. The Airport Director may include others in this category if they have permanently stationed company aircraft mechanic(s) at Erie or show other indices of using Erie International as a permanent base of aircraft operations.

- j. Aircraft which take off from Erie, but which are diverted back to Erie without having landed at their original destination or an alternate airport.

9.75 Fixed Base Operator Responsibility. Fixed Base Operators shall be authorized to collect landing fees on behalf of the Authority using the schedule then current and provided to them by the Authority. FBO's shall hold those sums in escrow for the Authority and shall remit them by the tenth day of each month for the previous month, along with a report identifying aircraft by registration number, date of operation and owner/operator. FBO shall be entitled to keep a percent of the landing fees that reflects the cost of collection, which percentage the Airport Director will negotiate from time to time.

Section 10. Flying Clubs

The following requirements pertain to all flying clubs desiring to base their aircraft on the Airport and be exempt from the minimum standards. A flying club is an association of four or more pilots who collectively own, lease or rent aircraft. Each club must be a non-profit corporation (in accordance with IRS rules) or partnership. Each member must be a bona fide stockholder in the corporation. The club's aircraft may not be used by anyone other than bona fide members for rental and shall not be used for commercial operations as defined by these standards:

10.01 Nonprofit Organizations. Each club must be a non-profit organization.

10.02 Interest of Club Members. Each member must be a bona fide owner of the aircraft or hold an interest in the club.

10.03 Club Revenues. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual operation, maintenance and replacement of the aircraft.

10.04 List of Membership. The club will file and keep current with the Authority a list of the club's membership and investment share held by each member.

10.05 Use of Club Aircraft. Club aircraft may be used only by bona fide club members for rental and by no one for commercial operations.

10.06 Student Instruction in Club Aircraft. Student instruction may be given in club aircraft to club members, provided such instruction is given by a lessee based on the Airport who provides flight training or by a rated instructor who shall not receive remuneration in any manner for such service.

10.07 Insurance. Each aircraft owned or operated by any flying club utilizing the airport premises must have aircraft liability insurance coverage in amounts not less than \$1,000,000 each person, \$2,000,000 each accident and \$1,000,000 property damage. For additional information relative to such insurance, see Section 4.16. See Attachment A.

Section 11. Parachute Activities

Parachuting is permitted under the following conditions:

11.01 Parachute Club. Any person parachuting on Erie International Airport must belong to a formally organized parachute club that has registered with the Authority and agreed to abide by and enforce within its membership, Authority Rules and Regulations.

11.02 Requirement for Licensing. Parachutists must be under the direct physical control of a person with a current United States Parachute Association Class C or D license, a copy of which must be provided to the Authority

11.03 Approval. Clubs will be approved only after they provide the Authority a copy of the written approval from the Erie FAA Control Tower to perform parachuting activity; and lease space necessary to perform the activity or arrange with an existing tenant for such space.

11.04 Insurance. Parachutists must maintain in force whenever jumping at the Airport, liability insurance in the highest amount offered under the USPA insurance program, or \$50,000 per occurrence, whichever is higher. Parachutists and their ground crews shall not violate any condition of their insurance coverage. (Reference AC 150/5190-7 Minimum Standards for Commercial Aeronautical Activities and FAA Order 5190-6).

11.05 Requirement for Ground Crew. The club will provide a ground crew for each jump.

11.06 Vehicle Operations. No person will operate any vehicle within the Airport perimeter fence unless specifically approved by the Airport Director or a representative, and the driver is trained adequately in airport driving rules.

11.07 Compliance of Regulations. Parachutists and ground crews shall comply with airport security regulations.

11.08 Notification Procedures. Parachutists shall notify the Authority Public Safety Office at least thirty minutes prior to the first jump of the day, within fifteen minutes after completing jumps for the day, and whenever there will be more than two hour break between jumps during the day.

11.09 Landing Fees. Clubs shall pay the Authority a landing fee of \$2.00 per jump, or fifty percent of any amount it collects that exceeds the actual cost of aircraft rental, fuel, insurance, equipment, and supplies etc. applicable to the Airport jumps, whichever is greater. The sum will be collected by the person in charge of the day's jump, and remitted to the Authority within five working days, together with jump documentation. Clubs shall maintain for at least one year adequate records of income and expenses which the Authority may audit at any reasonable time.

11.10 Waivers. Clubs shall require waivers that meet the Authority Solicitor's approval.

Section 12. T-hangars

Aviation tenants and/or users of tenant T-hangar buildings at the Airport shall:

12.01 Use of T-hangar Building. Use the hangar building for the storage of aircraft and items immediately incidental to its use and for no other purpose.

12.02 Conformity to Law. Abide by all rules, regulations, ordinances and/or laws applicable to use of Airport facilities promulgated by the Authority, the City of Erie, the Commonwealth of Pennsylvania or the United States government or agencies thereof, as the same may be amended from time to time.

12.03 Storage in Hangars. Not permit non-aircraft items to be store in hangars.

12.04 Aircraft Fueling/Starting Engines. Have aircraft removed completely from the hangar prior to fueling or starting.

12.05 Prohibition Against Commercial/Industrial Activity. Not conduct any commercial or industrial activity in T-hangars, nor permit the use of T-hangars by others for non-approved uses.

12.06 Storage of Flammable/Explosive Material. Not allow storage of any flammable or explosive material within said hangar at any time, except such material as is necessary to the operation of the aircraft, and then only if contained within the fuel tanks or engine of the aircraft.

12.07 Insurance. Every aircraft owned or operated by any tenant and/or user of T-hangar buildings must have aircraft liability insurance coverage as required in Attachment A. For additional information relative to such insurance, see Section 4.16.

Section 13. Fire Prevention

13.01 General Conduct. All persons using the Airport shall exercise the utmost care to guard against fire or injury to persons or property.

13.02 Compliance with Fire Prevention Signs. All persons shall observe and comply with the “No Smoking,” “Fire Lane” and all other fire prevention signs.

13.03 Storage of Waste or Debris. No rubbish, paper or other waste or debris shall be permitted to be stored in or near any structure, hangar or vehicle, except in approved containers. Owners or tenants shall provide suitable approved metal receptacles, fitted with air-tight covers, for the storage of oily waste, rages and other flammable materials. Contents of these containers shall be disposed of at reasonable intervals and in a manner as required by pollution control regulations.

13.04 Areas for Maintenance of Aircraft. Maintenance of aircraft in designated maintenance hangars shall be limited to inspections and replacement of parts and repairs incident thereto, provided such repairs do not involve appliances using open flames or highly heated parts other than an electric soldering iron. The use of open flames or highly heated parts is not permitted in aircraft maintenance hangars until all other aircraft and flammable materials have been removed from the hangar and adequate fire extinguishing equipment is readily available.

13.05 Cleaning of Aircraft Parts. Cleaning of engine parts or aircraft parts shall be done with non-flammable liquids whenever possible. If volatile, flammable liquids must be used for this purpose, cleaning shall be conducted in the open air with adequate and proper fire extinguishing equipment readily available.

13.06 Storage of Flammable Liquids. The storage in aircraft maintenance hangars of gasoline, kerosene, ether or other volatile liquids shall only be done in complete compliance with the requirements and recommendations of the National Board of Fire Underwriters and National Fire Protection Association.

13.07 Removal of Flammable Containers. Empty oil, paint and varnish cans and bottles or other containers shall immediately be removed from the premises and shall not be allowed to remain on floors, shelves, wall stringers or other locations in or near any structure.

13.08 Care of Hangar Floors. Floors of all hangars shall be kept free of oil and other flammable residue at all times. The use of volatile flammables for cleaning is strictly prohibited.

Section 14. Penalties for Failure to Comply with Rules and Regulations or Direction of the Authority

14.01 Failure to Comply with Rules and Regulations or Directions of the Authority. All persons upon Airport property, including those whose presence is specifically authorized and/or mandated by federal or state law, shall be considered as business invitees or guests of the Authority. In the event a violation of any of these Rules and Regulations, such persons shall be considered trespassers or defiant trespassers and subject to immediate ejection or removal, at the discretion of the Airport Director and/or the Authority's security personnel, from the Airport in any lawful and reasonable manner by the Airport security personnel who have been appointed police officers pursuant to the provisions of the Municipality Authorities Act of 1945, as amended, 53 P. S. 301 et seq. the subsequent entry of such persons upon Airport Property following such ejection, without express consent of a duly authorized representative or employee of the Authority, shall constitute a trespass or a defiant trespass. In addition to the ejection, the Authority reserves the right to bring criminal and/or civil action or actions against the violator as specified in Section 14.03 or 14.04.

14.02 Failure to Comply with Directions of the Authority. The Authority hereby vests power and authority in the Airport Director and employees of the Authority and the Airport Police to enforce these Rules and Regulations and otherwise to perform all acts which may be necessary and proper to insure the protection, safety and security of all persons using the Airport and all property situated on the Airport, be it either Authority property or property of other persons. Failure on the part of any person to immediately comply with any reasonable request and direction of the Authority's personnel shall be grounds for ejection or removal of such persons from the Airport in any lawful and reasonable manner which arrest or ejection shall be performed by the Airport Police who have been appointed pursuant to the provisions of the Municipality Authorities Act of 1945, as amended, 53 P.S. 301 et seq. In addition to such ejection, the Authority reserves the right to bring criminal and/or civil action or actions against the violator as specified in Section 14.03 or 14.04.

14.03 Civil Remedy or Criminal Prosecution. The Authority, in its discretion, reserves the right to commence a civil action or suit or file a complaint for criminal prosecution against any person or persons found in violation any Rules or Regulations which causes or may cause injury or damage to any person or property or if such violation appears to constitute the commission of a criminal act.

14.04 Summary Offense for Vehicular Traffic. Whoever violates any of the Rules and Regulations of the Erie Regional Airport Authority governing the entry, parking (except in metered parking spaces) or movement of vehicles (including vehicles operated by a non-tenant business as defined in Section 6.02), which violation is not an offense under any statute under the Commonwealth of Pennsylvania or ordinance of the Township of Millcreek, commits a summary offense and upon conviction, shall be sentenced to pay a fine of \$25.00 per violation. A violation shall include, inter alia, each separate entry of an unregistered vehicle owned or operated by a non-tenant business as defined in Section 6.02.

14.05 Penalty for Accessing the Airport to Conduct Business without a Permit. Any commercial or individual entity that utilizes the airport for the purpose of doing business and fails to secure a permit from the Authority may be charged with an offense and/or arrested for trespassing.

14.06 Severability of Provisions. If any section, subsection, paragraph, sentence, clause or phrase of these Rules and Regulations should be declared invalid for any reason whatsoever, such decision shall not affect the validity of the remaining portions of these Rules and Regulations, which shall remain in full force and effect; and to this end the provisions of these Rules and regulations are hereby declared severable.