

RULES AND REGULATIONS
GALLATIN FIELD AIRPORT

GALLATIN AIRPORT AUTHORITY
BELGRADE, MONTANA

Effective July 1, 1987

Revised July 10, 2003

RULES AND REGULATIONS

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PREFACE

The Gallatin Airport Authority is a municipal Airport Authority established in accordance with Section 67-1 1-102 MCA. The Rules and Regulations adopted herein are authorized under the following statutes.

67-11-202 Rules. An authority is authorized to adopt, amend, and repeal such reasonable resolutions, rules and orders as it shall deem necessary for the management, government, and use of any airport or air navigation facility owned by it or under its control. No rules, order, or standard prescribed by the commission shall be inconsistent with or contrary to any act of the Congress of the United States or any regulation promulgated or standard established pursuant thereto. The authority shall keep on file at the principal office of the authority for public inspection a copy of all its rules.

67-11-211. Granting of operating and use privileges.

(1) In connection with the operation of an airport or air navigation facility owned or controlled by an authority, the authority may enter into contracts, leases and other arrangements for terms not to exceed 40 years with any persons:

(a) granting the privilege of using or improving the airport or air navigation facility or any portion or facility thereof or space therein for commercial purposes;

(b) conferring the privilege of supplying goods, commodities, things, services, or facilities at the airport, or air navigation facility; and

(c) making available services to be furnished by the authority or its agents to the airport or air navigation facility.

(2) In each case the authority may establish the terms and conditions and fix the charges, rentals, or fees for the privileges or services, which must be reasonable and uniform for the same class of privilege or service; provided that in no case may the public be deprived of its rightful, equal, and uniform use of the airport or air navigation facility.

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(3) Except as may be limited by the terms and conditions of any grant, loan or agreement authorized by 67-11-305, an authority may by contract, lease, or other arrangement, upon a consideration fixed by it, grant to any qualified person for a term not to exceed 40 years, the privilege of operating, as agent of the authority or otherwise, any airport owned or controlled by the authority; provided that no person may be granted any authority to operate an airport other than as a public airport or to enter into any contracts, leases or other arrangements in connection with the operation of the airport which the authority might not have undertaken under subsections (1) and (2).

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DEFINITIONS

The words and phrases appearing in these Rules and Regulations requiring definition are hereinafter defined:

AIRCRAFT shall mean any contrivance now known or hereafter invented, used or designed for navigation or flight in air.

AIRLINE PASSENGER shall mean any person in the airport terminal area in possession of an airline ticket with the intention of boarding an airplane within a reasonable time for another destination. Within the purview of these Rules and Regulations, such person ceases to be an airline passenger when they reach their airport destination, claim their baggage and intend to depart the terminal area.

AIR OPERATIONS AREA (AOA) shall mean all airport surfaces used for movement, landing and/or take-off of aircraft.

AIRPORT AUTHORITY means the Gallatin Airport Authority, its directors or representatives as authorized in Section 67-11-102 MCA.

AIRPORT means "Gallatin Field" and all improvements and appurtenances contained thereon.

AIRPORT EMPLOYEE shall mean the bona fide employees of the Gallatin Airport Authority.

AIRPORT DIRECTOR shall mean the Airport Director of Gallatin Field or his designated representative.

BAGGAGE shall mean such articles, effects and other personal property of an airline passenger as are necessary or appropriate for wear, use, comfort, or convenience in connection with his/her trip. It includes both checked, unchecked and unclaimed passenger property.

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COMMERCIAL OPERATOR shall mean any person or organization engaged in business of an aviation nature not within the scope of a Fixed Base Operator as defined herein, who is authorized to conduct such business by virtue of a contract with the Gallatin Airport Authority.

DRIVER means every person who drives or is in actual physical control of a vehicle.
Section 61-1-309MCA.

EMERGENCY VEHICLE is a vehicle of the police or fire department, ambulance or any vehicle conveying an airport official or airport employee in response to an official emergency call.

FIXED BASE OPERATOR shall be any person or organization who has entered into a written lease or agreement with the Gallatin Airport Authority for the use of any building, shop or hangar, having a floor area of not less than thirty-six hundred (3,600) square feet, or for the site upon which such a building might be erected, and who by further agreement guarantees to provide on the airport and serve the public with the following minimum facilities:

- (1) Aircraft storage.
- (2) Approved aircraft repair service by a licensed mechanic.
- (3) Twenty-four (24) hour aviation fueling service.

GALLATIN AIRPORT AUTHORITY shall mean a public body, corporate and politic with a board of five (5) directors appointed by the Gallatin County Commissioners and operated under the provisions of Title 1, Chapter 9, Revised Codes of Montana, 1947.

HAZARDOUS MATERIALS includes explosives and any other article defined as a combustible liquid, corrosive material, infectious substances, flammable compressed gases, oxidizing materials, poisonous articles, radioactive materials, and other restrictive articles.

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INSTRUCTOR means any individual giving, or offering to give, instruction in the operation, construction, repair or maintenance of aircraft, aircraft power plants, and accessories, including the repair, packing and maintenance of parachutes.

MOTOR VEHICLE means every vehicle propelled by its own power and designed primarily to transport persons or property upon the highways of the state. Section 61-1-102 MCA.

NON-SCHEDULED OPERATOR shall be any person using the airport for the purpose of landing and taking off of any aircraft whose purpose shall be the taking on, or the unloading of any passengers, mail, freight, or cargo for hire, gift, remuneration, or reward, or for the purpose of refueling on an unscheduled basis and whose operations shall not be required to meet the regulations demanded of a scheduled air carrier as provided by the federal government. This includes air taxi and commercial operators of small aircraft.

PARKING, when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading. Section 61-1-407 MCA.

PERSON shall mean an individual, firm, co-partnership, corporation, company or association and includes any trustee, receiver or similar representative thereof.

POLICE OFFICER is every officer authorized and empowered by the Airport Authority to direct or regulate traffic and to enforce Gallatin Airport Authority Rules and Regulations.

PUBLIC AREA shall mean those areas including the various concessions, restrooms, terminal lobby sections, ticketing sections, and concourses used for public thoroughfares, gathering, waiting and viewing; streets and roads, sidewalks and all other areas normally used by the general public. All other areas are considered operational areas and access is permitted only upon expressed consent of the Airport Director.

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REFUELING TRUCKS shall mean any motor vehicle used for transporting, handling or dispensing aviation fuel, oils and lubricants.

SCHEDULED AIR CARRIER shall be any person or company engaged in the operation of any aircraft for the purpose of transporting passengers, mail, freight, or cargo on a scheduled basis.

WAYS OF THE STATE OPEN TO THE PUBLIC means any highway, road, alley, lane, parking area, or other public or private place adapted and fitted for public travel that is in common use by the public.

VEHICLE means every device in, upon, or by which any person or property may be transported or drawn upon a public highway, except devices moved by animal power or used exclusively upon stationary rails or tracks. Section 61-1-103 MCA.

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SECTION 1 - GENERAL RULES

A. Amendments to Rules and Regulations.

Future amendments, additions, deletions or corrections of these Rules and Regulations may be promulgated by the Airport Authority.

B. Enforcement.

The Police Officers or other representatives as designated by the Airport Authority are empowered to require compliance with these Rules and Regulations. No authority is either hereby expressed or implied, however, that would permit any individual to change, alter or amend these Rules and Regulations.

C. Previous Rules and Regulations.

These Rules and Regulations supersede and cancel all other previous Rules and Regulations as set forth by the Gallatin Airport Authority.

D. Special Regulations, Notices or Directives.

Special regulations, notices or directives of an operational nature of interest to persons engaged in business with the Gallatin Airport Authority shall be issued under the authority of these regulations.

E. Violations of Rules and Regulations.

Any person who violates any Rules or Regulations prescribed in these regulations may be removed or ejected from the airport premises and may be denied the use of the airport and its facilities if it is determined by the Airport Authority that such denial is necessary under the circumstances, as provided by these rules. In addition, any such person is responsible for all damages incurred.

F. Building Requirements.

Any person desiring to erect or construct any building on the airport shall be required to submit plans and specifications for the same to the Office of the Airport Director. The plans shall include a general layout, drawn to scale, showing the desired amount of ground actually required for the operation of the building in addition to the

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portion occupied by the building proper. Construction shall not commence until written approval of the plans has been given.

All buildings erected or modified upon the airport shall conform to local, state and federal Building Code requirements as well as the building requirements of the Gallatin Airport Authority.

G. Non-liability of County and Authority.

The permission granted by the Airport Authority to use the Airport and its facilities, or to fly to, from or over the same, shall be at all times conditioned upon the assumption of full responsibility therefore by every person exercising or taking advantage of such permission. It shall be a further condition thereof that each person, as a consideration for the use of the Airport and its facilities, shall at all times release, hold harmless and indemnify the Gallatin Airport Authority, and its agents and employees from any and all responsibility, liability, loss or damage, resulting to any such person, or caused by or on his behalf, and incident to the manner in which the Airport is operated, constructed or maintained, or serviced from within or without or used from without. The use of the Airport by any person for any purpose, or the paying of fees therefore, or the taking off or landing aircraft thereon, shall be itself an acknowledgment that such person accepts such privileges on the conditions herein set forth.

H. Airport Director Designated; Power and Duties Generally.

The Airport Director shall be responsible for the operation, management and maintenance of Gallatin Field and all facilities and equipment in connection therewith and for the enforcement of the provisions of these Rules and Regulations.

I. Accident Reports.

All persons involved in any accident; personal, aircraft, or automotive, occurring on the premises of Gallatin Field shall make a report to the Airport Director, as soon as possible, giving all pertinent information as requested by the officer in charge.

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J. Validity

Voiding of any particular rule or regulation contained herein shall not affect the validity of the remainder of these Airport Rules and Regulations.

K. Demonstrations, All Other.

Any person or organization desiring to use the airport for the purpose of exercising constitutional rights of free speech and freedom of religion such as distribution of literature and solicitation of contributions, shall be protected in such activities providing they do not result in impairing or interfering with the operational functions of the airport and such activities are in compliance with code provisions hereinafter set forth. The hereinafter set forth provisions are hereby declared to be necessary for the accomplishment of the following:

(1) To ensure that persons seeking to exercise their constitutional rights of free speech and freedom of religion may reasonably do so upon the premises of the airport;

(2) To restrict such activities of free speech and freedom of religion to certain public use areas of the airport;

(3) To protect all persons using the airport from being subjected to unreasonable contacts by any persons or organizations seeking to exercise rights of free speech and freedom of religion;

(4) To ensure the free, orderly, and efficient flow of pedestrian traffic through the airport premises; and

(5) To ensure the efficient and safe operation of the airport.

No person shall distribute literature or solicit contributions at the airport without first obtaining a permit from the Airport Authority. A written application showing the nature of the intended activities must be received by the Airport Authority at least two (2) business days prior to the date contemplated for commencing the activity and may be applied for thirty (30) days in advance of such activities. The written application shall

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contain:

- (a) The full name, residence mailing address and telephone number (if any) of the person desiring to distribute literature or solicit funds;
- (b) The full name, residence mailing address and telephone number (if any) of the person or organization sponsoring or promoting the proposed activities;
- (c) The full name, residence mailing address and telephone number (if any) of the contact person in the organization who will have supervision of and responsibility for the proposed activities;
- (d) The dates and hours on and during which the activities are proposed to be carried out, and the expected duration of the proposed activities;
- (e) A description of the proposed activities, indicating the type of communication involved; and
- (f) Which area the applicant prefers, as such area is defined in paragraph entitled, "Area Defined."

Permits shall be issued promptly within two (2) business days following receipt by the Airport Authority of the registration form containing the information required. The Airport Authority shall issue the person a registration card which shall indicate the person's registration number, and the date of expiration, and shall designate to which area of the airport the person has been assigned.

The Airport Authority shall exercise no judgment regarding the purpose or content of the proposed activities and shall exercise no discretion over the issuance of a registration permit hereunder, it being the intent of this section that the issuance of a permit by the Airport Authority shall be a routine, clerical and mandatory function. The registration permit shall be issued for a period of no more than ten (10) days. Any person conducting any activities referred to in this section shall keep the registration card on his or her person at all times while conducting any activities regulated hereunder and shall display the card upon the request of any person.

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(a) "Area" defined. The term "area" as used in this section shall mean any one of those areas which are numbered and circled on the floor plan of the terminal building or the other public area located on the airport. Such areas are shown on Exhibits "A" and "B" incorporated herein by reference, three (3) copies of which are on file in the Office of the Airport Director.

(b) "Main corridor" defined. The term "main corridor" as used in this section shall mean that area which is circumscribed in blue on the floor plan of the terminal building, which appears on a diagram thereof shown in Exhibit "A," incorporated herein by reference, three (3) copies of which are on file in the Office of the Airport Director.

(c) Restricted areas. The distribution of literature and solicitation of funds at the airport shall be conducted only in the nonsecured, public use areas defined in this section. Under no circumstances shall such activities be conducted:

(1) In any space exclusively leased to a tenant of the airport or within ten (10) feet of any such area, except for the main corridor; or

(2) Within twenty (20) feet of any security checkpoint; or

(3) Within ten (10) feet of any entrance or exit to any space exclusively leased to a tenant opening into the main corridor as defined; or

(4) In any space reserved for particular uses, such as restroom facilities, parking areas, unloading areas, and baggage claim areas; or

(5) Within ten (10) feet of the entrance to any elevator or escalator; or

(6) At any location on the premises of the airport not designated as an area in paragraph entitled "Area defined."

(d) Number of solicitors.

(1) The total number of persons engaged in the distribution of literature and/or the solicitation of funds in the public use areas of the airport defined in

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the paragraph entitled "Area defined" shall not exceed the determined maximum number of persons allowed for each area as described in Exhibit "A." This provision is included for the purpose of ensuring safety of the public and efficient operation of the airport.

(2) In the event that two (2) or more organizations seek to conduct such activities described herein at the same time, the Airport Authority shall assign the available areas between or among the parties on as equitable a basis as possible.

(3) When the number of persons desiring to distribute literature and/or solicit funds at the airport exceeds the number specified for any one area as stated herein, the Airport Authority may impose such reasonable and equitable restrictions as to allowable dates or hours for the conduct of such activities as may reasonably be required, providing as fair and as equitable as possible an opportunity for all persons desiring to conduct such activities, while ensuring the efficient and effective operation of the transportation function of the airport.

(4) The Airport Authority may move the permitted activities from one area to another and among the different areas upon reasonable written notice to each affected person when in the judgment of the Airport Authority a move or moves are necessary to the efficient and effective operation of the transportation function of the airport.

(e) Tables.

(1) There may be placed in each area identified in paragraph "Area defined," a table and sign, to be provided by the person or persons using it, of a size and configuration approved by the Airport Authority.

(2) No person or persons shall bring into the airport terminal building, and place in the areas identified in this section, any other table or sign at any time unless specific approval in writing has been obtained from the Airport Authority.

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(f) Prohibited solicitation activities.

The distribution of literature and solicitation of funds referred to in this section shall be conducted strictly in conformity with the terms of this section. In conducting said activities, no person shall:

(1) In any way intentionally obstruct, delay or interfere with the free movement of any other person, or seek to coerce or physically disturb any other person;

(2) Use any sound or voice amplifying apparatus or noise-making devices on the premises of the airport;

(3) In any way indicate to the public that he or she is a representative of the county, or the airport, or any airline;

(4) Misrepresent his or her identity or misrepresent the organization or purpose for which funds are being solicited;

(5) Display a sign in the area identified except those approved by the Airport Director.

(g) Solicitation

The soliciting of fares, alms or funds for any purpose on the Airport without the permission of the Authority is prohibited.

(h) Violations and Penalties.

It shall be unlawful for any person to intentionally violate any of the provisions of this section, and any person so doing shall be guilty of maintaining a public nuisance and, upon conviction, shall be punished as provided in Section 45-8-111, MCA.

L. Use of Sound Amplifiers.

Sound trucks and amplified electronic equipment are prohibited on the airport, except when required for special occasions and approved in advance by the Airport Authority.

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M. Airport Highways, Airport Roads and Walks.

Airport highways may be used as a means of ingress and egress by highway vehicles, to, from, and between the county and state roads with which such highways connect and various buildings and land areas at the airport abutting upon such highways and sidewalks along such highways (and other portions of such highways when designated for that purpose) may be used by pedestrians as a means of ingress and egress to, from, and between various parts of the airports.

N. Restricted Areas (General).

All areas of the airport, except those areas open to the public, are restricted and no person shall enter upon the air operations areas, airline offices, or hangars of the airport except:

- (1) Persons authorized by the Airport Authority.
- (2) Authorized representatives of the F.A.A. or T.S.A.
- (3) Pilots and passengers under appropriate supervision, entering the air operations areas for the purpose of enplaning and deplaning.
- (4) Business representatives in the conduct of their affairs with the airlines or other tenants.

O. Lost Articles

All lost articles shall be turned in to the Office of the Airport Director by the finder. Any such articles not claimed within sixty (60) days will be disposed of as determined by the Airport Authority.

P. Disposal of Airport Property

Except as may be limited by the terms and conditions of any grant, loan or other agreement, the Airport Authority may dispose of airport property, equipment and materials by public sale, auction, or donation to other public airports, government entities or non-profit organizations in accordance with Section 67-11-232 MCA.

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Q. Offenses

It is the intent of the Gallatin Airport Authority that the criminal offenses listed in these Rules and Regulations are offenses involving absolute liability. Those offenses shall not require proof of any one of the mental states described in Section 45-2-101, MCA.

R. Violations

It is a misdemeanor for any person to violate any of these Rules and Regulations.

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SECTION 2 - VEHICLES

A. Rules of Operation

(1) No person shall operate a vehicle on the ways of the state open to the public at the airport in violation of the regulations specified in Title 61 of the Montana Codes Annotated. For purposes of these Rules and Regulations, the regulations specified in Title 61 of the Montana Codes Annotated shall apply to the ways of the state open to the public at the airport regardless of any other definition or reference to highway, public highway, street or roadway in the regulations specified in Title 61 of the Montana Codes Annotated.

(2) It is the intent of the Gallatin Airport Authority to apply the regulations of Title 61 of the Montana Codes Annotated to the operation of vehicles on the ways of the state open to the public at the airport regardless of the application or limitation of the regulations to any other highway, public highway, street or roadway of the state. The regulations of Title 61 of the Montana Codes Annotated are specifically adopted by this reference. A violation of the regulations of Title 61 of the Montana Codes Annotated on the ways of the state open to the public at the airport is a violation of these rules.

(3) When a complaint is made against a person for the violation of Section 2A of these Rules and Regulations, the complaint shall cite in customary form the statute of Title 61 of the Montana Codes Annotated which the defendant is alleged to have violated, and Section 2A(1) of these rules.

B. Vehicle Operation on Air Operations Areas

(1) No person shall operate a vehicle on any air operations area without having received prior permission from the Airport Director or a tenant business operator authorized to grant access.

(2) No person shall operate a vehicle on the terminal ramp, old terminal ramp, general aviation ramp or east ramp unless that person is:

(a) Loading or unloading an aircraft located on that ramp.

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- (b) Servicing an aircraft located on that ramp.
- (c) Servicing or repairing aircraft related equipment located on that ramp.
- (d) An authorized employee or representative of the Airport Authority.

Persons operating vehicles on the Air Operations Areas shall mark and light their vehicles as necessary and shall give right-of-way to maneuvering aircraft

C. Stopping, Standing and Parking

(1) The provisions of these Rules and Regulations prohibiting stopping, standing or parking of a vehicle shall apply at all times, or at those times specified in these Rules and Regulations, or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with directions of a police officer or official traffic control device.

(2) No person shall stop, stand or park a vehicle, for loading, unloading or any other purpose on the ways of the state open to the public at the airport other than in the areas specifically established for stopping, standing or parking.

(3) No person shall stop, stand or park a vehicle on the ways of the state open to the public at the airport except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device, in any of the following places: (No signs are required)

- (a) On a sidewalk.
- (b) In front of a driveway.
- (c) Within an intersection.
- (d) On a crosswalk.
- (e) At any place where official signs or markings prohibit stopping or parking.
- (f) Aircraft Parking Areas.